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LIMITE

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NOTE POINT "I"

Origine:	La Présidence
Destinataire:	Comité des représentants permanents
Objet:	Etablissement et mandat du groupe de travail <i>ad hoc</i> en matière d'industrie de défense

1. Le Conseil européen extraordinaire des 30 et 31 mai 2022 a invité le Conseil à examiner un certain nombre de propositions en matière de sécurité et de défense, notamment en ce qui concerne le renforcement de la base industrielle et technologique de défense européenne.
2. A la suite des échanges intervenus lors des Coreper des 1^{er}, 8 et 15 juin 2022, et conformément à l'article 19(3) du règlement intérieur du Conseil, la Présidence propose d'établir un groupe de travail *ad hoc* pour l'industrie de défense.
3. Au vu de ces éléments, le Comité des Représentants permanents est invité à approuver :
 - l'établissement de ce groupe de travail *ad hoc*,
 - son mandat tel que présenté dans l'annexe à cette note.

Mandate

Ad hoc Working Party on defence industry

Code -

Council configuration

This Ad Hoc Working Party operates under:

- General affairs
 - Foreign affairs (Defence)
 - Economic and financial affairs¹
 - Justice and home affairs²
 - Employment, social policy, health and consumer affairs
 - Competitiveness (internal market, industry, research and space)³
 - Transport, telecommunications and energy
 - Agriculture and fisheries
 - Environment
 - Education, youth, culture and sport⁴
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Sub-areas or subgroups (if applicable) n/a

¹ Including budget
² Including civil protection
³ Including tourism
⁴ Including Audio-visual affairs

Policy areas

The European Council endorsed on 24-25 March the Strategic Compass, which includes strengthening a resilient, competitive and innovative European Defence Technological and Industrial Base (EDTIB) throughout the Union.

In the light of the analysis of defence investment gaps prepared by the Commission and the High Representative, in coordination with the European Defence Agency, and the various recommendations put forward to strengthen the EDTIB⁵, the European Council in its conclusions of 30 and 31 May 2022 invited the Council to examine specific issues in the field of security and defence, in line with the respective competences conferred by the Treaties.

Under the authority of the Coreper⁶, this ad hoc Working party will focus on the issues related to the EDTIB mentioned in the European Council conclusions, in particular regarding the following areas :

- as a matter of urgency, measures to coordinate very short-term defence procurement needs to support joint procurement to replenish stocks, notably in the light of the support provided to Ukraine, as well as a short-term tool to reinforce European defence industrial capabilities through voluntary joint procurement (*paragraph 24 a) of European Council conclusions*);
- further measures to map the current and necessary additional manufacturing capabilities and to reinforce the capacity and resilience of the European defence technology and industrial sector, including SMEs (*paragraph 24 c) of European Council conclusions*);
- a possible joint European Defence Investment Programme, including exploring a vehicle for Value Added Tax exemption and for European defence projects of high common interest (*paragraph 25 of European Council conclusions*).

The ad hoc Working Party will report to Coreper on the matters listed above, in order to prepare the work of the Foreign Affairs configuration of the Council, when defence ministers meet, and, as appropriate, of the Competitiveness configuration of the Council.

⁵ Joint Communication by the Commission and the High Representative of the Union for foreign affairs and security policy (18.5.2022 JOIN(2022) 24 final) on 'Defence Investment Gaps Analysis and Way Forward'

⁶ In accordance with Article 240(1) TFEU and the Council's Rules of procedure

Type of work

The Working Party is in charge of the following:

- Work on Union legal acts (i.e. legislative acts and other legal acts)
- Policy preparation

In particular, the AHWP is in charge of

- legislative act(s):
- other Union legal acts:
- external documents or instruments:
- policy document(s):
- other: Council Conclusions

Chairing arrangement

The Working Party is chaired by:

- the six-monthly Presidency
- a representative of the High Representative
- other, namely:

Observations

- Date of establishment: 29/06/2022
- The group will cease to exist when its mandate has been fulfilled.
- Main links with other Working Parties:

The ad hoc Working party draws on the expertise of delegates working in the relevant areas, as appropriate, and its activities shall be without prejudice to the work within other Council bodies having competencies in the field of CSDP (especially PSC, the Political-military group, the Military Committee) or in the ECOFIN and Competitiveness formations (Working Party of Financial Counsellors, Working Party on Tax Questions and Working Party on Competitiveness and Growth). PSC will also be informed on a regular basis regarding the work of this ad hoc Working party. Appropriate coordination should take place as need be. Whenever necessary, the Chair of the AHWP will liaise with Chairs of other relevant Council preparatory bodies such as, for instance, those listed above.

- The work of the Task Force on Defence Joint Procurement⁷ will inform the discussions within the ad hoc Working Party when it comes to the area addressed in paragraph 24 a) of European Council conclusions.
- EDA will be invited to participate to the meetings where relevant.

⁷ Announced in the Joint Communication 'Defence Investment Gaps Analysis and Way Forward'

and subsequently set up by the Commission, the EDA and the EEAS