

## Basic information

**2016/0207(COD)**

COD - Ordinary legislative procedure (ex-codecision procedure)  
Regulation

Instrument contributing to stability and peace: military actors (2017-2020)

Amending Regulation (EU) No 230/2014 [2011/0413\(COD\)](#)

### Subject

6.10.05 Peace preservation, humanitarian and rescue tasks, crisis management

6.30.02 Financial and technical cooperation and assistance




Procedure completed

## Key players

European Parliament

Committee responsible	Rapporteur	Appointed
<b>AFET</b> Foreign Affairs	DANJEAN Arnaud (PPE)	13/12/2016
	Shadow rapporteur MAMIKINS Andrejs (S&D) VISTISEN Anders (ECR) VAUTMANS Hilde (ALDE) LÖSING Sabine (GUE/NGL) VALERO Bodil (Verts/ALE) CASTALDO Fabio Massimo (EFDD)	
Committee for opinion	Rapporteur for opinion	Appointed
<b>DEVE</b> Development	MCAVAN Linda (S&D)	10/02/2017
<b>INTA</b> International Trade	The committee decided not to give an opinion.	
<b>BUDG</b> Budgets	The committee decided not to give an opinion.	
Committee for opinion on the legal basis	Rapporteur for opinion	Appointed
<b>JURI</b> Legal Affairs	CAVADA Jean-Marie (ALDE)	11/07/2016

Council of the European Union		
European Commission	Commission DG	Commissioner
	European External Action Service	MOGHERINI Federica

Key events			
Date	Event	Reference	Summary
05/07/2016	Legislative proposal published	COM(2016)0447 	Summary
12/09/2016	Committee referral announced in Parliament, 1st reading		
11/07/2017	Vote in committee, 1st reading		
11/07/2017	Committee decision to open interinstitutional negotiations with report adopted in committee		
17/07/2017	Committee report tabled for plenary, 1st reading	A8-0261/2017	Summary
11/09/2017	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 72)		
14/09/2017	Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 72 - vote)		
06/11/2017	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	PE613.542 GEDA/A/(2017)010572	
29/11/2017	Debate in Parliament		
30/11/2017	Decision by Parliament, 1st reading	T8-0469/2017	Summary
30/11/2017	Results of vote in Parliament		
04/12/2017	Act adopted by Council after Parliament's 1st reading		
12/12/2017	Final act signed		
12/12/2017	End of procedure in Parliament		
15/12/2017	Final act published in Official Journal		

Technical information	
Procedure reference	2016/0207(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amending Regulation (EU) No 230/2014 <a href="#">2011/0413(COD)</a>
Legal basis	Treaty on the Functioning of the European Union TFEU 212 Treaty on the Functioning of the European Union TFEU 209-p1
Stage reached in procedure	Procedure completed

## Documentation gateway




## European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE601.194	31/03/2017	
Amendments tabled in committee		PE604.681	11/05/2017	
Committee opinion	DEVE	PE601.264	05/07/2017	
Committee report tabled for plenary, 1st reading/single reading		A8-0261/2017	17/07/2017	Summary
Specific opinion	JURI	PE592.377	22/08/2017	
Text agreed during interinstitutional negotiations		PE613.542	20/11/2017	
Text adopted by Parliament, 1st reading/single reading		T8-0469/2017	30/11/2017	Summary

## Council of the EU

Document type	Reference	Date	Summary
Coreper letter confirming interinstitutional agreement	GEDA/A/(2017)010572	27/10/2017	
Draft final act	00054/2017/LEX	12/12/2017	

## European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2016)0447 	05/07/2016	Summary
Document attached to the procedure	SWD(2016)0222 	06/07/2016	
Document attached to the procedure	SWD(2016)0225 	06/07/2016	
Commission response to text adopted in plenary	SP(2018)8	10/01/2018	
Follow-up document	SWD(2020)0188	16/09/2020	
Follow-up document	SWD(2020)0189	16/09/2020	

## National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	IT_SENATE	COM(2016)0447	25/10/2016	
Contribution	RO_SENATE	COM(2016)0447	10/11/2016	
Contribution	PT_PARLIAMENT	COM(2016)0447	11/11/2016	

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Final act	
<a href="#">Regulation 2017/2306</a> <a href="#">OJ L 335 15.12.2017, p. 0006</a>	<a href="#">Summary</a>

## Instrument contributing to stability and peace: military actors (2017-2020)

2016/0207(COD) - 17/07/2017 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Foreign Affairs adopted a report by Arnaud DANJEAN (EPP, FR) on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 230/2014 of the European Parliament and of the Council establishing an instrument contributing to the stability and peace.

The committee recommended that the European Parliament's position adopted at first reading in accordance with the ordinary legislative procedure should amend the Commission proposal as follows:

**Financing:** capacity building in support of security and development shall be financed through **redeployment within Heading IV of the general budget of the Union** of the 2014-2020 multiannual financial framework without mobilising additional resources.

Such redeployment shall exclude the use of appropriations allocated to measures under [Regulation \(EU\) No 233/2014](#) of the European Parliament and of the Council establishing a financing instrument for development cooperation for the period 2014-2020.

**Role of Parliament and future steps:** Members called for the close monitoring of the use of the instrument contributing to stability and peace and for Parliament to be regularly informed about the activities financed by it.

It is recalled that the duration of this instrument is strictly limited to the end of the current Multiannual Financial Framework (2020). The Commission should evaluate the actions funded in accordance with the provisions on capacity building in support of security and development ('CBSD') established under this Regulation and of relevant instruments used by Member States to fund CBSD.

Members considered that this evaluation should assess the coherence of CBSD actions funded by the Union and its Member States with the EU Global Strategy and the UN Sustainable Development Goals. Any future instruments created to address the security-development nexus should be **based on the conclusions of that evaluation**, only be undertaken after a wide-ranging, multi-stakeholder public consultation of the various parties concerned.

## Instrument contributing to stability and peace: military actors (2017-2020)

2016/0207(COD) - 05/07/2016 - Legislative proposal

**PURPOSE:** to amend Regulation (EU) No 230/2014 of the European Parliament and of the Council of establishing an instrument contributing to stability and peace in order to extend the Union's assistance under exceptional circumstances to be used to build the capacity of military actors in partner countries.

**PROPOSED ACT:** Regulation of the Council and the European Parliament.

**ROLE OF THE EUROPEAN PARLIAMENT:** the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

**BACKGROUND:** this proposal seeks to address the EU's need for a stronger Europe when it comes to foreign policy to better contribute to supporting development and securing peace and prosperity in the world.

The Commission stated that it is essential to **support security sector actors, including the military under exceptional circumstances, in third countries** in a conflict prevention, crisis management or stabilisation context is essential to **ensure appropriate conditions for poverty eradication and development**. Those actions are particularly necessary to ensure the protection of civilian populations in the areas affected by conflict, crises or fragility.

The [2005 European Consensus on Development](#) recognised the link between security and development. The United Nations' 2030 Agenda for Sustainable Development, adopted in September 2015, underlined the importance of promoting peaceful and inclusive societies both as a Sustainable Development Goal (**SDG 16**) and in order to achieve other development policy outcomes.

In the [Joint Communication](#) entitled 'Capacity building in support of security and development – Enabling partners to prevent and manage crisis', the Commission and the High Representative of the Union for Foreign Affairs and Security Policy reiterated the need for stable and secure societies in order to achieve development objectives

The **Council conclusions on Common Security and Defence Policy (CSDP)** of 18 May 2015 called to explore options to: (i) enhance coherence and coordination between EU security and development actions, as well as to; (ii) improve the delivery of capacity building in support of security and development, notably in terms of financing instruments.

**IMPACT ASSESSMENT:** the impact assessment concludes that an **amendment of the Instrument contributing to Stability and Peace (IcSP)** would be the most appropriate and effective short-term option. It also explained that a comprehensive implementation of the CBSD initiative (i.e. including support to the military for defence-related purposes) would require combining a budgetary instrument (for development tasks) with another, possibly extra-budgetary, mechanism.

**CONTENT:** the proposal aims to insert a new Article into Title II of [Regulation \(EU\) No 230/2014](#) in order to extend the **Union's assistance under exceptional circumstances to be used to build the capacity of military actors**.

The specific objectives of the proposal are to:

- contribute to improving the capacity of partner countries to prevent and manage crises by themselves;
- contribute to improving the effectiveness of the Union's development actions by working with all security actors, including the military, through the delivery of capacity building in support of security and development by the EU, as soon as possible, flexibly and comprehensively;
- contribute to ensuring the respect of the rule of law, good governance as well as enhanced civilian control and oversight over the military in third countries.

**Types of Union assistance:** Union assistance may be used to build the capacity of military actors in partner countries under exceptional circumstances, in order to contribute to sustainable development and in particular to the achievement of stable, peaceful and inclusive societies.

The type of activities that may be supported include capacity building programmes in support of security and development, including training, mentoring and advice, as well as the provision of equipment, infrastructure improvements and provision of other services. Union assistance shall not be used to finance: (i) recurrent military expenditure; (ii) the procurement of arms and ammunition; (iii) training which is solely designed to contribute to the fighting capacity of the armed forces.

**Exceptional circumstances:** assistance shall only be provided in the following circumstances:

- where requirements cannot be met by recourse to non-military actors to adequately reach Union objectives under this Regulation;
- where the achievement of stable, peaceful and inclusive societies is denied by a serious threat to the existence of functioning State institutions, as well as to the protection of human rights and fundamental freedoms, or State institutions can no longer cope with this serious threat; and
- where a consensus exists between the country concerned and the international community and/or the European Union that the security sector, and in particular the military, are key for stability, peace and development, particularly in crises and fragile contexts and situations.

When designing and implementing measures, the Commission shall: (i) promote ownership by the partner country; (ii) develop the necessary elements and the good practices required for ensuring sustainability in the medium and long term and; (iii) promote the rule of law and established international law principle.

**Monitoring and evaluation procedures:** Union assistance may be provided through exceptional assistance measures and interim response programmes, thematic strategy papers and multiannual indicative programmes. Thematic strategy papers shall provide a framework for cooperation between the Union and the partner countries or regions concerned.

**BUDGETARY IMPLICATIONS:** in terms of cost, a budget of **EUR 100 000 000** over the period 2017-2020 would be required. The initiative will be financed through redeployment within Heading IV of the general budget of the Union. No additional resources would be mobilised. Implementation will be governed by Regulation (EU) No 236/2014.

## **Instrument contributing to stability and peace: military actors (2017-2020)**

2016/0207(COD) - 30/11/2017 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 473 votes to 163, with 7 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending [Regulation \(EU\) No 230/2014](#) of the European Parliament and of the Council of 11 March 2014 establishing an instrument contributing to stability and peace.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amended the Commission proposal as follows:

**Capacity building of military actors in support of development and security for development:** Union assistance under this Regulation could cover the provision of capacity building programmes in support of development and security for development, including training, mentoring and advice on, for example, human rights, governance and the rule of law, the protection of women and children, civilian crisis response, human resources management and technical cooperation.

Assistance shall be provided only:

- where requirements cannot be met by recourse to non-military actors to adequately reach Union objectives under this Regulation and there is a threat to the existence of functioning State institutions or to the protection of human rights and fundamental freedoms and State institutions cannot cope with that threat; and
- where a **consensus exists between the partner country concerned and the Union that military actors are key for preserving, establishing or re-establishing the conditions essential for sustainable development**, including in crises and fragile or destabilised contexts and situations.

Union **assistance shall not be used to finance capacity building of military actors** for purposes other than the delivery of development activities and security for development activities.

A **further amount of EUR 100 million** shall be added to the financial envelope established by the Regulation for the period 2014-2020 to finance these measures.

**Monitoring and assessment:** the Commission is to monitor measures under this Regulation closely and keep the European Parliament duly informed about the implementation of Union assistance. No later than 30 June 2020, the Commission is to evaluate the impact and effectiveness of measures pursuant to this Regulation.

**Declaration concerning sources of funding of assistance measures:** the European Parliament, the Council and the Commission agree that capacity building in support of development and security for development should be **financed within Heading IV of the multiannual financial framework** (Global Europe) for the years 2014-2020, primarily through redeployments, while preserving the financial balance among all instruments to the maximum extent possible.

## Instrument contributing to stability and peace: military actors (2017-2020)

2016/0207(COD) - 12/12/2017 - Final act

PURPOSE: to improve the EU instrument contributing to stability and peace.

LEGISLATIVE ACT: Regulation (EU) 2017/2306 of the European Parliament and of the Council amending Regulation (EU) No 230/2014 establishing an instrument contributing to stability and peace.

CONTENT: this Regulation amends [Regulation \(EU\) No 230/2014](#) establishing an instrument contributing to stability and peace. It builds on the EU's commitment to the UN's **Sustainable Development Goals** and the Joint Declaration on '[The New European Consensus for Development](#)' which recognised the link between and development.

In order to contribute to sustainable development, which requires the achievement of stable, peaceful and inclusive societies, Union assistance under this Regulation may be used to build the capacity of military actors in partner countries, under the **exceptional circumstances**, to deliver development activities and security for development activities.

Assistance may cover in particular the provision of capacity building programmes in support of development and security for development, including training, mentoring and advice, as well as the provision of equipment, infrastructure improvements and services directly related to that assistance.

Union assistance shall **not be used to finance capacity building of military actors for purposes other than the delivery of development activities** and security for development activities. In particular, it shall not be used to finance recurrent military expenditure or the procurement of arms and ammunition, or training which is designed to contribute specifically to the fighting capacity of the armed forces.

An amount of **EUR 100 million** shall be allocated to these new measures for the period 2018 to 2020.

The European Parliament, the Council and the Commission stated that capacity building in support of development and security for development should be financed within **Heading IV of the multiannual financial framework for the years 2014-2020**, primarily through redeployments, while preserving the financial balance among all instruments to the maximum extent possible.

ENTRY INTO FORCE: 16.12.2017.