



Council of the
European Union

Brussels, 29 March 2021
(OR. en)

7434/21

LIMITE

**COPS 112
POLMIL 37
EUMC 62
CFSP/PESC 309
CSDP/PSDC 138
PROCIV 33
COVID-19 114**

COVER NOTE

From: European External Action Service (EEAS)
To: Delegations
Subject: Joint EEAS – Commission Services Reflection Paper on the use of military assets and capabilities in support of civilian authorities in the context of the COVID-19 pandemic

Delegations will find attached document EEAS(2021) 324.

Encl.: EEAS(2021) 324

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Limited

EUROPEAN EXTERNAL ACTION SERVICE



Security and Defence Policy Directorate

**Joint working document of the European External Action Service
and the Commission**

of 25/03/2021

EEAS Reference	EEAS(2021) 324
Distribution marking	<i>Limited</i>
To [and/or GSC distribution acronyms]	PMG EUMC ProCiv Delegations
Title / Subject	Joint EEAS – Commission Services Reflection Paper on the use of military assets and capabilities in support of civilian authorities in the context of the COVID-19 pandemic
[Ref. prev. doc.]	-

Joint EEAS – Commission Services Reflection Paper
on the use of military assets and capabilities in support of civilian authorities
in the context of the COVID-19 pandemic

1. Introduction

The COVID-19 pandemic is making an impact on both global and European security. Its initial implications for EU security and defence were addressed in the EEAS Scoping Paper circulated to Member States in May 2020.¹ The impact on EU-led civilian and military CSDP missions and operations, as well as the need to strengthen the EU's and its Member States preparedness and resilience in this regard for future related or similar events are being addressed.² Consular efforts to support repatriation of EU citizens stranded in third countries have also been dealt with separately.³

This paper focuses on the importance of military support/assistance to civilian authorities, both at home and abroad, including civil-military cooperation and coordination, also in the field of humanitarian assistance, as highlighted during the pandemic, taking into account that Armed Forces are not first responder in such situations. Military across the Union have been deployed in support of civilian authorities, contributing to health protection, to patrol borders and protect critical infrastructure, as well as to deliver medical supplies and equipment within their territory and even to other Member States and/or third countries⁴. As a follow-up to the EEAS Scoping Paper, as well as the Council conclusions on security and defence of June 2020⁵, this paper aims to contribute to the further reflection on this dimension. It aims to cover 1) the use of military assets and capabilities in support of civilian authorities nationally and/or bilaterally in particular within the European Union, as well as 2) in the framework of the Union Civil Protection Mechanism (UCPM) and in the field of humanitarian assistance.

¹ EEAS Scoping Paper – COVID-19: Implications for EU security and defence (ST 7756/20 of 05 May 2020).

² Following the EEAS Report on 'Initial lessons identified regarding CSDP decision making and operational aspects from the current COVID-19 crisis' -- ST 10114/20 of 13 August 2020 – the EEAS prepared an 'EEAS Implementation Plan on COVID-19 and CSDP Lessons' - ST 13845 of 9 December 2020. Some of the EUMS COVID-19 Info Sharing Platform (CIP) Team's observations were included in the EEAS Report as well (for details on the EUMS CIP Team see the next page).

³ See 'COVID-19 Lessons Learned: Interim Assessment by the Presidency – Coordinated consular response during the global repatriation exercise in response to the COVID-19 pandemic; Social Media Strategy' – ST 13613/20 of 4 December 2020.

⁴ See HR/VP Borrell blog on 3 July 2020:

https://eeas.europa.eu/headquarters/headquarters-homepage/77192/europe%E2%80%99s-military-and-civilians-working-together-against-coronavirus_en. Further details are also provided through the established dedicated online platform (see footnote 6).

⁵ In June 2020, the Conclusions on Security and Defence (doc no 8910/20 of 17 June 2020) also indicated that: "*In the light of this experience and lessons identified, the Council invited the Commission together with the High Representative to propose possible updates of the modalities for the use, availability and coordination of MS military assets and capabilities in support of the Union Civil Protection Mechanism (UCPM) as well as for humanitarian assistance (HA) purposes, respecting agreed principles and Member States competences and taking into account the relevant implementation modalities of Article 222 TFEU.*"

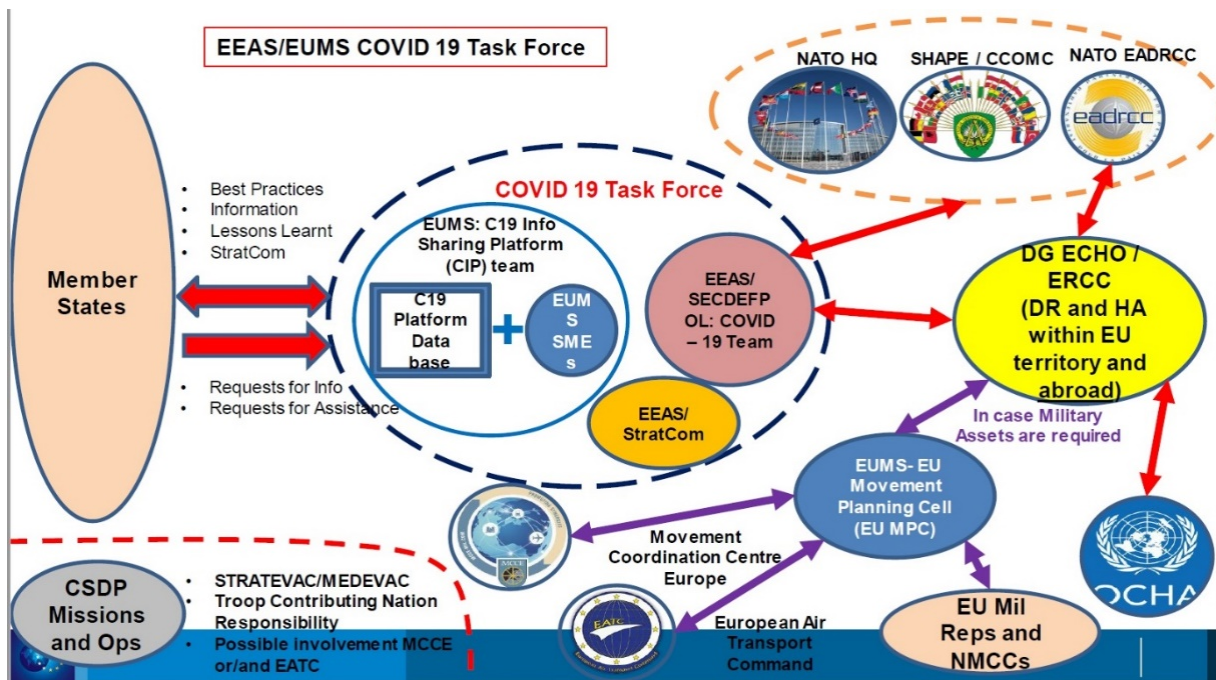
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On the first point: as an immediate follow-up to the exchange of views between the EU Defence Ministers on the impact of the COVID-19 crisis in the defence sector, on 6 April 2020, the High Representative asked the European External Action Service (EEAS), including the EU Military Staff (EUMS), to set up a Task Force (TF) to temporarily support and facilitate information exchange on national military support/assistance to civilian authorities in their fight against the pandemic. The main tasks and interactions of the Ad-hoc EEAS/EUMS TF for COVID-19 are described in Figure 1.

As an integral part of the Ad-hoc EEAS/EUMS TF, the EUMS COVID-19 Info Sharing Platform (CIP)⁶ Team was created -SECDEFPOL1 and STRATCOM Divisions also nominating liaison officers to it- with the main tasks to create and maintain the online database and gather lessons for future reference. All MS nominated Ministries of Defence (MOD) Points of Contact (POC) for the CIP as well. The Ad-hoc EEAS/EUMS TF established contacts with the Commission’s Directorate General for Civil Protection and Humanitarian Aid operations (DG ECHO), as well as informal links with external stakeholders, e.g. NATO, through SECDEFPOL.

Figure 1 – Main tasks and interactions of the EEAS/EUMS Task Force for COVID-19



On the second point: a number of related legal and procedural provisions are in place with regard to the use of military assets and capabilities in support of the Union Civil Protection Mechanism (UCPM) as well as for Humanitarian Assistance (HA) purposes. In this framework, the EU Movement Planning Cell (EUMPC) in

⁶ CIP is an online database aimed at facilitating info exchanges and assistance requests by Member States on military support to civilian authorities in the context of the COVID-19 pandemic, set up and run by EUMS and DG BA in EEAS. It was made available to all MS which nominated national POCs.

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the EU Military Staff (EUMS) was activated following a request by the Commission, on 8 May 2020, in response to the UN Office for Coordination of Humanitarian Affairs (OCHA) / World Food Programme (WFP) Military and Civil Defence Assistance (MCDA) request for strategic airlift for cargo and for Air MEDEVAC to support the UN's Global Response Plan for COVID-19.

The UN MCDA request, and the subsequent internal one for the EU by the Commission, complies with the internationally agreed Oslo Guidelines for requesting military support for disaster relief operations and responds to the criterion of “last resort”, meaning that no civilian or commercial options were at the time available. This is the case in particular considering: a) commercial availability and rates: it is foreseen that there will not be enough civilian alternatives during the critical period of transporting the needed items, as a combination of available commercial assets and cost of using them; b) the unique and distinct nature of the capability requested, given the unprecedented scale of the total volume of cargo planned to be moved; c) the specificity of the timeframe, with a precise start and end date; d) that the humanitarian nature of the operation will be maintained (WFP in the lead for cargo and passengers; World Health Organisation in the lead for MEDEVAC).

The Ad-hoc EEAS/EUMS TF and the related CIP intended to fill a gap with regard to the transparency and visibility of the use of military assets and capabilities in support of civil authorities on a national or bilateral basis, i.e. outside the scope of the UCPM. It also acted as a facilitator towards the Commission in particular, given the possible synergies with the UCPM⁷, although a stronger involvement of the Commission (DG ECHO) in its design, set-up and operation would have possibly favoured a better support to the UCPM. This model, if replicated also with a stronger involvement of the Commission since its inception may be useful for future related or similar emergencies, including when national civil protection authorities are unable to provide military capacities directly under the UCPM and a EEAS/EUMS TF and CIP may have direct access to national military points of contacts to coordinate the request of specific military capacities. Furthermore, such stronger involvement of the relevant Commission services in the activities of the EEAS/EUMS TF and related CIP would also facilitate more elaborate information exchange and provide an opportunity to strengthen preparedness.

The modalities for the use of Member States' military capabilities and assets in support of the UCPM could be further operationalised and reviewed, keeping in mind the primary and central role of the Emergency Response Coordination Centre (ERCC), managed by the Commission, in the coordination of its Participating States' civilian/military assets for disaster response, and the overarching principle of non-duplication of civilian and military mechanisms of disaster preparedness and response. In selected cases, visibility to the ERCC of military-to-military contacts ensured with Member States by the EU Military Staff can be increased, in line with the EU Concept on Effective Civil-Military Coordination in Support of Humanitarian Assistance and Disaster Relief⁸. The primary need for swift and effective coordination led by the ERCC and relevant international guidelines⁹ and the European Consensus on Humanitarian Aid¹⁰ should be preserved and

⁷ The respective facilitator function was *inter alia* linked to the efforts aimed to bring relevant aspects pertaining to the UN OCHA/WFP MCDA request to the attention of EU political and military leadership (e.g. FAC Defence, PSC, and EUMC in Chiefs of Defence format) in spring 2020, thus increasing their awareness.

⁸ Approved by the EU Military Committee on 30 January 2019; available here: <https://data.consilium.europa.eu/doc/document/ST-5536-2019-INIT/en/pdf>. See also reference in Annex 1.

⁹ Available online here: <https://www.unocha.org/sites/unocha/files/OSLO%20Guidelines%20Rev%201.1%20-%20Nov%2007.pdf>.

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respected. The modalities, procedures and criteria for the use of military assets in support of civil protection (CP), referred to in recital (19) of Decision 1313/2013/EU on a UCPM¹¹, have been set out by the Council in arrangements that highlight the role of the EUMS and oversight by the PSC in this regard¹². Moreover, such operationalisation should also be consistent with the provisions for the use of military capabilities in the context of the implementation by the Union of the Solidarity Clause (Art. 222 TFEU)¹³.

All these aspects are dealt with throughout this paper, building on lessons identified from the activation of the Ad-hoc EEAS/EUMS TF, as well as Member States' experience and good/best practices harvested throughout the various activities related to the military support/assistance to national civilian authorities in their fight against the pandemic and shared through the CIP¹⁴.

Military support/assistance to civilian authorities in emergency situations may also be taken up in the framework of the Strategic Compass.

This joint paper has been drafted in collaboration with the relevant Commission services.

2. Main Lesson observations and initial elements of analysis on the use of military assets and capabilities in support of civilian authorities in the context of the COVID-19 pandemic

2.1 Main observations in the context of the activation of the Ad-hoc EEAS/EUMS TF

- (a) The core task of the Ad-hoc EEAS/EUMS TF: Before the activation of the TF there was no centralised information exchange related to the use of the armed forces to support civilian authorities in the national setting, as well as in mutual support, in the context of the COVID-19 pandemic. Following the request from the Defence Ministers of Germany and France to the High Representative (dated 26 March 2020), it became clear that there was a need for a temporary / ad-hoc mechanism within the EEAS to facilitate and support information exchanges on a more structured basis and increase situational awareness. Likewise, the nomination by all Member States of national POCs, with most of them asking for and being granted access to the established dedicated online platform, was an important step in operationalising the TF and its CIP. The TF provided an overview of its findings to the Member States

¹⁰ Point 3.6 in particular on the 'Use of civil protection and military assets and capabilities'; available online here: https://ec.europa.eu/echo/files/media/publications/consensus_en.pdf.

¹¹ OJ L 347, 20.12.2013, p. 924.

¹² PSC Report to the Council on modalities, procedures and criteria for making available to the Community Civil Protection Mechanism the content of the database of military assets and capabilities relevant to the protection of civilian populations against the effects of terrorist attacks, including CBRN (Doc. 6644/4/04 REV 4).

¹³ Council Decision 2014/415/EU of 24 June 2014 on the arrangements for the implementation by the Union of the solidarity clause, in particular Article 5(2)(b) thereof ("The Commission and the HR shall [...] identify military capabilities that can contribute to the response to the crisis with the support of the EU Military Staff.") Likewise, Recital 11 of this Council Decision specifies that the EEAS "has at its disposal structures with intelligence and military expertise [...] that may also contribute in the response to threats or disasters in the territory of Member States [...]".

¹⁴ MS contributions/inputs through the CIP could be found online here (accessible to all MS thorough nominated MOD POCs): <https://together.eeas.europa.eu/groups/covid-19-mutual-military-assistance-information-sharing-platform>.

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(dated 29 April 2020 and circulated through the PMG network) and contributed to the visibility of the military assistance provided.

➤ *It is worth exploring how to preserve the format of such a TF and a CIP-type related database for possible future related or similar crisis situations. While the tasks were limited to information exchange, in the future certain coordination aspects might be considered, such as possible requests for assistance addressed to ERCC not fulfilled with adequate capacities mobilised by national civil protection authorities through the UCPM and/or with regard to the situation centres and crisis staffs established at Ministries of Defence levels, depending on the situation and the actual needs. As far as coordination with the Commission is concerned, and particularly in support of the UCPM, it is of paramount importance that national civil protection and military authorities work closely to coordinate the mobilisation of, respectively, civilian and – as “last resort” – military capacities, while guaranteeing a single entry point for requests and avoiding duplication of efforts and thus unnecessary other layers of coordination.*

(b) Member States requests: MS have not introduced requests for bilateral support/assistance through the established online platform (i.e. CIP) though its tasks were also limited in this regard. MS may have used either the well-established coordination channels (e.g. ERCC¹⁵ or NATO’s EADRCC) or introduced requests for assistance on a (strictly) bilateral basis.

➤ *Against this background, regular TF papers (or dedicated information sessions to the national POCs, involving the Commission (DG ECHO) as primary European actor for disaster management) should introduce to the EU Member States military establishments the role of the UCPM and ERCC. Further discussions aimed at exploring a possible role of support of ERCC/UCPM for such an EEAS Task Force in the future, in relation to assistance requests, could be envisaged as well. Moreover, as highlighted by some Member States (see also item 2.1(g) below) and EEAS/EUMS, the establishment of a secure communications network might also play a role in providing further incentives to Member States to share such request in the future¹⁶.*

(c) Activation of the Ad-hoc EEAS/EUMS TF and possible links to the (internal) EEAS Crisis Response Mechanism (CRM): The Ad-hoc EEAS/EUMS TF was not established using the existing (internal) EEAS CRM but followed a request from Member States.

➤ *In case of related or similar future crises, under a revised CRM, a Crisis Platform could assess whether such a Task Force is needed, and what should be its composition, roles and responsibilities, building on the model of 2020.¹⁷*

¹⁵ The ERCC should remain the primary entity through which Member States channel requests for assistance. Any other structure should receive requests for assistance via the ERCC, in particular CIP should be connected to CECIS.

¹⁶ Links could be established to the EEAS Concept Note to Member States on ‘Security of Communication and Information in the field of CSDP’ - ST 13833/20 of 9 December 2020. See also the ‘Opinion of the Council Security Committee on a proposal for secure voice communication among EU institutions and Member States’ – ST 14023/20 of 14 December 2020.

¹⁷ See also lesson on the EEAS CRM: ‘2019.2 There is a need to reflect on the Crisis Response Mechanism as a tool, ensuring coordinated and timely response (ISP.1)’ on page 13-16 in ‘2019 EEAS Conflict prevention and Crisis Response Lessons Report’, ST 9510/20 of 9 July 2020.

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- (d) EEAS – Commission services interactions: EEAS – Commission services (DG ECHO) cooperation and coordination, including with EUMS and INTCEN (in particular its Situation Room -SitRoom) is outlined in the related Memorandum of Understanding of 2016, identifying the Emergency Response Coordination Centre (ERCC) as the main DG ECHO interlocutor on the Commission side. However, those arrangements cover aspects related to crises occurring outside the Union and in practice ERCC's contacts with EUMS and INTCEN remain rather limited.
- *This situation points into the direction of a need to better operationalise and optimise the use of the 2016 Commission (DG ECHO)-EEAS Working Arrangements, while also exploring the need for and feasibility of extending them to aspects pertaining to the core task of the Ad-hoc EEAS/EUMS TF for COVID-19.*
- (e) Interactions with external EU actors, namely NATO/Euro-Atlantic Disaster Response Coordination Centre (EADRCC), UN OCHA/WFP, third countries: Such contacts were ensured by the Commission's Weekly VTCs organised between ERCC and EADRCC, and with OCHA/WFP (on the latter EUMS was also invited and participated). Given the wider security and defence implications of the pandemic, the EU (EEAS) and NATO had also pol-mil level contacts. However, the Ad-hoc EEAS/EUMS TF had no competence over aspects pertaining to disinformation or related to CSDP civilian and military missions or operations.
- *There is a need to further explore how to ensure best that such interactions with external defence/military actors are carried out in case of related or similar future crisis situations by involving the EEAS and relevant Commission services from the EU side. More mil-to-mil contacts through the EUMS might also be encouraged (e.g. through direct liaison to NATO's Comprehensive Crisis and Operations Management Centre (CCOMC) at SHAPE and Allied Command Transformation (ACT) in the field of lessons identified / learned).*
- (f) StratCom: Throughout the active phase of the Ad-hoc EEAS/EUMS TF there have been rather limited strategic communication materials from Member States. This applied *inter alia* to Member States replies to identify and share with the EEAS/EUMS TF relevant positive examples regarding their armed forces support to civilian authorities in the context of COVID-19, focused on the assistance provided on a bilateral basis to other MS and/or partner countries and/or organisations, using military assets and capabilities.
- *Further incentives to EU Member States to trigger their contributions with photographs/video materials related to COVID-19 assistance activities, to illustrate products such as web stories and fact sheets to be promoted via EU channels could be explored. Moreover, in order to achieve a timely and significant StratCom impact, appropriate dedicated human resources should be made available.*

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- (g) Observations from EU Member States on pandemic-related aspects¹⁸: disinformation, cyber-attacks and secure communications.

Throughout the pandemic, MS have reported an increase in hybrid threats, such as cyber-attacks and disinformation. MS assessed that EU efforts to counter propaganda and disinformation (including those aimed at making the EU, the MS and NATO to appear weak, in disarray and incapable of acting united), as well as cyber-attacks by adversaries, should be reinforced. They also pointed out the need to deter, prevent and respond to cyber operations and attempted cyber-attacks, as well as for better situational awareness and crisis response capabilities.

Likewise, MS assessed that the COVID-19 crisis has again shown that secure communications between EU institutions and the MS are not sufficiently developed, as they identified the lack of secure communication channels (e.g. voice, email, file sharing, video conference) allowing remote seamless/direct exchange of classified information (EU RESTRICTED and above) among EU Institutions and EU MS involved in crisis situations.

- *In light of the above, there is a need to enhance the EU ability to address the challenges of stemming from disinformation, cyber-attacks and secure communications in times of crisis, which has in the meantime also been raised in the context of respective processes. Coherence of messages and cooperation between EU institutions, as well as between EU and NATO, are critically important in the context of communication to prevent and respond to hybrid threats, with StratCom in need to be prepared to respond swiftly and in a targeted way.*

2.2 Main observations in the context of the UCPM and HA

- (a) EUMS – Commission services interactions:

The existing arrangements between EUMS and the Commission (DG ECHO) (SOP 500-3)¹⁹ on relations in the framework of EU's Crisis Response, updated every year and after every activation by EUMS in consultation with the Commission/DG ECHO's civ-mil team (last update in July 2020), specify the EUMPC role in the EUMS and ERCC relationship in the framework of EU crisis response and are activated upon a formal Commission request to DG EUMS.

This was the case, in the beginning of May 2020, following the MCDA request for support from UN OCHA/WFP in the field of humanitarian assistance (i.e. air transport and MEDEVAC, received by the Commission). The previous activation was for the Ebola West Africa response in 2014-2015. The initial request by the Commission also included a potential support to transport rescEU stockpile throughout Europe, while it was thereafter clarified that there was no need for military transport for rescEU, given

¹⁸ Detailed MS inputs/contributions can be found at: <https://together.eeas.europa.eu/groups/covid-19-mutual-military-assistance-information-sharing-platform>.

¹⁹ This SOP is in place based on the provisions of the 'Military Support to EU Disaster Relief: Identification and coordination of available assets and capabilities' (doc no 9462/3/06, dated October 2006).

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the contracts with the rescEU hosting MS. Thus, the EU Member States were presented with a clear opportunity to demonstrate the added-value of Civ-Mil Coordination by providing military air assets in support of the respective UN OCHA/WFP MCDA and rescEU requests, while also sending a strong and tangible sign of EU solidarity.

In response, 21 out of 27 EU Member States acknowledged the receipt of the request, but only 8 MS provided the requested POC to the EUMPC. A total of 13 MS answered with regard to possible support to UN OCHA/WFP MCDA, of which only 2 with positive replies (including limitations). Moreover, 3 MS answered the question with regard to possible support to rescEU, all of them being positive. To note that the EU Member States were facing at the time the COVID-19 crisis themselves nationally. While the Member States ability to provide military air aviation in support of UN OCHA/WFP MCDA request was limited, the existing arrangements between EUMS and the Commission (DG ECHO) allowed immediate reaction and excellent cooperation.

- *In light of the UN OCHA/WFP MCDA request related experience, for the future the default civ-mil option should remain for the Commission to inquire first within the EU, through the EUMS²⁰. Related information to military counterparts could be provided to the EUMS in order to incentivise the deployment of related MS's assets.*

(b) rescEU²¹:

In the wake of the pandemic, the Commission quickly set up a stockpile of rescEU medical items to fulfil the emerging, immediate needs. National military assets and capabilities were offered as a fall back option to transport medical supplies and equipment, as well as personal protective equipment, to Member States requesting such support. In practice, there was only one case of related support, with one military plane from Romania to Italy and Spain, for which the Member State hosting medical rescEU stockpile (Romania) decided to make use of that transport capacity. One can note as well in a number of Member States the planning and preparations for the anti-COVID-19 vaccination phase was entrusted to their Armed Forces, which have been in charge of the transport, stockpiling, and distribution of vaccines nation-wide.

- *While avoiding duplication and reinforcing existing medical stockpiling and transport mechanisms remains paramount to streamline an efficient response, the possible use of military assets and capabilities in support of civilian authorities as “last resort”, including in health emergencies within the Union, could be further explored, in close coordination with the Commission.*

²⁰ DECISION No 1313/2013/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 17 December 2013 on a Union Civil Protection Mechanism

²¹ Established in March 2019, in the framework of the UCPM, rescEU entails a European reserve of capacities, in particular in the areas of aerial forest firefighting, CBRN incidents and emergency medical response. The reserve is to be used only as a last resort, when national means are exhausted and capacities registered in the European Civil Protection Pool (ECPP) are not available. In March 2020, rescEU was adapted to include medical stockpiling capacities (e.g. countermeasures and personal protective equipment).

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(c) List of military assets and capabilities:

Each crisis will require different means, assets and capabilities in terms of response. In order also to be better equipped in terms of EU civil-military type of response, the specific needs and gaps in capabilities that need to be (exceptionally) filled by military means have to be defined as clearly and as timely as possible. The Illustrative Scenario Support to Humanitarian Assistance and Disaster Relief (as updated in 2019, in the context of the Headline Goal Process) lists the military capabilities that Member States need to prioritise as part of their national defence plans in the foreseeable future. These capabilities are meant to be interoperable and would allow Member States perform related tasks.

The May 2020 EEAS Scoping Paper²² identified a list of military assets and capabilities that could potentially be used in support of the EU's civil protection authorities. The list was built by EEAS, including based on elements provided by Member States through the CIP (see details in Annex 2).

In accordance with the same paper, while medical capabilities able to help prevent or address an outbreak, strategic transport assets as well as capabilities supporting resilience (including cyber defence and strategic communication) were already identified in the EU requirements, the EEAS (including EUMS) expressed readiness to undertake a stocktaking analysis to evaluate what capabilities have been critical in the context of sanitarian crises/pandemics, what already exists and what capabilities should be developed further. For stockpiling, emergency medical teams as well as related transport and logistics, it is important to coordinate closely with Commission experts to ensure complementarity and avoid duplication. For research and development (R&D) on defence medical technologies and goods, notably R&D in the field of CBRN, it is important to coordinate closely with Commission services to ensure complementarity with activities foreseen under HERA²³ and potentially under the European Defence Fund (EDF).

Moreover, in line with the Interim Political Guidance document²⁴, initial lessons from the COVID-19 pandemic should be taken into account as appropriate, including by addressing possible requirements, with a view to inform the next Headline Goal Cycle (2023-2026). Such an approach would be consistent as well with the provisions of the Headline Goal 2010²⁵ which stated that "the database of military assets and capabilities relevant to the protection of civilian population (...), would be maintained in connection with the Force Catalogue (...)".

- *Against this background, more information on the Force Catalogue should be shared with relevant Commission services. Moreover, the related military requirements relevant in support of the EU's civil protection authorities should be checked further against the forces and capabilities declared by EU Member States to the Force Catalogue for capability planning purposes, with a view to identify possible gaps and explore possible remedial/improvement actions, notably concerning but not limited to medical capabilities and strategic transport assets.*

²² See footnote 1 (ST 7756/20 of 5 May 2020).

²³ HERA stands for Health Emergency Preparedness and Response Authority.

²⁴ Interim Political Guidance for the next phase of the ongoing EU Headline Goal Process cycle (2021-2022) – ST 12638/20 of 6 November 2020.

²⁵ Headline Goal 2010 approved by the GAERC on 17 May 2004, endorsed by the EUCO of 17 and 18 June 2004.

3. Conclusions and recommendations

3.1 Military support/assistance to civilian authorities: what possible role for the EEAS/EUMS in case of related or similar disruptive events?

- a) The lessons identified in the context of the activation of the Ad-hoc EEAS/EUMS TF for COVID-19 could enhance civil-military coordination in the area of humanitarian assistance/disaster relief (HA/DR), inter alia by better streamlining information exchanges with Member States military on the existing related Arrangements/Standard Operating Procedures (SOP), with the participation of the Commission/DG ECHO.

- b) The model of the Ad-hoc EEAS/EUMS TF for COVID-19 and its related tasks could be preserved for future related or similar emergencies, also with a stronger involvement of the Commission (DG ECHO) to ensure a proper coordination with the primary European disaster response authority.²⁶ This could also be practiced and discussed through exercises, regular dialogue and/or workshops, organized together with the Commission and Member States civil protection experts, and possibly also NATO, as deemed appropriate. In the light of the lessons identified, in addition to the facilitation of information exchanges, aspects related to the support to the coordination of military assets and capabilities in assisting civilian authorities, as well as for CP/HA purposes, could be considered. This model may include, pending further discussions with Member States and coordination with the relevant Commission services, possible requests for assistance and/or with regard to the situation centres and crisis staffs established at Ministries of Defence levels. At the same time, coordination between national military POCs and civil protection counterparts should remain the main vehicle to ensure de-confliction of national requests at capital level.

This recommendation also could be linked to the implementation of the existing Commission/DG ECHO - EEAS Working Arrangements (see reference in Annex 1) as well as that of the existing EEAS Crisis Response Mechanism²⁷, as deemed appropriate.

Moreover, such a Task Force could continue to play a facilitator role towards the EU political and military leadership (e.g. FAC Defence, PSC, and EUMC - including in Chiefs of Defence format), notably by ensuring their appropriate visibility and increased awareness inter alia with regard to the relevant aspects pertaining to MCDA-type requests, as applicable.

- c) Incentives to EU Member States Armed Forces to trigger their contributions with photographs/video materials related to future pandemic-related assistance activities, to illustrate products such as web stories and fact sheets to be promoted via EU channels, could be further explored, including by providing more and timely information / feed-back on the EU actions.

²⁶ To note that other specific / dedicated Task Forces for COVID-19 have been activated throughout the pandemic, e.g. Consular, CSDP lessons, CPCC.

²⁷ To note that in the 'Initial lessons identified regarding CSDP decision making and operational aspects from the current COVID-19 crisis' (doc no 10114/20 dated August 2020), under recommendations 4(2)(j) and (k) there are similar proposals.

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- d) Efforts in the establishment of a secure communications network with EU Member States, given the related challenges amplified by the COVID-19 pandemic, should be pursued. This might play a role in providing them with further incentives both to share relevant information in case of future pandemic situations. The secure communications network should allow the needs-based exchange of classified (at least EU RESTRICTED) information (voice, VTC, emails and files) among EU Institutions and EU Member States, in accordance with the nature of the crisis²⁸. This should be done in complementarity with the secure communications systems established under UCPM (CECIS).
- e) Further efforts are required to improve/enhance/reinforce the EU efforts to counter propaganda and disinformation as well as cyber-attacks and attempted cyber-attacks by our adversaries and they have been raised and taken up in the respective processes (and go beyond the scope of this paper).
- f) Exploring the need to enhance the EUMS liaising, coordination and consultation role towards the two NATO Strategic Commands (Allied Command Operations - ACO and Allied Command Transformation - ACT) in future related or similar situations, in particular with regard to operational aspects and follow-on actions (e.g. lessons identified), deserves further consideration.

3.2 June 2020 Council conclusions on the use of military assets and capabilities in support of the UCPM as well as for HA purposes: possible future related actions

- a) The *buy-in* of the EU Member States remains a precondition for acquiring appropriate visibility and building up an accurate picture at the EU level on military assets and capabilities which could be made available in support of civil protection and for humanitarian assistance purposes to supplement the Union's dedicated capacities (e.g. European Civil Protection Pool). This is valid as well for their potential positive response to Military and Civil Defence Assistance (MCDA) requests mostly originating from the UN. Appropriate civil-military cooperation at the national (capital) level remains instrumental in achieving an optimal use of such assets for CP/HA purposes.

The actions proposed below should be seen against this overall background.

- b) Clarifications should be provided, before or at the latest at the moment of the activation of the DG ECHO – EUMS Administrative Arrangements, on the possible Commission co-financing and modalities for reimbursement in case of MCDA-type requests for assistance (see also section 2.2(a)), depending on the UCPM funding availability. Coordination at national level between the defence/military and CP authorities may allow for better understanding on potential EU financial support through the UCPM.

²⁸ See further details in footnote 16 above.

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- c) The list of military assets and capabilities that could potentially be used in support of the EU's CP authorities and/or for HA purposes, as tentatively identified in the EEAS Scoping Paper (see also Annex 2)²⁹ should be checked against:
- The list of military assets and capabilities drawn up in the context of the 'Military support to EU Disaster Relief – Identification and coordination of available capabilities'³⁰;
 - The list of key areas of military support tasks to HA/DR in the 'EU Concept of effective Civil-Military Coordination in support of Humanitarian Assistance and Disaster Relief'³¹.
 - The best practices and lessons gathered by the Ad-hoc EEAS/EUMS TF and related CIP.

As part of this exercise, in close collaboration with the relevant Commission services and in consultation with the General Secretariat of the Council (GSC), the need to update the 2006 and/or 2019 documents above-listed could be further assessed, covering as well aspects on the coordination of the use of military assets and capabilities in EU Disaster Response.

Furthermore, the related military requirements relevant in support of the EU's CP authorities, notably concerning but not limited to medical capabilities and strategic transport assets, should be checked further against the forces and capabilities declared by the EU Member States to the Force Catalogue for planning purposes, as well as existing initiatives for stockpiling and medical capacities at Member States level and future development of CBRN under rescEU and the EDF. All these actions are to be conducted with a view to identify possible gaps and explore possible improvement actions. In the same vein, lessons from the COVID-19 pandemic should be taken into account as appropriate, including by addressing possible requirements, with a view to inform the next Headline Goal cycle (2023-2026).

These endeavours should be consistent as well with the relevant elements in the 'PSC Report to the Council on modalities, procedures and criteria for making available to the Community'³² Civil Protection Mechanism the content of the database of military assets and capabilities relevant to the protection of civilian populations against the effects of terrorist attacks, including CBRN'³³.

All these effort should also aim at providing the relevant EU authorities with increased visibility on the military assets and capabilities which could and would be made available for CP/HA purposes, including by stepping up regular dialogue between the Commission and the EEAS/EUMS experts³⁴, notably via the well-established communication channel. At the end, the support offered to a respective request does not depend on *what could be* provided by the MS but on *what is provided*.

- d) In close coordination with the GSC, wider interactions / links with the Integrated Political Crisis Response (IPCR) Arrangements, as well as the relevant implementation modalities of Art 222 TFEU and the EEAS Crisis Response Mechanism (CRM), could also be considered.³⁵

²⁹ See footnote 1 (ST 7756/20 of 5 May 2020).

³⁰ ST 9462/3/06 of October 2006.

³¹ ST 5536/19 of January 2019.

³² Since 2013, the Community Civil Protection Mechanism became the Union Civil Protection Mechanism.

³³ ST 6644/4/04 of 11 May 2004.

³⁴ In the framework of this regular Commission/DG ECHO - EEAS/EUMS dialogue, the flexibility of the existing procedures and reaction time on the use of such assets, among other aspects, should be taken up.

³⁵ See also 'Report on IPCR Lessons Identified from COVID-19' (ST 13954/20 of 11 December 2020).

4. Way Ahead

This paper is intended to inform the Member States reflection and dedicated discussions in Council working parties (notably PMG, ProCiv, EUMC) on the use of military assets and capabilities in support of civilian authorities, as well as to be seen as a contribution to the June 2020 Council related tasking in the framework of the UCPM and in the field of HA.

Moreover, following discussions with Member States in the respective working parties, the paper should be used in conjunction with the results of the upcoming dedicated exchanges (such as workshops organised by Member States in the framework of the strategic dialogue phase of the Strategic Compass, and/or regular dialogues bringing together EEAS/EUMS and Commission experts), to inform in particular the resilience cluster of the Strategic Compass.

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Annex 1 – Mapping of EU legal and procedural framework on the use of military assets and capabilities in support of disaster relief / humanitarian assistance (DR/HA) and other relevant related documents

Some of these framework documents could be traced back to 2004, although a number of more recent ones, in particular with regard to the Civ-Mil Coordination in support of HA&DR, as well as Relationship between EUMS – ERCC in the framework of EU Crisis Response, were updated and/or adopted in 2019. Likewise, the Integrated Political Crisis Response Arrangements were last time updated in 2018, while the Working Arrangements on cooperation and coordination between the Commission (DG ECHO) and EEAS date back in 2016.

LIST OF RELEVANT RELATED DOCUMENTS on the *use of military assets and capabilities in support of DR/HA* (in descending chronological order):

- EU Concept on effective Civ-Mil Coordination in support of Humanitarian Assistance and Disaster Relief (doc no 5536/19, dated January 2019);
- SOP 500-3: Relationship EUMS-ERCC in the framework of the EU Crisis Response (internal EUMS SOP, jointly drafted with DG ECHO/ERCC, dated July 2020);
- Working Arrangement on cooperation and coordination between DG ECHO and EEAS (doc no EEAS.DSG-CSDP/GSS/alp/ARES(2016), dated 2016);
- Military Support to EU Disaster Relief: Identification and coordination of available assets and capabilities (doc no 9462/3/06, dated October 2006);
- General Framework for use of MS military or military chartered transport assets and ESDP coordination tools in support of EU Disaster Response (doc no 8976/06, dated May 2006);
- PSC Report to the Council on modalities, procedures and criteria for making available to Commission Civil Protection Mechanism the content of the data base of military assets and capabilities relevant to the protection of civilian population against the effects of terrorist attacks, including CBRN (doc no 6644/4/04, dated May 2004);
- UN Guidelines³⁶.

OTHER RELEVANT RELATED DOCUMENTS in the field of the *EU Civil Protection* (Art 196 TFEU) and *Humanitarian Aid* (Art 214 TFEU):

- Decision No 1313/2013/EU of the European Parliament and of the Council on a Union Civil Protection Mechanism (doc no 1313/2013/EU, dated 17 December 2013);
- Council Regulation (EC) No 1257/96 concerning Humanitarian Aid (doc no 1257/96, dated 20 June 1996);

³⁶ UN Guidelines on the use of the Military and Civil Defence Assets in disaster relief (Oslo Guidelines, as disseminated in May 2007).

UN Guidelines on the use of Military and Civil Defence Assets to support UN humanitarian activities in complex emergencies (MCDA Guidelines, March 2003).

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- Decision No 1082/2013/EU of the European Parliament and of the Council of 22 October 2013 on serious cross-border threats to health and repealing Decision No 2119/98/EC;
- Decision (EU) 2019/420 of the European Parliament and of the Council of 13 March 2019 amending Decision No 1313/2013/EU on a Union Civil Protection Mechanism (rescEU);
- Joint Statement by the Council and the Representatives of the Governments of the Member States meeting within the Council, the European Parliament and the European Commission - The European consensus on Humanitarian Aid. The Humanitarian challenge³⁷.

OTHER RELEVANT RELATED DOCUMENTS on coordination and response at EU political level for *crises, inside or outside Union, having a wide-ranging impact or political significance (IPCR) or* if a Member State is the object of a *terrorist attack or man-made disaster* (Solidary Clause - Art 222 TFEU):

- Council Implementing Decision (EU) on the EU Integrated Political Crisis Response Arrangements (doc no 2018/1993, dated 11 December 2018);
- Council Decision on the arrangements for the implementation by the Union of the solidarity clause (doc no 2014/415/EU, dated 24 June 2014).

EEAS Crisis Response Mechanism (structured system to respond to *serious situations or emergencies concerning/involving the external dimension of the EU*):

- EEAS Internal Document (dated 15 July 2018)

³⁷ Document found at https://ec.europa.eu/echo/files/media/publications/consensus_en.pdf.

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Annex 2 - Military assets that could potentially be used in support of the EU's civil protection authorities ³⁸

As highlighted in the current crisis, these could include:

1. Logistic support, such as transport (road, sealift, airlift), including its organisation and coordination through multilateral engagement with MCCE and EATC, and warehousing and distribution services for critical stocks and equipment;
2. Medical support, Mobile Role 2 Medical Treatment Facility (MTF), deployable role 3 MTF, preventive medical teams including outbreak investigation teams, enhancing (National and International) civilian planning staff, supporting civilian hospitals with personnel and specific medical equipment;
3. Engineer support, well drilling and water purification, support with disinfection of materials and personnel;
4. Structures such as military crisis response cells could be used to reinforce the civilian crisis response system in order to become more robust, long-time sustainable and adding niche expertise;
5. The role of the military assistance could also include the establishment of dedicated contingents to support the civil authorities in ensuring security/protection of critical infrastructure, provide logistic and law enforcement / traffic control support.

³⁸ Annex A to the EEAS Scoping Paper - see footnote 1 (ST 7756/20 of 5 May 2020).