

PRESIDENCY CONCLUSIONS

SANTA MARIA DA FEIRA EUROPEAN COUNCIL

19 AND 20 JUNE 2000

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I. PREPARING THE FUTURE

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A. Intergovernmental Conference on institutional reform

(...)

B. Charter of Fundamental Rights

(...)

C. Common European Security and Defence Policy

6. The European Council reaffirms its commitment to building a Common European Security and Defence Policy capable of reinforcing the Union's external action through the development of a military crisis management capability as well as a civilian one, in full respect of the principles of the United Nations Charter.

7. The European Council welcomes the Presidency report endorsed by the Council on "Strengthening the Common European Security and Defence Policy" and associated documents (see Annex I). Satisfactory progress has been made in fulfilment of the Helsinki mandate on both the military and the civilian aspects of crisis management. In this context, the European Council notes the progressive development of the interim Political and Security Committee and the interim military body established at Helsinki.

8. Improving European military capabilities remains central to the credibility and effectiveness of the Common European Security and Defence Policy. The European Council is determined to meet the Headline Goal targets in 2003 as agreed in Helsinki. In this context, it looks forward to the Capabilities Commitment Conference later this year, where Member States will make initial national commitments, and to the creation of a review mechanism for measuring progress towards the achievement of those targets. The necessary transparency and dialogue between the Union and NATO will be ensured and NATO expertise will be sought on capability goal requirements.

9. Principles and modalities for arrangements have been identified to allow non-EU European NATO members and other EU accession candidates to contribute to EU military crisis management. Principles for consultation with NATO on military issues and modalities for developing EU-NATO relations have also been identified in four areas covering security issues, capability goals, the modalities for EU access to NATO assets, and the definition of permanent consultation arrangements.

10. Contributions are invited from all partner third states to the improvement of European capabilities. The

European Council welcomes the offers made by Turkey, Norway, Poland and the Czech Republic, which will expand the range of capabilities available for EU-led operations.

11. The European Council welcomes the setting-up and first meeting of the committee for civilian aspects of crisis management, as well as the identification of priority areas for targets in civilian aspects of crisis management and of specific targets for civilian police capabilities. In this respect Member States, cooperating voluntarily, have undertaken that by 2003 they will be able to provide up to 5 000 police officers for international missions across the range of conflict prevention and crisis management operations. Member States have also undertaken to be able to identify and deploy up to 1 000 police officers within 30 days. The European Council also welcomes the willingness of the Commission to contribute to civilian crisis management within its spheres of action.

12. The European Council underlines the Union's determination in its approach to conflict prevention and crisis management to assume fully its Petersberg task responsibilities as referred to in Helsinki. It invites the incoming Presidency together with the Secretary General/High Representative to carry work forward within the General Affairs Council, in accordance with the mandates referred to in the Presidency report, and to submit an overall Presidency report to the European Council in Nice. The permanent political and military structures should be put in place as soon as possible after Nice.

D. Enlargement

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II. EMPLOYMENT, ECONOMIC REFORMS AND SOCIAL COHESION – FOLLOW-UP TO THE LISBON EUROPEAN COUNCIL

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III. ECONOMIC, FINANCIAL AND MONETARY AFFAIRS

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IV. EUROPE AND THE CITIZEN

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V. EXTERNAL RELATIONS

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ANNEXES TO THE

PRESIDENCY CONCLUSIONS

SANTA MARIA DA FEIRA EUROPEAN COUNCIL

19 AND 20 JUNE 2000

ANNEX I

PRESIDENCY REPORT ON STRENGTHENING THE COMMON EUROPEAN SECURITY AND DEFENCE POLICY

I. INTRODUCTION

1. In Cologne, the European Council expressed its resolve that the EU should play its full role on the international stage and that to that end the EU should be provided with all the necessary means and capabilities to assume its responsibilities regarding a common European policy on security and defence. Since Cologne, the European Union has been engaged in a process aiming at building the necessary means and capabilities which will allow it to take decisions on, and to carry out, the full range of conflict prevention and crisis management tasks defined in the Treaty on European Union ("Petersberg tasks"). These developments are an integral part of the enhancement of the Common Foreign and Security Policy and are based on the principles set out in Helsinki. The Union will contribute to international peace and security in accordance with the principles of the United Nations Charter.

2. Having approved the two Finnish Presidency progress reports on military and non-military aspects of crisis management, including the common European headline goal and the collective capabilities goals, the European Council in Helsinki asked the Portuguese Presidency, together with the Secretary-General/High Representative, to carry work forward in the General Affairs Council on all aspects, as a matter of priority. The Portuguese Presidency was invited to draw up a first progress report to the Lisbon European Council and an overall report to be presented to the Feira European Council containing appropriate recommendations and proposals, as well as an indication of whether or not Treaty amendment is judged necessary.

3. A first progress report, reflecting the work carried forward by the Presidency, together with the Secretary-General/High Representative, within the General Affairs Council was presented to the Lisbon European Council. The European Council of Lisbon welcomed the progress already achieved and in particular the fact that the interim bodies had been established and had started to function effectively and that the Council had identified a process for elaborating the headline goal and identifying national contributions so as to meet the military capability target.

4. The European Council in Lisbon looked forward to the further work that the Presidency, together with the Secretary-General/High Representative, would pursue in the Council and to the Presidency's overall report to the Feira European Council, including proposals on the involvement of third countries in EU military crisis management and the further development of the EU's relationship with NATO.

5. The Lisbon European Council furthermore appreciated what had been achieved in the non-military crisis management track and invited the Council to establish by, or at, Feira a Committee for Civilian Crisis Management.
6. Since then, work has been carried forward on all aspects of military and non-military crisis management and substantive progress has been made, in particular with the identification of appropriate arrangements for the participation of third countries to EU military crisis management, as well as of principles and modalities for developing EU-NATO relations. The headline goal has been further elaborated; a committee for civilian aspects of crisis management has been set up; a coordinating mechanism, fully interacting with the Commission services, has been established at the Council Secretariat; the study to define concrete targets in the area of civilian aspects of crisis management has been concluded; concrete targets for civilian police have been identified.
7. The Presidency submits herewith its overall report to the Feira European Council covering, in Chapter II, the military aspects and, in Chapter III, the non-military aspects of crisis management. Work has also been carried out on conflict prevention. The usefulness of finding ways of improving the coherence and effectiveness of the EU action in the field of conflict prevention has been recognised.
8. In the course of the work during the Presidency on the strengthening of military and non-military crisis management and conflict prevention, the importance has been underlined of ensuring an extensive relationship in crisis management by the Union between the military and civilian fields, as well as cooperation between the EU rapidly-evolving crisis management capacity and the UN, OSCE and the Council of Europe.
9. In presenting this report, the Presidency has taken note of the fact that Denmark has recalled Protocol No 5 to the Amsterdam Treaty on the position of Denmark.

II. MILITARY ASPECTS OF CRISIS MANAGEMENT

G. Elaboration of the Headline and the collective capabilities goals

1. Concerning the development of the Headline and the collective capabilities goals, the General Affairs Council, reinforced with Ministers of Defence, concluded at its meeting of 20 March that the "Food for thought" paper on the "Elaboration of the Headline Goal", including the timetable set out therein leading to a Capabilities Commitment Conference to be convened by the end of 2000, constitutes a basis for future work to be conducted by the competent bodies.
2. The General Affairs Council, at its session of 13 June, with the participation of Ministers of Defence, approved the work carried out by the Interim Military Body and forwarded through the IPSC, up to the "First Seminar of National Experts in Defence Planning" held in Brussels on 22-24 May 2000. The Council, inviting the competent bodies to continue on that basis, adopted the following guidelines for further work:
 - The development of the Headline and collective capabilities goals, which have been agreed at the European Council in Helsinki, should be conducted by the 15, in accordance with the decision-making autonomy of the EU as well as the requirements regarding military efficiency.
 - The Interim Military Body, with the political guidance of the IPSC, will propose the elements which will encompass the Headline Goal.
 - In order to do this, the Interim Military Body will identify the capabilities necessary for the EU to respond to the full range of the Petersberg Tasks.

- In elaborating the Headline and collective capabilities goals by drawing on Member States contributions, the IMB, including representatives from capitals, will also call meetings with DSACEUR and NATO experts in order to draw on NATO's military expertise on the requirements of the Headline and collective capabilities goals.
- In this connection, transparency and dialogue between the EU and NATO will in addition be provided by the Ad Hoc Working Group on the capabilities goal provided for in Appendix 2.
- The Headline Goal requirements agreed by the IMB at CHODs level will, after endorsement by the Council, be the basis for the Member States in considering their initial offers of national contributions to the Headline Goal. These contributions will be examined by the Interim Military Body. This process must be concluded before the convening of the Capability Commitment Conference.
- It will be important to ensure coherence, for those Member States concerned, with NATO's defence planning process and the Planning and Review Process.
- In accordance with the determination expressed at Helsinki and Lisbon, once the needs and resources available have been identified, Member States will announce, at the Capability Commitment Conference, their commitments with a view to enabling the EU to fulfil the Headline Goal and the collective capabilities goals. It will be also important to create a review mechanism for measuring progress towards the achievement of those goals.
- The European Union will encourage third countries to contribute through supplementary commitments. In order to enable those countries to contribute to improving European military capabilities, appropriate arrangements will be made by the incoming presidency regarding the Capabilities Commitment Conference. These arrangements will take into account the capabilities of the six non-EU European NATO members. The offers of capabilities already made by Turkey, Poland, the Czech Republic and Norway are welcomed.

H. Recommendations on the institutional development of the new permanent political and military bodies related to the CESDP within the EU

The interim political and military bodies were established on 1 March 2000. In the light of the experience gained since their establishment, work has been carried out on the institutional development of the new permanent political and military bodies, in accordance with the Helsinki conclusions. Further work is under way, in order to ensure as soon as possible the start of the permanent phase and of the EU operational capacity for crisis management.

I. Proposals on appropriate arrangements to be concluded by the Council on modalities of consultation and/or participation that will allow the third States concerned to contribute to EU military crisis management

Work has been carried forward on the modalities of consultation and/or participation concerning the non-EU European NATO members and other countries who are candidates for accession to the EU.

In this context, the aim has been to identify, in accordance with the Helsinki conclusions, arrangements for dialogue, consultation and cooperation on issues related to crisis management ensuring the decision-making autonomy of the EU. These arrangements will provide for the interim period meetings with the abovementioned countries, which will take place within a single inclusive structure and will supplement the meetings held as part of the reinforced political dialogue on CFSP matters. Within this structure there will be exchanges with the non-EU NATO European members when the subject matter requires it. For the permanent phase, arrangements will take into account the different needs arising in the routine phase and in the operational phase. The outcome of the Council deliberations is contained in Appendix 1 to this report.

Exchanges took place on 11 May 2000 between the EU Member States' Political Directors and their counterparts of the non-EU NATO European members and other candidate countries as well as between the EU Member States' Political Directors and their counterparts of the non-EU NATO European members.

Russia, Ukraine, other European States engaged in political dialogue with the Union and other interested States, may be invited to take part in EU-led operations. In this context, the EU welcomes the interest shown by Canada.

The French Presidency is invited, together with the Secretary General/High Representative, to carry forward further work within the General Affairs Council in order to make initial proposals to the Nice European Council on appropriate arrangements for consultation and/or participation to allow these other prospective partners to contribute to EU-led military crisis management.

J. Proposals on principles for consultation with NATO on military issues and recommendations on developing modalities for EU/NATO relations, to permit cooperation on the appropriate military response to a crisis

The Council has identified the principles on the basis of which consultation and cooperation with NATO should be developed. As to modalities, the Council has recommended that the EU should propose to NATO the creation of four "ad hoc working groups" between the EU and NATO on the issues which have been identified in that context: security issues, capabilities goals, modalities enabling EU access to NATO assets and capabilities and the definition of permanent arrangements for EU-NATO consultation.

The outcome of the Council deliberations is contained in Appendix 2 to this report.

K. Indication of whether or not Treaty amendment is judged necessary

The existing provisions of the TEU define the questions relating to the security of the Union, including the progressive framing of a common defence policy as part of the Common Foreign and Security Policy governed by Title V of the Treaty. On this basis, the Council has decided to establish the interim Political and Security Committee and the Interim Military Body, and to reinforce the Council Secretariat with military experts seconded from Member States. Article 17 TEU expressly includes the Petersberg tasks in the CFSP. The Presidency took note of the opinion of the Council Legal Service the conclusion of which reads as follows:

"The Council's Legal Service is of the opinion that the conclusions of the Cologne and Helsinki European Councils regarding European security and defence policy can be implemented without it being legally necessary to amend the Treaty on European Union. However, such amendments would be necessary if the intention is to transfer the Council's decision-making powers to a body made up of officials, or to amend the Treaty's provisions regarding the WEU. Furthermore, it is for Member States to determine whether amendments to the Treaty would be politically desirable or operationally appropriate."

The Presidency suggests that the issue of Treaty revision should continue to be examined between the Feira and Nice European Councils.

III. CIVILIAN ASPECTS OF CRISIS MANAGEMENT

1. The Presidency has, together with the Secretary General/High Representative, responded as a matter of priority to the Helsinki European Council's invitation to carry work forward on all aspects of civilian crisis management, as defined in Annex 2 to Annex IV to the Helsinki conclusions.

2. The aim of this work has been to enhance and better coordinate the Union's and the Members States' non-military crisis management response tools, with special emphasis on a rapid reaction capability. This will also improve the EU's contribution to crisis management operations led by international and regional organisations.

3. As a concrete result of this intensive work, the following measures have been taken:

(a) A Committee for civilian aspects of crisis management has been set up by a Council decision adopted on 22 May 2000. The Committee held its first meeting on 16 June 2000.

(b) A coordinating mechanism, fully interacting with the Commission services, has been set up at the Council Secretariat. Further developing the inventory of Member States and Union resources relevant for non-military crisis management, it has, as a first priority, established a database on civilian police capabilities in order to maintain and share information, to propose capabilities initiatives and to facilitate the definition of concrete targets for EU Member States collective non-military response. The coordinating mechanism has further developed its close cooperation with the interim Situation Centre/Crisis Cell established by the Secretary General/High Representative.

(c) A study (Appendix 3), drawing on experience from recent and current crises, on the expertise of the Member States and on the results of the seminar on civilian crisis management in Lisbon on 3-4 April 2000, has been carried out to define concrete targets in the area of civilian aspects of crisis management. This study identifies priorities on which the EU will focus its coordinated efforts in a first phase, without excluding the use of all the other tools available to the Union and to Member States.

(d) Concrete targets for civilian police capabilities have been identified and are set out in Appendix 4. In particular, Member States should, cooperating voluntarily, as a final objective by 2003 be able to provide up to 5000 police officers for international missions across the range of conflict prevention and crisis management operations and in response to the specific needs at the different stages of these operations. Within the target for overall EU capabilities, Member States undertake to be able to identify and deploy, within 30 days, up to 1 000 police officers. Furthermore, work will be pursued to develop EU guidelines and references for international policing.

4. In addition to these measures, the Council has received and is examining the Commission's proposal for a Council Regulation creating a Rapid Reaction Facility to support EU activities as outlined in the Helsinki Report.

IV. FOLLOW-UP

1. The French Presidency is invited, together with the Secretary General/High Representative, to carry work forward within the General Affairs Council on strengthening the Common European Security and Defence Policy. The French Presidency is invited to report to the European Council in Nice, in particular on:

(a) the elaboration of the headline goal and the collective capabilities goal agreed at Helsinki, including results reached at the Capabilities Commitment Conference to be convened before Nice;

(b) the establishment of the permanent political and military structures to be put in place as soon as possible after the Nice European Council;

(c) the inclusion in the EU of the appropriate functions of the WEU in the field of the Petersberg tasks;

(d) the implementation of the Feira decisions on :

- the arrangements that will allow consultations with and participation of third countries in EU-led military crisis management;
 - the development of the arrangements ensuring consultation and cooperation with NATO in military crisis management on the basis of the work undertaken in the relevant EU-NATO "ad hoc working groups";
- (e) the development and the implementation of EU capabilities in civilian aspects of crisis management, including the definition of concrete targets.

2. The issue of Treaty revision should continue to be examined between the Feira and Nice European Councils.

3. The Secretary General/High Representative and the Commission are invited to submit to the Nice European Council, as a basis for further work, concrete recommendations on how to improve the coherence and the effectiveness of the European Union action in the field of conflict prevention, fully taking into account and building upon existing instruments, capabilities and policy guidelines.

APPENDIX 1

ARRANGEMENTS TO BE CONCLUDED BY THE COUNCIL ON MODALITIES OF CONSULTATION AND/OR PARTICIPATION THAT WILL ALLOW THE NON-EU EUROPEAN NATO MEMBERS AND OTHER COUNTRIES WHICH ARE CANDIDATES FOR ACCESSION TO THE EU TO CONTRIBUTE TO EU MILITARY CRISIS MANAGEMENT

MANDATE

1. In the Helsinki European Council Conclusions the Portuguese Presidency is "...invited to report to the European Council in Feira on the progress made, including (...) proposals on appropriate arrangements to be concluded by the Council on modalities of consultation and/or participation that will allow the third States concerned to contribute to EU military crisis management".

GUIDING PRINCIPLES

2. The Union will ensure the necessary dialogue, consultation and cooperation with non-EU European NATO members and other countries who are candidates for accession to the EU on EU-led crisis management.
3. Appropriate arrangements will be established for dialogue and information on issues related to security and defence policy and crisis management.
4. There will be full respect for the decision-making autonomy of the EU and its single institutional

framework.

5. There will be a single, inclusive structure in which all the 15 countries concerned (the non-EU European NATO members and the candidates for accession to the EU) can enjoy the necessary dialogue, consultation and cooperation with the EU.

6. There will, within this structure, be exchanges with the non-EU European NATO members where the subject matter requires it, such as on questions concerning the nature and functioning of EU-led operations using NATO assets and capabilities.

MODALITIES

7. Modalities for the participation of non-EU European NATO members and candidate countries, to be established for the permanent phase, will need to take into account the different needs arising in different situations:

– routine non-crisis phase: mechanism for a regular dialogue;

– operational phase, including two stages:

(a) pre-operational phase when options for action are considered, in which dialogue and consultations will be intensified;

(b) operational phase "stricto sensu", which starts when the Council takes the decision to launch an operation, and an ad hoc Committee of Contributors is set up.

Full account should be taken of the role of the Secretary General/High Representative in the EU's CFSP and CESDP.

A. For the interim period

8. Until the implementation of the modalities established for the permanent phase, meetings with the 15 countries concerned (non-EU European NATO members and other candidates for accession to the EU) will take place within the single inclusive structure referred to in paragraph 5. The choice of the appropriate form and modalities will be based on considerations of pragmatism and efficiency, depending on the circumstances, subject-matter and needs.

9. A minimum of two meetings in EU+15 format will be organised in each Presidency on ESDP matters. These will supplement the meetings held as part of the reinforced political dialogue on CFSP matters.

10. Within this framework, a minimum of two meetings will be organised with the six non-EU European NATO members (in EU+6 format) in each Presidency. Additional exchanges will be organised if the need arises upon decision by the Council or the IPSC.

11. A meeting at Ministerial level within the framework referred to in paragraph 8, will be organised in each Presidency with the 15 and with the 6.

12. The exchanges provided for in paragraphs 9 and 10 will cover the elaboration of the headline and capability goals as well, so as fully to inform non-EU members of ongoing work on the list of necessary means. In order to enable those countries to contribute to improving European military capabilities, appropriate arrangements will be made by the incoming Presidency regarding the capabilities pledging

conference. These arrangements will take into account the capabilities of the 6 non-EU European NATO members.

B. For the permanent phase

– Routine Phase

13. Exchanges on issues related to security and defence policy and, in particular, on progress within the EU in establishing its crisis-management capabilities, will take place during the routine phase.

14. During the routine phase there should be, in the course of each semester,

- regular meetings in EU+15 format, at the appropriate level;
- at least two meetings with the participation of the non-EU European NATO members in EU+6 format;
- additional meetings will be organised if the need arises upon decision by the Council or the PSC.

PSC will play a leading role in the implementation of these arrangements, which should also include exchanges at military level.

15. Arrangements for Ministerial meetings during the permanent phase will be based upon the experience gained during the interim phase.

16. The exchanges will facilitate participation of the concerned countries to EU-led operations.

– Operational Phase

(a) Pre-operational phase

17. In the event of a crisis, dialogue and consultation will be intensified.

18. When the possibility of an EU-led military crisis management operation is under consideration, these consultations will provide a framework for exchanges of views and discussion on any related security concerns raised by the countries concerned. Where the EU recourse to NATO assets is under active consideration, particular attention will be given to consultation with the six non-EU European NATO members.

(b) Operational phase "stricto sensu"

19. When deciding on the military option, the EU will address participation of non-EU NATO members and other countries which are candidates to accession to the EU according to the provisions agreed in Helsinki:

"Upon a decision by the Council to launch an operation, the non-EU European NATO members will participate if they so wish, in the event of an operation requiring recourse to NATO assets and capabilities. They will, on a decision by the Council, be invited to take part in operations where the EU does not use NATO assets.

Other countries who are candidates for accession to the EU may also be invited by the Council to take part in EU-led operations once the Council has decided to launch such an operation."

20. The operational phase will start when the Council decides to launch a military crisis management operation. Those non-EU European NATO members and countries candidates for accession which have confirmed their participation in an EU-led operation by deploying significant military forces, will have the same rights and obligations as the EU participating Member States in the day to day conduct of that operation.

21. An ad hoc committee of contributors will be set up comprising all EU Member States and the other participating countries for the day to day conduct of the operation. The Council/PSC will be responsible for the political control and strategic direction of the operation. For the military day to day conduct of the operation, functions and roles of the MC and of the operation commander will be set out in the relevant arrangements.

22. The decision to end an operation shall be taken by the Council after consultation between participating states within the ad hoc committee of contributors.

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23. The Council will formalise the necessary arrangements in due time and will examine the options for doing so.

APPENDIX 2

PRINCIPLES FOR CONSULTATION WITH NATO ON MILITARY ISSUES AND RECOMMENDATIONS ON DEVELOPING MODALITIES FOR EU/NATO RELATIONS

The Mandate

The European Council in Helsinki invited the Portuguese Presidency to report to the European Council in Feira on the progress made, including "proposals on principles for consultation with NATO on military issues

and recommendations on developing modalities for EU/NATO relations, to permit cooperation on the appropriate military response to a crisis, as set out in Washington and at Cologne".

The Principles

1. Development of consultation and cooperation between the EU and NATO must take place in full respect of the autonomy of EU decision-making.
2. The EU and NATO have undertaken further to strengthen and develop their cooperation in military crisis-management on the basis of shared values, equality and in a spirit of partnership. The aim is to achieve full and effective consultation, cooperation and transparency in order to identify and take rapid decisions on the most appropriate military response to a crisis and to ensure efficient crisis-management. In this context, EU-objectives in the field of military capabilities and those arising, for those countries concerned, from NATO's Defence Capabilities Initiative, will be mutually reinforcing.
3. While being mutually reinforcing in crisis management, the EU and NATO are organisations of a different nature. This will be taken into account in the arrangements concerning their relations and in the assessment to be made by the EU of existing procedures governing WEU-NATO relations with a view to their possible adaptation to an EU-NATO framework.
4. Arrangements and modalities for relations between the EU and NATO will reflect the fact that each Organisation will be dealing with the other on an equal footing.
5. In the relations between the EU and NATO as institutions, there will be no discrimination against any of the Member States.

ISSUES AND MODALITIES FOR THE INTERIM PERIOD

Contacts with NATO (informal contacts by SGs, briefings by the Portuguese Presidency at the NAC) have taken place in accordance with the Helsinki definition for the initial phase in which the EU-interim bodies have concentrated on establishing themselves. There is now a need for a further evolution in EU-NATO relations.

A. Issues

1. **Security:** EU efforts towards finalising its own security arrangements (physical and personal security, and work towards an EU security agreement) are an absolute priority. On this basis, the Union will have to establish a dialogue with NATO to define security arrangements between the two organisations. These discussions should lead to an agreement, which will govern inter alia information exchange and access by designated officials from the EU and its Member States to NATO planning structures.
2. **Defining capability goals:** to ensure that "these objectives and those arising, for those countries concerned, from NATO's Defence Capabilities Initiative (DCI) will be mutually reinforcing", modalities for consultation on these issues will need to be established. These modalities should permit the EU to draw, as needed, on NATO military expertise, as the EU elaborates its headline goal by drawing on Member State contributions. Having elaborated the headline and capability goals, the EU, as agreed in Helsinki, will develop a method of consultation through which these goals can be met and maintained, and through which national contributions reflecting Member States' political will and commitment towards these goals can be defined by each Member State, with a regular review of progress made. In addition, Member States would use existing

defence planning procedures including, as appropriate, those available in NATO and the Planning and Review Process of the PfP.

3. Arrangements enabling the EU access to NATO assets and capabilities (Berlin and Washington agreements): Helsinki and Cologne defined two approaches to implementing EU operations: with or without NATO assets. To use NATO assets, it is important to make progress on defining together how this will work in practice in order to draw up an agreement. This agreement should be ready by the time the EU becomes operational. To make this possible, the EU looks forward to substantial progress within NATO.

4. Defining permanent arrangements: Following the Feira European Council, discussion will be needed to determine the nature of the permanent arrangements, which will govern relations between the EU and NATO. These arrangements should be based upon the principles defined above.

The groundwork undertaken on these four issues will pave the way for establishing permanent arrangements between NATO and the EU. Our aim is that these should be ready at the same time as the EU permanent structures are put in place after the Nice European Council.

B. Modalities

1. The Feira European Council should decide to propose to NATO the creation of "ad hoc working groups" between the EU and NATO for each of the issues mentioned above.

2. The "ad hoc working groups" would have the following tasks:

(a) for security issues: preparation of an EU-NATO security agreement;

(b) for capability goals: the implementation of information exchange and discussion with NATO on elaborating capability goals. It is understood that DSACEUR could participate, as appropriate;

(c) for modalities enabling EU access to NATO assets (Berlin and Washington agreements): preparation of an agreement on the modalities for EU access to NATO assets and capabilities as agreed at Washington (draft framework agreement on Berlin Plus implementation). It is understood that DSACEUR should participate;

(d) for the definition of permanent arrangements: defining the main parameters of an EU/NATO agreement which would formalise structures and procedures for consultation between the two organisations in times of crisis and non-crisis.

3. If, having regard to the principles set above, new issues were to arise which were recognised as requiring consultation between the EU and NATO, further "ad hoc working groups" could be considered.

4. On the EU side, the IPSC will have a coordinating role for the work of the "ad hoc working groups", and will be a focal point for dialogue.

STUDY ON CONCRETE TARGETS ON CIVILIAN ASPECTS OF CRISIS MANAGEMENT

A. Introduction

The European Council expressed its determination to increase and improve the effectiveness of the Union's capacity to respond to crises, including by actions in civilian areas. This increased effectiveness could be used both in response to request of a lead agency like the UN or the OSCE, or, where appropriate, in autonomous EU actions.

The Union should seek to enhance its capability in civilian aspects of crisis management in all relevant areas, with the objective of improving its potential for saving human lives in crisis situations, for maintaining basic public order, preventing further escalation, facilitating the return to a peaceful, stable and self-sustainable situation, for managing adverse effects on EU countries and for addressing relevant problems of coordination. Particular attention could be paid to those areas where the international community so far has demonstrated weaknesses. It would provide "added value" as it would improve the Union's capacity to react as well as the Union's capability to meet the requests of the other lead organisations: they would be able to count – on a more systematic basis – on a sizeable quantitative and qualitative contribution which could represent the nucleus of some of their missions. This would, in turn, increase the Union's visibility.

The reinforcement of the Union's capabilities in civilian aspects of crisis management should, above all, provide it with adequate means to face complex political crises by:

- acting to prevent the eruption or escalation of conflicts;
- consolidating peace and internal stability in periods of transition.
- ensuring complementarity between the military and civilian aspects of crisis management covering the full range of Petersberg tasks.

It has been agreed that the identification of concrete targets should be premised on a pragmatic, bottom-up approach, focusing on operational requirements, and reflecting the political concerns of the European Council.

The inventories which have been drawn up clearly show that Member States, the Union, or both have accumulated considerable experience or have considerable resources in a large number of areas, a number of which are resources already being used in development cooperation. Fully taking into account, and building upon, existing experiences, instruments and resources, the Union should as a matter of priority concentrate its efforts on the areas where a rapid reaction is most needed, and where the added value of an increased and coordinated effort by the Union and Member States is most evident. This process could be built outwards step-by-step to cover a wide range of limited as well as complex civil crisis management operations. However, the identification of priorities on which the EU will focus its coordinated efforts in a first phase does by no means exclude the use of all other tools available to the Union and to Member States.

B. Priorities

The first priority area, identified in the light of the crises Europe has had to face in recent times and is still facing now, is police.

I. POLICE

Concrete targets on police capabilities, to be reached by 2003, have been established by Member States, cooperating voluntarily within the framework of Article 12, fifth indent, of the TEU. These concrete targets are elaborated in detail in Appendix 4 to the Presidency report.

II. STRENGTHENING OF THE RULE OF LAW

Intensified work on police must necessarily be accompanied by work in other areas that are felt as necessary if a positive outcome of a police mission is to be ensured. The area most specifically concerned is assistance for the re-establishment of a judicial and penal system. The following measures could be considered:

- (i) Member States could establish national arrangements for selection of judges, prosecutors, penal experts and other relevant categories within the judicial and penal system, to deploy at short notice to peace support operations, and consider ways to train them appropriately;
- (ii) the EU could aim at promoting guidelines for the selection and training of international judges and penal experts in liaison with the United Nations and regional organisations (particularly the Council of Europe and the OSCE);
- (iii) the EU could consider ways of supporting the establishment/renovation of infrastructures of local courts and prisons as well as recruitment of local court personnel and prison officers in the context of peace support operations.

III. STRENGTHENING CIVILIAN ADMINISTRATION

Yet another area which it is necessary to enhance, in order to succeed in supporting societies in transition, is the area of civil administration.

- (i) Member States could consider improving the selection, training and deployment of civil administration experts for duties in the re-establishment of collapsed administrative systems;
- (ii) Member States could also consider taking on the training of local civil administration officials in societies in transition.

IV. CIVIL PROTECTION

In addition to the priority areas mentioned before, Member States have identified civil protection, including search and rescue in disaster relief operations. It is necessary to draw a distinction between operations of civil protection within the framework of crisis management operations, and other types of disaster relief operations. The latter kind of operations have specific characteristics.

This being said, in crisis management operations within CFSP, it should also be possible to resort to EU Member States' tools and capabilities for civil protection.

Even though specific coordination mechanisms already exist in the field of civil protection, it is felt that, in the light of experience gleaned in recent major natural disasters, improvement is needed and is possible.

Ideas aimed at ensuring a better organisation of the Union's reaction, such as a lead-nation concept as well as specialisation, have been put forward. Work currently under way within the Council and involving experts in the field will permit the definition of concrete targets also in this area.

Such concrete targets could be defined in terms of human and material resources that each Member State could make available, type of mandate and status of the operation for participating countries as well as promotion of compatibility of equipment between Member States.

C. Resources

Improved coordination at EU level can lead to an increased effectiveness and synergy in the Union's reaction. Together with the definition of concrete targets by the European Council, this will ensure tangible improvements in the Union's contribution to crisis management operations.

D. Further Work on Concrete Targets after Feira

The Committee for Civilian Aspects of Crisis Management could work on the development and further elaboration of the concrete targets set out by Feira European Council as well as on areas going beyond the priority areas already identified. To this end, the Committee should be integrated with experts from the relevant national administrations, i.a. providing specialist advice on police, judicial and penal aspects, civilian administration, humanitarian assistance as well as the interface between crisis management and development cooperation.

Further work could also address the identification of national capabilities with a view to reaching collective targets, taking into account national areas of expertise/specialisation.

It is noted that the Commission will submit shortly an operational inventory of actions already led by the Union as well as proposals in the civil protection area.

APPENDIX 4

CONCRETE TARGETS FOR POLICE

A. CONCRETE TARGETS

To develop police capabilities, Member States, cooperating voluntarily within the framework of Article 12, fifth indent, of the Treaty on European Union, have set themselves the following concrete targets, to be reached by 2003.

The targets are related but highlight different aspects of EU police capabilities. In this regard, the target for rapid deployment capability (2) is defined as lying within the target for overall EU capabilities (1).

1. OVERALL EU CAPABILITIES

Recognising the central role of police in international crisis management operations, and the increasing need for police officers for such operations, EU Member States undertake to strengthen their capability to provide police officers for international police operations to which they voluntarily decide to contribute. Member States' contributions will take account of their own particular arrangements for national policing and the type of police expertise which they can provide.

Strengthening their capabilities in phases, EU Member States should, as a final objective, be able to provide up to 5 000 police officers to international missions across the range of crisis prevention and crisis management operations and in response to the specific needs at the different stages of these operations. The current total deployment of EU Member States is approximately 3 300 persons.

This will require the pre-identification and training of a sufficiently large pool of police staff, covering all fields of police work required internationally and taking into account the comparative advantages as well as the specific constraints of Member States' police. It may also necessitate the reinforcement of mechanisms for rotation and sufficient financial and logistical resources.

Member States will share national experience with a view to producing specific recommendations on increasing the number of police officers available for international missions (looking inter alia at a greater use of retiring or recently retired officers and the freeing-up of police capability through greater involvement of experts from adjacent fields). In this respect, due consideration will be given to the possibility of putting a greater emphasis on the training of local police, as this can contribute to reduce the size and period of international police deployments.

The target on overall EU police capabilities may be extended to cover also international support to local justice and penal systems, the deficiency of which in some crises can have a significant impact on the credibility and effectiveness of an international police presence.

2. RAPID DEPLOYMENT CAPABILITY

The EU police deployment can either be in response to a request from an international lead organisation, in particular the United Nations or the OSCE, or can constitute an EU autonomous police operation, possibly as part of a larger EU-led crisis management operation, once the necessary EU planning and logistical framework has been defined.

Within the target for overall EU capabilities, Member States undertake to be able to identify and deploy, within 30 days, police able to implement operations and missions of police advice, training, monitoring as well as executive policing:

- in order to prevent or mitigate internal crises and conflicts (such as e.g. MINUGUA in Guatemala);
- in non-stabilised situations, such as e.g. immediate post-conflict situations, requiring robust forces able to restore law and order; (such as e.g. UNMIK/KFOR in Kosovo and UNTAET in East Timor);

– in support of local police, ensuring respect for basic human rights standards (such as e.g. WEU/MAPE in Albania, WEUPOL in Mostar and ONUSAL in El Salvador), and, where international police performs an executive role, allowing the rapid return of responsibility for law enforcement to local police (such as e.g. OSCE/KPSS in Kosovo).

Experience has shown that the most demanding of crisis management tasks may require the deployment of up to 1 000 EU Member State police within 30 days. For each of these generic target missions, further elaboration by proper Council instances will be needed.

Given the specific requirements on international police performing executive tasks in non-stabilised situations, and in particular during the transition from initial military command to subsequent civil command, special attention will be given to the proposal for the development of robust, rapidly deployable, flexible and interoperable European Union integrated police units, as well as to the possibility of a smaller number of Member States cooperating to build capabilities in this specific field.

In order to reach the deployment time target, Member States and the EU will further strengthen, as appropriate, the capacity to contribute with the required expertise to an advance team headed by the international lead organisation - as well as, in due course, deploy EU advance teams of experienced police experts in charge of assessing the risks of, defining, planning and establishing an EU-led police mission. In this context, the EU should be able to contribute with, and deploy, legal experts in order to prepare for support to local judicial and penal systems, as well as experts in engineering, logistical and administrative support.

Member States will exchange information and experience on methods of creating rapidly deployable police forces, inter alia through the use of pre-identified police forces which, while actively taking part in national police work, would be available at short notice for police missions.

3. RAISING STANDARDS FOR INTERNATIONAL POLICE MISSIONS

Member States and the EU can play a catalysing role in raising standards for international police operations, including within and through the United Nations and the OSCE. Therefore the EU and its Member States will initiate work in view of the definition of an EU concept for international police operations. This work will be carried out in close cooperation with UN/DPKO, on the basis of existing UN guidelines and without duplicating work being carried out in the UN, and will draw on Member State and EU police expertise. First discussions on this subject have identified the need, inter alia, to:

- (1) define the categories of police officers and experts most appropriate for the different policing tasks, including priorities for deployment, on the basis of scenarios or illustrative profiles covering the role of police across the range of, and at the different phases of, crisis prevention and crisis management operations, and taking into account the need for flexibility of intervention;
- (2) contribute to the development of a general concept of executive policing, notably as regards the interaction between military forces and police forces in post-conflict situations where both are deployed in parallel;
- (3) contribute to the clarification of the legislative framework in which international police missions operate;
- (4) contribute to the definition of clear international mandates for police missions.

The development of an EU concept would facilitate the drawing up of EU guidelines and references for international policing, including on rules of engagement, as well as contribute to the further refinement of the categories of police and experts in Member State and EU databases.

Member States and the EU will also, in the framework of the cooperation in the field of justice and home affairs, and taking into account requirements of different types of police missions, continue efforts to define standard selection criteria and basic training programmes, based on, and compatible with, existing UN, OSCE and Council of Europe standards, in order to ensure that police sent by EU Member States on international missions meet high standards and that the pool of pre-identified and trained police officers is sufficiently large to meet the capability and deployment targets defined above. These efforts will take into account the Lisbon seminar organised in this context on 29-31 May 2000 and earlier work on police training for peacekeeping missions carried out within the framework of the European Union and will reflect the central role of the EU and its Member States in contributing to improved international policing standards.

B. IMPLEMENTATION

The specific concrete targets are the expression of the political will and commitment of Member States. The targets will be further elaborated by the appropriate Council instances. A method will be developed through which these phased targets can be met and maintained through voluntary contributions. The comparative advantages of national police taking into account e.g. national rotational requirements and the possible use of retirees, can be defined by each Member State, with a regular review of progress made. This work will be carried out in close cooperation with police experts.

General information on pre-identified police capabilities, their readiness, as well as on specific national expertise, in particular for advance teams, will be fed into the police database established at the Council Secretariat as part of the Coordinating Mechanism set up following the conclusions of the European Council in Helsinki. Further work will be undertaken concerning national arrangements, including on specific information on pre-identified police capabilities and single national contact points.

The European Council in Helsinki set the objective of developing the EU's contributions to international organisations, in particular the UN and OSCE, as well as its capabilities for EU autonomous actions. To that end the EU will coordinate closely with the United Nations Department of Peace Keeping Operations (UN/DPKO), the OSCE, notably the REACT Task Force, and with the Council of Europe and Member States contact points, in order to ensure that EU efforts and those of these organisations are compatible and mutually reinforcing, to avoid duplication as well as to facilitate the exchange of information relating to new police missions.

In addition, a detailed study on the feasibility and implications of planning, launching and leading autonomous EU missions will be carried out.

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