



Plenary sitting

A8-0157/2019

7.3.2019

REPORT

on a European Parliament recommendation to the Council and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy concerning the Proposal of the High Representative of the Union for Foreign Affairs and Security Policy, with the support of the Commission, to the Council for a Council Decision establishing a European Peace Facility
(2018/2237(INI))

Committee on Foreign Affairs

Rapporteur: Hilde Vautmans

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DRAFT EUROPEAN PARLIAMENT RECOMMENDATION

**to the Council and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy concerning the Proposal of the High Representative of the Union for Foreign Affairs and Security Policy, with the support of the Commission, to the Council for a Council Decision establishing a European Peace Facility
(2018/2237(INI))**

The European Parliament,

- having regard to the Treaty on European Union (TEU) and the Treaty on the Functioning of the European Union (TFEU),
- having regard to the UN Sustainable Development Goals (SDGs), in particular SDGs 1, 16 and 17, aimed at the promotion of peaceful and inclusive societies for sustainable development¹,
- having regard to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000,
- having regard to Council Regulation (EU) 2015/322 of 2 March 2015 on the implementation of the 11th European Development Fund²,
- having regard to Council Decision (CFSP) 2015/528 of 27 March 2015 establishing a mechanism to administer the financing of the common costs of European Union operations having military or defence implications (Athena) and repealing Decision 2011/871/CFSP³,
- having regard to Regulation (EU) No 230/2014 of the European Parliament and of the Council of 11 March 2014 establishing an instrument contributing to stability and peace⁴,
- having regard to Regulation (EU) 2017/2306 of the European Parliament and of the Council of 12 December 2017 amending Regulation (EU) No 230/2014 establishing an instrument contributing to stability and peace⁵,
- having regard to the Interinstitutional Declaration, annexed to Regulation (EU) 2017/2306, concerning sources of funding of assistance measures under Article 3a of Regulation (EU) 2017/2306 of the European Parliament and of the Council of 11 March 2014 establishing an instrument contributing to stability and peace⁶,
- having regard to Council Regulation (EU) 2015/323 of 2 March 2015 on the financial

¹ <https://sustainabledevelopment.un.org/>

² OJ L 58, 3.3.2015, p. 1.

³ OJ L 84, 28.3.2015, p. 39.

⁴ OJ L 77, 15.3.2014, p. 1.

⁵ OJ L 335, 15.12.2017, p. 6.

⁶ OJ L 335, 15.12.2017, p. 6.

regulation applicable to the 11th European Development Fund⁷,

- having regard to Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment⁸, and Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items⁹,
- having regard to the Internal Agreement between the Representatives of the Governments of the Member States of the European Union, meeting within the Council, on the financing of European Union aid under the multiannual financial framework for the period 2014 to 2020, in accordance with the ACP-EU Partnership Agreement, and on the allocation of financial assistance for the Overseas Countries and Territories to which Part Four of the Treaty on the Functioning of the European Union applies¹⁰,
- having regard to the Proposal of 13 June 2018 of the High Representative of the Union for Foreign Affairs and Security Policy, with the support of the Commission, to the Council for a Council Decision establishing a European Peace Facility (HR(2018) 94),
- having regard to the European Council conclusions of 20 December 2013, 26 June 2015, 15 December 2016, 9 March 2017, 22 June 2017, 20 November 2017, 14 December 2017 and 28 June 2018,
- having regard to the document entitled ‘Shared Vision, Common Action: A Stronger Europe – A Global Strategy for the European Union’s Foreign and Security Policy’, presented by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) on 28 June 2016,
- –having regard to the Council conclusions of 13 November 2017, 25 June 2018 and 19 November 2018 on security and defence in the context of the EU Global Strategy,
- having regard to the Commission communication of 7 June 2017 entitled ‘Reflection Paper on the Future of European Defence’ (COM(2017)0315),
- having regard to the Joint Communication of the Commission and the EEAS of 5 July 2016 on ‘Elements for an EU-wide strategic framework to support security sector reform’,
- having regard to the European Court of Auditors’ special report No 20 of 18 September 2018 on ‘The African Peace and Security Architecture: need to refocus EU support’,
- having regard to its resolution of 22 April 2015 on financing the Common Security and Defence Policy¹¹,

⁷ OJ L 58, 3.3.2015, p. 17.

⁸ OJ L 335, 13.12.2008, p. 99.

⁹ OJ L 134, 29.5.2009, p. 1.

¹⁰ OJ L 210, 6.8.2013, p. 1.

¹¹ OJ C 353, 27.9.2016, p. 68.

- having regard to its resolution of 22 November 2016 on the European Defence Union¹²,
 - having regard to its resolutions of 13 December 2017¹³ and 12 December 2018¹⁴ on the Annual Report on the implementation of the Common Security and Defence Policy (CSDP),
 - having regard to Rule 113 of its Rules of Procedure,
 - having regard to the report of the Committee on Foreign Affairs (A8-0157/2019),
- A. whereas the EU’s ambition is to be a global actor for peace, striving for the maintenance of international peace and security and respect for international humanitarian and human rights law;
 - B. whereas the EU has a growing responsibility to safeguard its own security within a strategic environment that has significantly deteriorated over the last few years;
 - C. whereas the challenging security environment surrounding the EU requires it to have strategic autonomy, which was acknowledged in June 2016 by the 28 Heads of State and Government in the EU Global Strategy, and which necessitates the provision of instruments which enhance the EU’s ability to preserve peace, prevent conflicts, promote peaceful, just and inclusive societies and strengthen international security; whereas it has been acknowledged that secure and peaceful societies are a prerequisite for lasting development;
 - D. whereas the purpose of the European Peace Facility (hereinafter ‘EPF’ or ‘the Facility’) is not to militarise the European Union’s external action but to yield synergies and efficiency gains by providing a package approach to operational funding of external action that already exists today, and where funding from the EU budget is not possible;
 - E. whereas the Treaty requires the EU and its institutions to implement a common foreign and security policy (CFSP), including the progressive framing of a common defence policy, which might lead to a common defence in accordance with the provisions of Article 42, thereby reinforcing European identity and its independence in order to promote peace, security and progress in Europe and in the world; whereas the proposed Facility is to be welcomed as a progressive step in this direction, and the VP/HR is to be encouraged to pursue its further development and implementation;
 - F. whereas the EU is the world’s biggest provider of development and humanitarian aid, strengthening its security and development nexus towards achieving sustainable peace;
 - G. whereas further use of Union funding and instruments should be encouraged for the purposes of improving cooperation, developing capabilities and deploying missions in the future, as well as to preserve peace, to prevent, manage and resolve conflicts, and to address threats to international security; underlines that the EPF should, in particular, finance the Union’s military missions, strengthen the military and defence capacities of

¹² OJ C 224, 27.6.2018, p. 18.

¹³ OJ C 369, 11.10.2018, p. 47.

¹⁴ Texts adopted, P8_TA(2018)0514.

third states, regional and international organisations, and contribute to the financing of peace support operations led by a regional or international organisation or by third states;

- H. whereas the EU has found it challenging in the past to finance operations with defence implications; whereas Parliament has repeatedly emphasised the need for funding that is more flexible and efficient and expresses solidarity and determination; whereas additional instruments and tools are necessary to ensure that the EU can play its role as a global actor in the field of security; whereas any such instruments need to be subject to proper parliamentary control and EU legislation;
- I. whereas women's participation in peace processes remains one of the most unfulfilled aspects of the women, peace and security agenda, despite women being the primary victims of security and humanitarian crises and in spite of the fact that when women have an explicit role in peace processes, there is a 35 % increase in the probability of an agreement lasting at least 15 years;
- J. whereas internal and external security are increasingly intertwined; whereas the EU has taken significant steps to increase cooperation between its Member States in the area of defence; whereas the EU has always prided itself on its soft power and will keep doing so; whereas an evolving reality that gives rise to concerns, however, requires the EU not to remain an exclusively 'civilian power', but to develop and strengthen its military capabilities, which should be used in a consistent and coherent manner with all other EU external action; whereas development in third countries is not possible without security and peace; whereas the military plays a key role in this, especially in countries where civilian authorities are unable to fulfil their tasks in the light of the security situation; whereas the Facility has the clear potential to lead to a stronger engagement of the EU towards partner countries and will increase the effectiveness of EU external action, allowing the EU to become a relevant stability and security provider in the future;
- K. whereas the EU's external action must not be instrumentalised as 'migration management', and all efforts to work with third states must go hand in hand with improving the human rights situation within these countries;
- L. whereas non-proliferation and disarmament will have a significant effect in reducing the fuelling of conflicts and contributing to more stability, in accordance with the obligations stemming from the Treaty on the Non-Proliferation of Nuclear Weapons and Parliament's related resolution on nuclear security and non-proliferation¹⁵; whereas a world without weapons of mass destruction is a safer one; whereas the EU has been a leading actor in banning nuclear weapons and should expand its role in this sense;
- M. whereas the Treaties do not provide for any external military action of the Union outside the framework of the CSDP; whereas a genuine CFSP for all EU Member States increases the EU's scope for external policy action; whereas the only external military action possible under the CSDP takes the form of missions outside the Union for peace-keeping, conflict prevention and strengthening international security in accordance with

¹⁵ OJ C 215, 19.6.2018, p. 202.

the principles of the UN Charter as referred to in Article 42(1) of the TEU;

- N. whereas support to partners' military peace support operations has up to now been provided outside of the EU budget through the African Peace Facility (APF), established under and funded by the European Development Fund (EDF); whereas the APF is currently limited to operations led by the African Union (AU) or by African regional organisations;
- O. whereas the EPF is expected to give the Union the capacity to contribute directly to the financing of peace support operations led by third states, as well as to the relevant international organisations, on a global basis and not limited to Africa or to the AU;
- P. whereas the proposed Facility will replace the Athena mechanism and the APF; whereas it will complement the Capacity Building for Security and Development initiative by financing the costs of EU defence activities such as AU peace-keeping missions, common costs of own military CSDP operations, and military capacity building of partners, which are excluded from the EU budget in accordance with Article 41(2) of the TEU;
- Q. whereas operations carried out under the Facility must comply with the principles and values enshrined in the Charter of Fundamental Rights and respect international humanitarian and human rights law; whereas operations which are not defined as ethically acceptable from the point of view of human safety, health and security, freedom, privacy, integrity and dignity, must be thoroughly assessed and reconsidered;
- R. whereas the current proportion of the common costs remains very low (estimated at approximately 5-10 % of all costs), and the high share of nation-borne costs and responsibilities in military operations based on the 'costs lie where they fall' principle runs counter to the principles of solidarity and burden-sharing, and further deters Member States from taking an active part in CSDP operations;
- S. whereas the proposed average annual envelope for the EPF is EUR 1 500 000 000, while the combined spending under the Athena mechanism and the APF has fluctuated between EUR 250 000 000 and EUR 500 000 000 annually; whereas the potential purposes of the additional EUR 1 000 000 000 per year are not adequately specified or guaranteed in the proposal;
- T. whereas as an off-budget mechanism financed through yearly contributions by Member States, based on a GNI distribution key, the EPF is expected to allow the EU to fund a higher proportion of the common costs (35-45 %) of military missions and operations, as is currently the case with the Athena mechanism; whereas the EPF is also expected to ensure that EU funding is available on a permanent basis, ensuring adequate programming for crisis preparedness and making rapid deployment easier, and improving flexibility in case of rapid response; whereas the ambitious inclusion and expansion of the Athena mechanism for the common funding of CSDP missions and operations has been a long-standing demand of Parliament; whereas, however, the proposed Council Decision does not have the same binding character as the internal agreement of the APF, which means that Member States may opt out from funding EPF actions;

- U. whereas through the increase of the common costs, the proposed Facility will enhance solidarity and burden-sharing between Member States, and encourage Member States, especially those lacking financial or operational resources, to contribute to CSDP operations;
- V. whereas in its conclusions of 19 November 2018, the Council is reserved in its support for the EPF proposal; whereas it is nonetheless important to work towards the adoption of an ambitious proposal containing all proposed components, including the Athena mechanism;
- W. whereas all military tasks under the Facility, such as joint disarmament operations, humanitarian and rescue tasks, military advice and assistance tasks, conflict prevention and peacekeeping tasks, tasks of combat forces in crisis management, including peacemaking and post-conflict stabilisation, the fight against terrorism, including by supporting third countries in combating terrorism in their territories as listed in Article 43(1) of the TEU, with full respect for human rights, fall within the remit of the CSDP; whereas the exception of Article 41(2) of the TEU applies to the operating expenditure arising from those military missions only; whereas all other operating expenditure arising from the CSDP, including expenditure arising from any other action referred to in Article 42 of the TEU, should be charged to the Union budget; whereas the administrative expenditure of the EPF should be charged to the Union budget;
- X. whereas under Article 41(2) of the TEU all operating expenditure to which the CFSP gives rise shall be charged to the Union budget except for expenditure arising from operations having military or defence implications; whereas Article 2 (a) and (d) of the proposal for a decision state respectively that the EPF should fund both ‘operations having military or defence implications’ and ‘other Union operational actions having military or defence implications’;
- Y. whereas under Article 21(2) (d) of the TEU, the Union shall define and pursue common policies and actions and shall work for high degree of cooperation in all fields of international relations, in order to foster the sustainable economic, social and environmental development of developing countries, with the primary aim of eradicating poverty;
- Z. whereas according to Article 208(1), second paragraph of the TFEU: ‘ Union development cooperation policy shall have as its primary objective the reduction and, in the long term, the eradication of poverty’; whereas, according to the same paragraph, ‘the Union shall take account of the objectives of development cooperation in the policies that it implements which are likely to affect developing countries’; whereas the second sentence forms a Treaty provision, and as such, a constitutional duty for the EU, referred to as ‘Policy Coherence for Development’ (PCD);
- AA. whereas military and civilian missions outside the Union need to be kept separate from each other in order to ensure that the civilian missions are funded from the Union budget only;
- AB. whereas the EU should grant the personnel of CSDP missions a status similar to that of seconded national experts by providing them with a uniform status and the best possible protection under the Union’s Staff Regulations; whereas all allowances arising from that

status and all travel, subsistence and healthcare expenditure should be charged to the Union budget as administrative expenditure;

- AC. whereas the European Court of Auditors (ECA) has published a special report on the African Peace and Security Architecture funded via the APF, which is proposed to be included and expanded in the EPF; whereas the ECA finds that this support was poorly prioritised and had limited effect; whereas the recommendations from the ECA must be duly taken into account in view of the ambitious increased funding for the new Facility;
- AD. whereas no financial impact assessment regarding the administrative expenditure accompanied the proposal; whereas the administrative expenditure for the EPF has substantial implications for the EU budget; whereas no extra staff should be hired by or delegated to the EPF beyond the staff currently working on the instruments being replaced; whereas the synergies arising from bringing together the current distinct instruments in one administrative structure should facilitate managing the larger geographical scope of the EPF; whereas additional staff should only be recruited if and when the revenue for a mission or measure has been effectively collected from all participating Member States; whereas the time-limited character of the revenue calls for the contracts of staff recruited by the Facility or the secondments to the Facility for a particular mission or measure to have corresponding time limits; whereas no staff should be recruited by or seconded to the Facility from a Member State where it has made a formal declaration under Article 31(1) of the TEU for a particular mission or measure;
- AE. whereas the VP/HR should regularly consult Parliament on all main aspects and basic choices of the CFSP and CSDP and their subsequent evolution; whereas Parliament should be consulted and informed in a timely manner to allow it to present its views and ask questions, including on PCD, to the VP/HR and the Council before decisions are made or decisive action is taken; whereas the VP/HR should consider Parliament's views, including on PCD, and incorporate them into his or her proposals, should reconsider decisions or parts of decisions that Parliament opposes, or withdraw such proposals, notwithstanding the possibility of a Member State advancing the initiative in such a case, and should propose Council decisions relating to the CSDP where invited by Parliament to do so; whereas Parliament should have a yearly debate with the VP/HR on operations funded by the Facility;
1. Recommends the following to the Council:
- (a) not to decrease a Member State's contribution to the Facility if the Member State has recourse to Article 31(1) of the TEU, as this would undermine the GNI key underlying the financing mechanism and the overall financing of the Facility;
 - (b) to include in the decision a reference to Parliament's role as discharge authority, as is currently the case with the EDF and therefore for the APF, in accordance with the relevant provisions of the financial regulations applicable to the EDF, with a view to preserving the consistency of the EU's external action under the Fund and under its other relevant policies in line with Article 18 of the TEU and Article 21(2)(d) of the TEU read in combination with Article 208 of the TFEU;
 - (c) to work on putting in place a mechanism within the European Parliament

providing timely access, within strictly defined parameters, to information, including original documents, regarding the EPF annual budget, amending budgets, transfers, action programmes (including during the preparatory phase), implementation of assistance measures (including ad hoc measures), agreements with implementing actors, and reports on the implementation of revenue and expenditure, as well as the annual accounts, the financial statement, the evaluation report and the annual report by the ECA;

- (d) to agree to include access to all confidential documents in the negotiations for the updated Interinstitutional Agreement between the European Parliament and the Council concerning access of Parliament to sensitive information of the Council in the field of security and defence policy;
- (e) to ensure that operations, action programmes, ad hoc assistance measures and other operational actions funded by the Facility will not in any way violate or be used to violate the fundamental principles laid down in Article 21 of the TEU or be used to violate international law, in particular international humanitarian and human rights law;
- (f) to conclude the revision of the Athena mechanism before the end of this year if possible, and to incorporate it seamlessly into the EPF while preserving the mechanism's operational efficiency and flexibility;
- (g) to ensure that the efficiency gains and the improved effectiveness offered by a single instrument are preserved when making the necessary adjustments to the proposal;
- (h) to incorporate the following amendments:
 - to replace 'Common Foreign and Security Policy' by 'Common Security and Defence Policy' in recital (4) and Article 1;
 - to add a new recital (10a) as follows: '(10a) Military advice and assistance tasks referred to in Article 43(1) of the TEU may take the form of strengthening the military and defence capacities of third states, regional and international organisations to preserve peace, to prevent, manage and resolve conflicts and to address threats to international security while strictly complying with international humanitarian law and international human rights law, and the criteria of Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment, and Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items';
 - to add a new recital (10b) as follows: '(10b) Conflict prevention and peace-keeping tasks referred to in Article 43 (1) of the TEU may take the form of contributing to the financing of peace support operations led by a regional or international organisation or by third states.';
 - to add a new recital (10c) as follows: '(10c) Operations supported with EU funding must incorporate UN resolution 1325 on women, peace and security';

- to amend point a) of Article 2 as follows: ‘a) contributing to the financing of missions under the Common Security and Defence Policy (CSDP) having military or defence implications’;
- to amend point b) of Article 2 as follows: ‘b) strengthening the military and defence capacities of third states, regional and international organisations to preserve peace, to prevent, manage and resolve conflicts and to address threats to international security and cybersecurity’;
- to add a new point 2a to Article 3 as follows: ‘2a. The annual breakdown of the administrative expenditure for this facility that is charged to the Union budget shall be set out in Annex I a (new) for information.’;
- to amend point c) of Article 5 as follows: ‘c) ‘operation’ means a military operation established under the Common Security and Defence Policy in accordance with Article 42 of the TEU to fulfil the tasks referred to in Article 43(1) of the TEU having military or defence implications, including a task entrusted to a group of Member States in accordance with Article 44 of the TEU’;
- to add a new subparagraph at the end of Article 6 as follows: ‘All civilian aspects, assets or missions under the CFSP and in particular under the CSDP, or parts thereof, shall be exclusively funded from the Union budget.’;
- to amend Article 7 as follows: ‘Any Member State, the High Representative or the High Representative with the support of the Commission may submit proposals for Union actions under Title V of the TEU to be financed by the Facility. The High Representative shall inform the European Parliament in a timely manner of any such proposal.’;
- to amend paragraph 1 of Article 10 as follows: ‘Consistency between the actions of the Union to be financed under the Facility and other Union actions under its other relevant policies shall be ensured in accordance with Articles 21 (3) and 26 (2) TEU. Actions of the Union to be financed under the Facility shall also be consistent with the objectives of those other Union policies towards third countries and international organisations;’);
- to add a new paragraph 3a to Article 10 as follows: ‘3a. Twice a year the High Representative shall report to the European Parliament on the consistency referred to in paragraph 1.’;
- to add a new paragraph 2a to Article 11: ‘2a. The facility shall have a liaison officer to the European Parliament. In addition, the Deputy Secretary General for CSDP and Crisis Response shall have annual exchange of views with the relevant parliamentary body in order to provide regular briefings.’;
- to amend paragraph 1 of Article 12 as follows: ‘A Facility Committee (hereafter ‘the Committee’) composed of one representative of each participating Member State is established. Representatives of the European External Action Service (EEAS) and of the Commission shall be invited to attend the meetings of the Committee without taking part in its votes. Representatives of the European

Defence Agency (EDA) may be invited to attend Committee meetings for items under discussion that relate to the EDA's area of activity, without taking part in or being present at its votes. Representatives of the European Parliament may be invited to attend the Committee meetings without taking part in or being present at its votes.';

- to amend paragraph 8 of Article 13 as follows: '8. The administrator shall ensure continuity of his/her functions through the administrative structure of the competent military EEAS structures referred to in Article 9.';
- to add a new paragraph 8a. to Article 13 as follows: '8a. The administrator shall be involved in briefing the European Parliament.';
- to add a new paragraph 8a. to Article 16 as follows: '8a. The operation commanders shall be involved in briefing the European Parliament.';
- to amend paragraph 1 of Article 34 as follows: 'The administrator shall propose to the Committee the appointment of an internal auditor of the Facility, and at least one deputy internal auditor, for a period of four years, renewable up to a total period not exceeding 8 years. Internal auditors must have the necessary professional qualifications and offer sufficient guarantees of security, objectivity and independence. The internal auditor may not be either the authorising officer or the accounting officer; he or she may not take part in the preparation of financial statements.';
- to amend paragraph 4 of Article 47 as follows: '4. The final destination of equipment and infrastructure financed in common shall be approved by the Committee, taking into account operational needs, human rights, security and diversion risk assessment as regards certified end-use and end-users, and financial criteria. The final destination may be as follows:
 - a) in the case of infrastructure, be sold or transferred through the Facility to the host country, a Member State or a third party;
 - b) in the case of equipment, be sold through the Facility to a Member State, the host country or a third party, or be stored and maintained by the Facility, a Member State or such a third party, for use in a subsequent operation.';
- to amend paragraph 6 of Article 47 as follows: '6. Sale or transfer to the host country or a third party should be in accordance with international law, including the relevant human rights provisions and the 'do no harm' principles, and with the relevant security rules in force and strictly comply with the criteria of Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment, and Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items';

to amend paragraph 1 of Article 48 as follows: 'The High Representative may submit to the Council a concept for a possible Action Programme or a possible ad

hoc assistance measure. The High Representative shall inform the European Parliament about any such Concept.’;

- to amend paragraph 1 of Article 49 as follows: ‘Action Programmes shall be approved by the Council on a proposal from the High Representative. The European Parliament shall be informed of the approved Action Programmes once adopted by the Council.’;
- to amend paragraph 3 of Article 50 as follows: ‘Where a request falls outside the existing Action Programmes, the Council may approve an ad hoc assistance measure on a proposal from the High Representative. The European Parliament shall be informed of the approved ad hoc assistance measures once adopted by the Council.’;
- to add a new point fa) to Article 52, paragraph 2 as follows: ‘fa) A detailed list of equipment funded under the Facility shall be made available.’;
- to amend point b) of Article 53, paragraph 1, as follows: ‘b) delivered effectively to the armed forces of the third state concerned provided that compliance with the criteria of Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment, and Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items has been assessed.’;
- to amend point d) of Article 53, paragraph 1, as follows: ‘d) used in accordance with Union policies, with due regard for international law, notably concerning human rights, and end-user certificates, in particular clauses on retransfers.’;
- to amend point e) of Article 53, paragraph 1 as follows: ‘e) managed in compliance with any restriction or limitation on their use, sale or transfer decided by the Council or by the Committee, and in accordance with the relevant end-user certificates, the criteria of Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment, and Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items.’;
- to amend paragraph 1 of Article 54 as follows: ‘Any implementing actor entrusted with the implementation of expenditure financed through the Facility shall respect the principles of sound financial management and transparency, shall have undertaken the necessary risk assessments and end-use checks, and shall have due regard for EU fundamental values and international law, notably concerning human rights and the ‘do no harm’ principles. Any such implementing actor shall be submitted to a prior risk assessment to gauge the possible human rights and governance risks.’;

2. Recommends the following to the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy:

- (a) to consult Parliament on the recommended amendments, and to ensure that Parliament's views are taken into consideration, in line with Article 36 of the TEU;
 - (b) in line with Article 36 of the TEU, to fully implement Parliament's views when preparing proposals for multi-year 'action programmes' or ad hoc assistance measures, including by withdrawing proposals that are opposed by Parliament;
 - (c) to provide a full financial impact assessment for the decision, given its implications for the EU budget, outlining in particular additional personnel needs;
 - (d) to submit draft Council decisions relating to the EPF to Parliament for consultation at the same time as they are submitted to the Council or to the Political and Security Committee, leaving Parliament time to present its views; invites the VP/HR to amend draft Council decisions where asked to do so by Parliament;
 - (e) to ensure, in line with Article 18 of the TEU, complementarity with existing EU funds, programmes and instruments, the consistency of the EPF with all other aspects of the EU's external action, notably as regards the Capacity Building for Security and Development initiative (CBSD) and the proposed Neighbourhood, Development and International Cooperation Instrument (NDICI), which should in all cases be implemented in the framework of the wider security sector reform programme, which must have strong components on good governance, provisions against gender-based violence, and, in particular, on civilian oversight over the security system and democratic control of the armed forces;
 - (f) to provide regular feedback to Parliament on the progress made in implementing Resolution 1325 on women and peace and security, and to consult Parliament on the recommended gender component focusing on the role of women in the prevention and resolution of conflicts, and in post-conflict reconstruction and peace negotiations, as well as regular assessments of the measures taken to protect vulnerable people, including women and girls, from violence in conflict situations;
 - (g) to ensure, in line with Article 18 of the TEU, the consistency of the EPF with all other aspects of the EU's external action, including its development and humanitarian policies, and with a view to fostering the development of the third countries concerned, and to reducing and eradicating poverty in them;
3. Instructs its President to forward this recommendation to the Council and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy and, for information, to the European External Action Service and the Commission.

MINORITY OPINION

on the Recommendation to the High Representative and to the Council on the Proposal of the High Representative of the Union for Foreign Affairs and Security Policy, with the support of the Commission, to the Council for a Council Decision establishing a European Peace Facility (2018/2237(INI))

Committee on Foreign Affairs, Rapporteur: **Hilde Vautmans**

Minority Report tabled by GUE/NGL MEPs Sabine Lösing, Javier Couso Permy, Miguel Urban Crespo

The recommendation does not question at all the intention and approach of the proposal for the European Peace Facility (EPF). It confirms that the EPF should in particular finance the Union's military missions, strengthen the military and defence capacities of third countries. Further, the title "Peace Facility" is misleading and does not reflect the planned financing of the military, including weaponry. The recommendation calls for the EU not to remain an exclusively 'civilian power', but to develop and extend its hard (military) power.

We object to the recommendation since it:

- promotes the further implementation of a common defence, and sees it as a source for reinforcing the European identity;
- the Facility implies the automatic financial involvement of each contributing Member State in every EU-military mission, no matter of their actual involvement;
- is not addressing the root causes of instability and insecurity such as poverty, lack of socio-economic perspectives, imbalanced economic relations with third countries;
- despite its title ('Peace' Facility) it contains no provision to promote peace and human security and neglects that the EPF will further militarise EU's approach towards conflicts;

We demand:

- no militarisation of conflict resolution and the stop of all EU - military missions
- dissolution of EU - military structures and complete (including nuclear) disarmament on EU and global levels;

INFORMATION ON ADOPTION IN COMMITTEE RESPONSIBLE

Date adopted	20.2.2019
Result of final vote	+: 52 -: 7 0: 3
Members present for the final vote	Michèle Alliot-Marie, Francisco Assis, Goffredo Maria Bettini, Victor Boștinaru, Elmar Brok, Javier Couso Permuy, Georgios Epitideios, Knut Fleckenstein, Anna Elżbieta Fotyga, Eugen Freund, Michael Gahler, Iveta Grigule-Pēterse, Tunne Kelam, Stelios Kouloglou, Ilhan Kyuchyuk, Ryszard Antoni Legutko, Barbara Lochbihler, Sabine Lösing, Andrejs Mamikins, David McAllister, Tamás Meszerics, Clare Moody, Pier Antonio Panzeri, Demetris Papadakis, Ioan Mircea Pașcu, Alojz Peterle, Kati Piri, Julia Pitera, Jozo Radoš, Michel Reimon, Anders Sellström, Alyn Smith, Jordi Solé, Dobromir Sośnierz, Jaromír Štětina, Dubravka Šuica, Charles Tannock, László Tőkés, Ivo Vajgl, Geoffrey Van Orden, Hilde Vautmans
Substitutes present for the final vote	Asim Ademov, Laima Liucija Andrikienė, Brando Benifei, Tanja Fajon, Doru-Claudian Frunzuliță, Takis Hadjigeorgiou, Marek Jurek, Patricia Lalonde, Javi López, Marietje Schaake, Renate Sommer, Bodil Valero, Marie-Christine Vergiat, Janusz Zemke, Željana Zovko
Substitutes under Rule 200(2) present for the final vote	James Carver, Stefan Gehrold, Agnes Jongerius, Ulrike Rodust, Kārlis Šadurskis, Vladimir Urutchev, Bogdan Andrzej Zdrojewski

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

52	+
ALDE	Iveta Grigule-Pēterse, Ilhan Kyuchyuk, Patricia Lalonde, Jozo Radoš, Marietje Schaake, Ivo Vajgl, Hilde Vautmans
ECR	Anna Elżbieta Fotyga, Ryszard Antoni Legutko, Geoffrey Van Orden
PPE	Asim Ademov, Michèle Alliot-Marie, Laima Liucija Andrikienė, Michael Gahler, Stefan Gehrold, Tunne Kelam, David McAllister, Alojz Peterle, Julia Pitera, Kārlis Šadurskis, Anders Sellström, Renate Sommer, Jaromír Štětina, Dubravka Šuica, László Tőkés, Vladimir Urutchev, Bogdan Andrzej Zdrojewski, Željana Zovko
S&D	Francisco Assis, Brando Benifei, Goffredo Maria Bettini, Victor Boştinaru, Tanja Fajon, Knut Fleckenstein, Eugen Freund, Doru-Claudian Frunzuličă, Agnes Jongerius, Javi López, Andrejs Mamikins, Clare Moody, Pier Antonio Panzeri, Demetris Papadakis, Ioan Mircea Paşcu, Kati Piri, Ulrike Rodust, Janusz Zemke
VERTS/ALE	Barbara Lochbihler, Tamás Meszerics, Michel Reimon, Alyn Smith, Jordi Solé, Bodil Valero

7	-
EFDD	James Carver
GUE/NGL	Javier Couso Permuy, Takis Hadjigeorgiou, Sabine Lösing, Marie-Christine Vergiat
NI	Georgios Epitideios, Dobromir Sośnierz

3	0
ECR	Marek Jurek
GUE/NGL	Stelios Kouloglou
PPE	Elmar Brok

Key to symbols:

+ : in favour

- : against

0 : abstention