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Subject: Internal EU27 preparatory discussions on the framework for the future relationship: "Security, Defence and Foreign Policy"

Origin: European Commission, Task Force for the Preparation and Conduct of the Negotiations with the United Kingdom under Article 50 TEU

Remarks: These slides are for presentational and information purposes only and were presented to the Council Working Party (Article 50) on 23 January 2018. The contents are without prejudice to discussions on the framework of the future relationship.

In December 2017, the European Council invited the Council (Art. 50) together with the Union negotiator to continue internal preparatory discussions on the scope of the future EU-UK relationship. The slides support those discussions. They are based on the April European Council guidelines which continue to apply in their entirety.

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Internal preparatory discussions on framework for future relationship

Security, Defence and Foreign Policy

AD HOC WORKING PARTY ON ARTICLE 50 (*Seminar mode*)

23/01/2018

No security vacuum in Europe after UK's withdrawal

- 1- Bilateral defence and security cooperation between UK and EU Member States not put at risk;
- 2- No impact on the EU-NATO strategic partnership;
- 3- Unconditional UK commitment to maintaining European security.

Core EU Principles

- 1) **Autonomy** of the Union's decision-making process;
- 2) A non-member of the Union cannot have the same **benefits** as a member;
- 3) A **balance** of rights and obligations;

Also: need to take into account the **Union's security interests** and **the existing framework for cooperation** with third countries.

Scope of the future relationship in the field of security, defence, foreign policy

- Common Foreign and Security Policy (CFSP) & Common Security and Defence Policy (CSDP).
- Union's programmes/policies in support of defence and external security (European Defence Fund, Galileo Public Regulated Service, Cyber-security).

EU Foreign Policy

Brexit impact

- UK outside Council instances and local EU Member States coordination meetings;
- No obligation to stay aligned with EU positions;
- One Member State as permanent member of the UN Security Council (P5).

EU Interest

- Cooperate with UK as significant foreign, security and defence player;
- Cooperate with the UK to promote policies in other third countries and third organisations.

Framework for future relationship

- Existing cooperation mechanisms with third countries;
- Specific dialogue and consultation mechanism with the UK, considering UK P5 status.

Restrictive measures (sanctions)

Brexit impact

- No more UK expertise for the substantiation for individual listings.

EU Interest

- EU sanction policy on the basis of EU27 interests;
- Continued EU ability to ensure necessary substantiation for individual listings;
- Seek coordinated approach with the UK to sanctions to minimise risk of diverging sanctions regimes.

Future relationship

- Information-sharing with the UK via an exchange of classified information agreement (Security of Information Agreement).

EU CSDP missions and operations

Brexit impact

- Third countries do not provide **Operation Headquarters** for CSDP operations/missions;
- Third countries cannot be **lead-nation** or have the post of the **Operation Commander** or other high level positions in operations / missions.

Immediate implications for the UK

- Need to transfer the Operation Headquarters of Operation **Atalanta** currently provided by the UK (Northwood).
- Need to transfer the responsibility of the Operational Command of **Althea** (currently D-SACEUR);
- Need to adjust the **EU Battlegroup** roster of 2nd Semester 2019 (currently UK as framework nation).

EU Interest

- Continued ability to plan and conduct CSDP missions and operation autonomously;
- Not disrupt EU's relationships with third countries.

Future partnership

Options:

- A **Framework Participation Agreement (FPA)** based on the model approved by the Council in 2008; or
- **Ad hoc agreements**; or
- Developing a **new and more ambitious framework** applicable for third countries?

Intelligence

Brexit impact

- No access for the UK to EU Intelligence products;
- No mechanism for UK to share their own Intelligence products with the EU and vice versa.

EU interest

- EU's continued ability to autonomously assess its internal and external security environment and to achieve broad situational awareness;
- Appropriate level of intelligence cooperation with UK in support of EU external action.

Future relationship

- Agreement for exchanging classified information (Security of Information Agreement);
- Practical procedures to allow timely exchanges of intelligence with UK services.

Capability Development (European Defence Agency)

Brexit impact

- No participation of UK in the **management** of EDA;
- No participation of UK **in EDA ad hoc activities.**

EU interest

- Where deemed necessary by Member States, benefit from UK expertise in capability development;
- Contribute to reinforce CSDP.

Future relationship

- Possibility of an **administrative arrangement** between EDA and UK mentioning specific areas of cooperation that are in the interest of the Union.

Permanent Structured Cooperation (PESCO)

EU interest

- Strengthen European Security and Defence through effective implementation of PESCO.

Future relationship

- **Conditions** for participation of third countries in individual projects will be developed in 2018.
- **UK participation:**
 - 1) limited to PESCO projects upon invitation;
 - 2) subject to meeting the general conditions for third countries;
 - 3) upon Council confirmation in PESCO format.

TRANSITION CFSP/CSDP

Security, defence and foreign policy as part of the **acquis**.

UK:

- no longer participate in the **EU institutions** nor in the **decision-making** of Union bodies;

whilst

- all existing Union **regulatory and budgetary instruments** and structures will apply.

Implications for CFSP/CSDP:

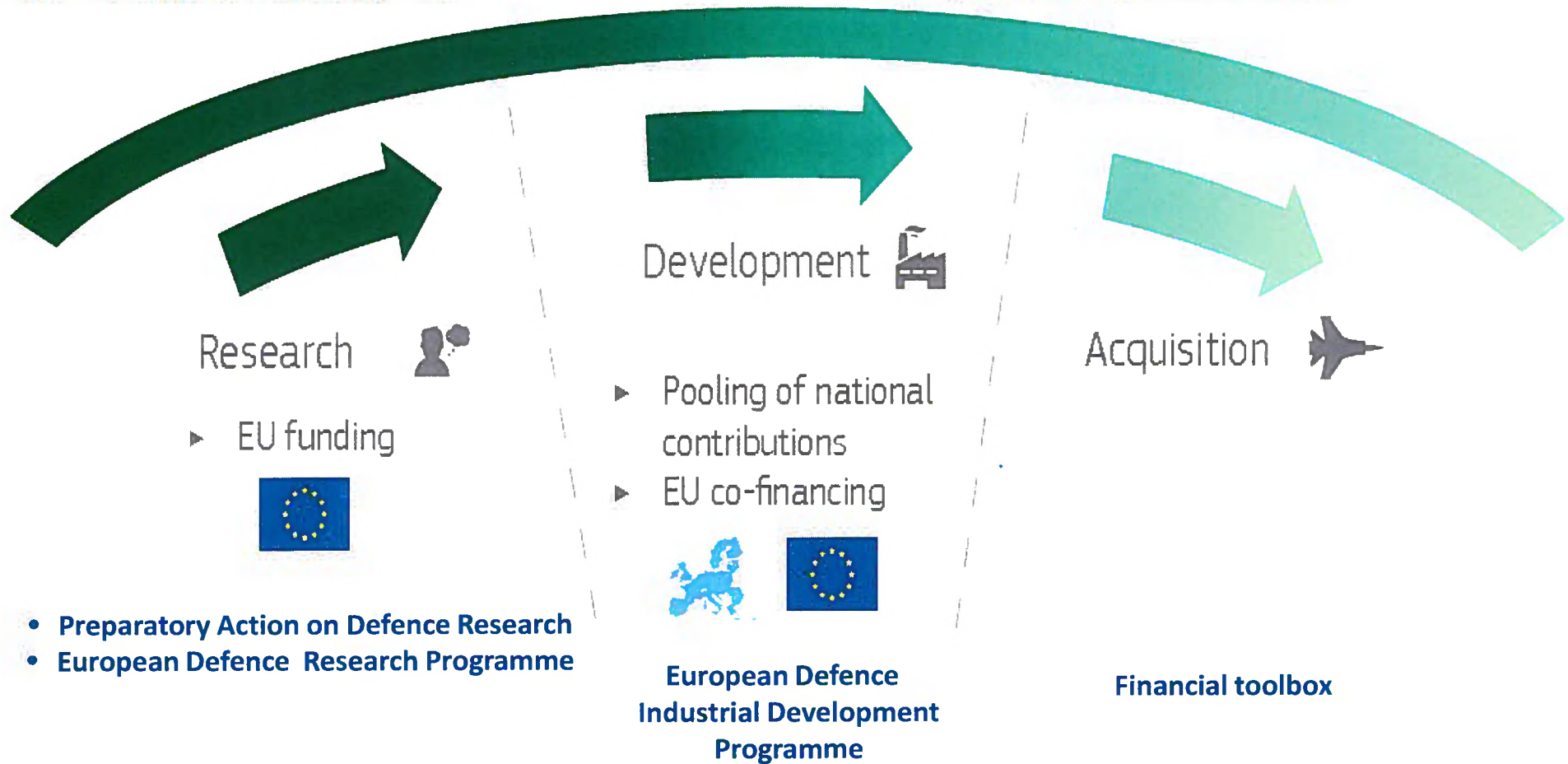
- 1) **Decision-making:** UK no longer part of Council bodies; bound by EU Council Decision in the field of CFSP (including on sanctions) → need for a specific consultation mechanism?
- 2) **CSDP missions and operations:** UK as contributor (staff and assets). UK to contribute to the financing of the common costs (Athena mechanism).
- 3) **CFSP Agencies:** UK no longer part of their management but participate in their activities. UK to contribute to the financing of the CFSP agencies.

European Defence Fund

The European Defence Fund

Research Window

Capability Window



Transition Period

- As a general rule, **no participation of UK** in the programme committees. But can be invited on an exceptional and case-by-case basis, when needed and without voting rights.
- **UK undertakings can be eligible** unless, for security-related reasons, there would be a need to exclude UK undertakings on an ad hoc basis.

Future Relationship

- Proposal for the European Defence Fund in the next MFF to be submitted during the 1st semester 2018.
- **UK undertakings could participate** under same conditions as undertakings from other third countries.

Galileo/ Access to
Public Regulated
Service

Transition period

- **No participation of UK** in programme committees and experts groups. But can be invited on an exceptional and case-by-case basis, when needed and without voting rights.
- **Participation in Galileo/EGNOS.**
- **Limited access to PRS.**

Future relationship

- Requirements:

1- A **Security of Information Agreement** to be able to exchange classified information with the UK;

2- A **Satellite Navigation Cooperation Agreement** setting out general modalities of cooperation on Galileo/EGNOS;

3- An **Agreement on Access to PRS**, providing the UK access to the Public Regulated Service, in line with the PRS Decision 1104/2011/EU and the PRS Common Minimum Standards.

Preparedness for:

- 1- **Infrastructure** issues > relocation of the Galileo Security Monitoring Centre
- 2- **Security** issues > EU classified information
- 3- **Contractual Issues** > participation of UK entities