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Subject: Concept Note: Operational Planning and Conduct Capabilities for CSDP
Missions and Operations

Delegations will find in the Annex the Concept Note: Operational Planning and Conduct Capabilities for CSDP Missions and Operations, approved by the Council at its 3525th meeting held on 6 March 2017.

**CONCEPT NOTE: OPERATIONAL PLANNING AND CONDUCT CAPABILITIES FOR
CSDP MISSIONS AND OPERATIONS**

Foreign Affairs Council, 6 March 2017

Introduction

On 15 December, the European Council¹, further to the Council conclusions of 14 November,² requested proposals as regards the establishment of a permanent operational planning and conduct capability at the strategic level. This would form part of further developing and enhancing the necessary structures and capabilities for the operational planning and conduct of CSDP missions and operations.

The overall political aim, according to the Council conclusions, is to improve the EU's capacity to react in a faster, more effective and more seamless manner, as part of an EU Comprehensive Approach. Moreover, strong emphasis is put on enhancing civilian/military synergies and on building on existing EEAS structures.

¹ On 15 December, the European Council stated that, "further to the Council conclusions, the High Representative will present proposals in the coming months as regards [.....], the establishment of a permanent operational planning and conduct capability at the strategic level, [.....]."

² Paragraph 16a: "Adapt the existing EEAS structures to develop the necessary structures and capabilities for the permanent planning and conduct of CSDP missions and operations in view of enhancing civil-military synergies and more seamless planning and conduct, with distinct but coordinated civilian and military chains of command. To this end, the Council invites the High Representative to present proposals, as soon as possible, with a view to their implementation in the first semester of 2017, to establish as a short term objective, and in accordance with the principle of avoiding unnecessary duplication with NATO:

- i. enhanced political strategic level planning and oversight of missions and operations with particular emphasis on civ-mil synergies;
- ii. a permanent operational planning and conduct capability at the strategic level for non-executive military missions, working jointly and ensuring an integrated civilian-military CSDP engagement, with the planning and conduct capability for civilian missions.

These will work under the political control and strategic direction of the PSC."

The Implementation Plan on Security and Defence offers some additional background on the shortcomings which should be taken into account in this review.³ The need for all relevant EEAS and Commission services to work in a joined-up way in the planning for CSDP missions and operations in order to enhance civ-mil synergies at all levels, from the political strategic level to the missions and operations in the field, is highlighted.

“Enhanced political strategic level planning and oversight of missions and operations”

Political strategic level planning

When it comes to the CSDP planning at the political strategic level, the crisis management procedures of 2013 remain the guidelines for the planning of CSDP missions and operations. The PSC shall monitor the international situation in the areas covered by the CFSP and contribute to the definition of policies by delivering opinions to the Council at the request of the Council or of the High Representative or on its own initiative in accordance with Article 38 TEU. Furthermore, it shall exercise, under the responsibility of the Council and of the High Representative, the political control and strategic direction of the crisis management operations. In the rapidly changing security environment, and in support of the new level of ambition, CSDP needs to become more responsive and faster, as part of and in coherence with wider EU efforts. At the same time, it will be important to reinforce ‘strategic foresight’ and ‘horizon scanning’, based notably on situational awareness and analysis provided by EU INTCEN and EUMS INT within the framework of the Single Intelligence Analysis Capacity. This will contribute to inform timely CSDP strategic planning, as part of an integrated, comprehensive EU approach which seeks concrete civilian-military synergies from the outset, while recognising the importance of Member States involvement. To this end:

³ They relate to stronger support from structures in Brussels to military missions and operations, including through "providing political and technical advice, providing continuity, facilitating relations with third States and international organisations, as well as with Member States, and handling better administrative and financial procedures." Apart from it being crucial in the conduct phase, "improving the existing integrated civilian-military strategic planning structure would also enhance the EU's ability to transition from planning to the conduct of civilian or military missions and operations."

- Strategic foresight will enable the CSDP structures within the EEAS (notably CMPD with support from the EUMS as appropriate) to develop a higher level of responsiveness, thus allowing CSDP to be potentially used earlier and faster. It will also be taken forward as part of a joined-up way of working within the EEAS, as well as with Commission services, to identify as early as possible emerging situations where crisis management options might need to be considered as part of the broader EU response. This will also enhance opportunities for CSDP and non-CSDP synergies – effectively civ/mil synergies at the strategic level – from the very start. It will require further linking up with the work underway to develop and operationalise the EU’s integrated approach to conflicts and crisis, thus embedding CSDP missions and operations in a broader framework of coordinated EU action. PSC will be duly informed if CSDP options are to be considered.
- Also during the political strategic planning process for civilian and military CSDP missions and operations, a joined-up way of working will continue to be followed, with special attention to opportunities for civ/mil synergies, by associating under CMPD’s direction all other relevant actors from EEAS (EUMS, CPCC, GEOS, INTCEN, PRISM, etc.) and Commission services. Such teamwork would be maintained in further phases with the lead responsibility shifting accordingly for the operational planning.
- The importance of systematically integrating the implementation of UNSCR 1325 and subsequent resolutions on Women, Peace and Security and a gender perspective as well as human rights and international humanitarian law, including protection of civilians, into the CSDP planning cycle is stressed.

Political strategic level oversight

As regards the enhancing of the ‘oversight’ of CSDP missions and operations at the political strategic level, as referred to in the Council conclusions:

- There is a need to distinguish between clear civilian and military chains of command on the one hand, and political oversight of CSDP missions and operations with particular emphasis on civil/military synergies on the other hand;
- The PSC, in line with article 38 TEU, exercises political control and strategic direction of CSDP missions and operations under the responsibility of the Council and the High Representative, and is therefore responsible for such political strategic level oversight, supported by the EEAS.
- There is also the need to focus such strategic oversight on issues which are beyond the scope of the operational mandate itself by ensuring close coordination between the Operation/Mission Commander and the EEAS CSDP structures, without prejudice to the role of the Council and the PSC.

The intended ‘oversight’ at the political strategic level should thus be distinguished from, and will fully respect the need for clear civilian and military chains of command and control at the operational level: the commanders, both civilian and military, report directly to PSC on the operational planning and conduct of their missions and operations. It will also fully respect existing responsibilities of the Chairman of the Military Committee as the primary point of contact for military Operation and Missions Commanders.

The strategic oversight function aims to further support the PSC’s responsibilities in providing strategic direction and exercising political control once a mission/operation is launched. The strategic oversight function as supported by relevant EEAS services, aims primarily at ensuring consistency with the Union’s agreed political objectives and the Union’s action as a whole, including with EU development policies and other relevant external policies and strategic communications.

In practice, this is enabled by systematic interaction between the Operation and Missions Commanders and the EEAS crisis management structures at the strategic political level, particularly on issues which are beyond the scope of the operational mandate itself or which are (or may become) politically sensitive. Fully respecting the role of the PSC, the oversight function would be exercised according to the following general guidelines:

- In line with current responsibilities, also during the conduct phase, CSDP structures may provide feedback, expertise or support to the Operation and Missions Commanders and/or can facilitate the work to seek guidance from the EEAS hierarchy and/or PSC under Article 38 TEU as appropriate. This will not interfere with the command responsibilities of the Operation and Missions Commanders.
- As regards strategic level contacts with international partners, it is recognised that the High Representative, assisted by the EEAS, acts as primary point of contact with the UN, the authorities of the countries in the region, and other bilateral or international actors, including inter alia NATO, the OSCE, the AU and the LAS. The Operation and Missions Commanders would thus seek HR guidance and receive support from the EEAS on these matters. Close coordination is key to ensure that Operation or Missions Commanders follow a coherent and coordinated line when they engage with other organisations at strategic level (e.g. NATO or UN HQ) or with bilateral partners. This is not infringing upon the Operation or Missions Commanders' command responsibilities and prerogatives, in line with parameters agreed at strategic level, to work closely with partners and other organisations in the field.
- Finally, in line with the crisis management procedures, the mandate and progress of an operation or mission are periodically assessed through the Strategic Reviews. These can be pre-planned, or ad hoc, in view of a change of circumstance and/or difficulties in the implementation of the mandate. Strategic reviews are submitted to PSC for guidance.

“Permanent operational planning and conduct capability”

The aim is to develop a permanent military planning and conduct capability at the military strategic level and within the EEAS, in line with the conclusions of the European Council and the Council conclusions. Strengthening civil/military synergy is an integral part of this process.

At the political strategic level, a joined-up civilian/military approach will be ensured through CMPD which conducts integrated civilian/military strategic planning, working closely with other EEAS and Commission services. The establishment of a Military Planning and Conduct Capability (MPCC) within the EU Military Staff (EUMS), as a counterpart to the Civilian Planning and Conduct Capability (CPCC), and the creation of a Joint Support Coordination Cell which is formed by the MPCC and CPCC together, provide the necessary conditions for enhanced civ-mil synergies as regards operational planning and conduct. Whereas the civilian and military chains of command need to remain distinct, these developments will thus allow for closer coordination of the overall CSDP effort. The “Joint Support Coordination Cell” will bring together key support functions (see further below). The DSG for CSDP and Crisis Response will oversee and promote overall civilian/military cooperation.

MPCC

As a short term objective, a permanent military planning and conduct capability at the military strategic level for non-executive military missions in Brussels (Military Planning and Conduct Capability, MPCC) will be established. Up to now, these missions relied on Mission Commanders deployed in theatre, thus merging the military strategic, operational and tactical levels of command. This created difficulties both in the planning and conduct, sometimes leaving missions deployed in dangerous locations in need of more proactive from strategic level HQ support.

To address these issues, in line with the Council conclusions:

- The new MPCC will be set up within the EUMS, in view of cost-effectiveness, given the limited availability of resources such as staff and infrastructure. It can also call on other EUMS directorates for functional expertise where needed.

- The MPCC will be responsible for the operational planning and conduct at the strategic level of the non-executive military missions.
- The DGEUMS will be the Director of the MPCC and in that capacity will assume the functions of the missions' commander for the non-executive military missions in line with the Terms of Reference at Annex 1. Whilst he will retain responsibility for the Missions, it is within his remit to delegate tasks as appropriate.
- The Director of the MPCC should be given the same command authority and tasks as those attributed to a military Operation Commander (OpCdr) as described in the EU Concept for Military Command and Control (doc. 5008/15 Rev7), up to Operational Control of all non-executive missions and issues such as the centralized financial management or the oversight of the Missions in terms of budgeting, accounting, procurement, asset management, reporting and auditing. He/she will report to the PSC and inform the EUMC on a regular basis.
- The Director of the MPCC should exercise the responsibilities in relation to the Athena Mechanism which are currently exercised by Operation Commanders and Mission Commanders, including as Authorising Officers, supported by specialised staff.
- At the operational level in theatre, each mission will be led by a Mission Force Commander, who will act under the command of the Director of the MPCC.
- In order to mitigate the effects of a potential incompatibility of functions in the future MPCC due to the double-hatted nature of part of the staff, their role in the command function of the MPCC would need to be prioritised while not compromising other EUMS roles and responsibilities. Should any drawback of such use of double-hatted staff emerge, it will need to be addressed by the DG EUMS. The MPCC will, for its planning and conduct functions, make full use of additional single-hatted staff stemming from the former EU activated OPCEN, as well as additional personnel to be seconded by Member States covering the areas of expertise that currently do not exist sufficiently within the EEAS, including augmentees if deemed necessary.

- The current procedures of appointing a commander and of exercising political control and strategic direction remain as stated in Article 38 TEU⁴, on the understanding that the Director MPCC will assume command of all EU military non-executive missions.

The Chairman of the EUMC would remain the primary point of contact, as for the other military operations. More detailed draft terms of reference for the (Director) MPCC can be found in the annex 1.

In terms of resources, it is estimated that the MPCC would initially rely on the following core staff (subject to further analysis):

- 10-15 personnel from EUMS, including internally reassigning personnel (subject to the sending Member States` and/or EUMC endorsement as appropriate) across the EUMS (e.g. double-hatting, if feasible and sustainable);
- 8-10 officers from former OPCEN (A) (pending on their expertise and availability by MS): single-hatted and exclusively for the MPCC.
- 5-7 personnel provided additionally by EU MS covering those areas of expertise that currently does not exist sufficiently within the EEAS.

This core staff will be supported by other departments of the EUMS for various functions (intelligence, CIS and Cyber, logistics etc.). In addition, certain support functions from the mission headquarters currently deployed could potentially be centralised, thus identifying economies of scale to help create the new planning and conduct capability.

⁴ Article 38 TEU: "...Within the scope of this Chapter, the Political and Security Committee shall exercise, under the responsibility of the Council and of the High Representative, the political control and strategic direction of the crisis management operations referred to in Article 43...". See also suggestions for crisis management procedures for CSDP crisis management operations, para 44. Based on the PSC recommendation, the Council adopts a Decision establishing the mission/operation whereby it: a. sets out the objectives and the mandate of the mission/operation; b. appoints the military/civilian Operation Commander and designates the OHQ...".

An EU MS augmentation system, specifically providing MPCC with personnel either permanently (key staff) or on a non-permanent augmentation and time-limited basis (e.g. a surge requirement for planning phases) could also provide resources.

It must be stressed that there is a need to ensure that the means available to the MPCC remain commensurate with the assigned tasks (see ToRs at Annex 1 – i.e. 24/7 tasks).

The experience gained in the initial phase of establishing the MPCC within the EUMS will provide valuable lessons moving forward.

Joint Support Coordination Cell

The MPCC and CPCC will both provide staff for a ‘Joint Support Coordination Cell’ in order to ensure maximum coordination of civ/mil synergies and sharing of expertise. The Cell will bring together civilian and military expertise in key mission support areas on a daily basis, in order to further strengthen and enable effective civilian-military coordination and cooperation in the operational planning and conduct of CSDP missions.

Without prejudice to the tasks performed by the existing Mission Support Platform, the JSCC would bring together the following joint support functions (to be further developed on the basis of lessons learned), such as:

- The 24/7 Watchkeeping functions of the EUMS
- Legal advice (in coordination with the Legal Affairs Division of the EEAS)
- Expertise on UNSCR1325 (and subsequent resolutions)
- STRATCOM
- Logistics
- CIS
- Medical
- Field Security

The chiefs of the staff of the MPCC and CPCC will coordinate the daily work of the civil/military teams of the JSC, who would be co-located to the extent possible in order to ensure achievement of the proposed synergies. Administratively they would remain part of the MPCC / EUMS or the CPCC respectively, and the civilian and military lines of command would remain separate and distinct.

This will allow for very concrete synergies in the operational planning and conduct of civilian and military missions, for example on issues like force protection, premises, medical support, CIS and Cyber and other logistics. The respective financial and other relevant regulations will be respected. The lessons and achievements of the now de-activated EU Operations Centre will be used to the full extent.

Guidelines for concrete civ/mil synergies at both the political strategic level and during the operational planning and conduct are outlined in Annex 2. These will be further developed based on experience gained.

Review

The establishment of the MPCC and the Joint Support Coordination Cell should be reviewed by the Council one year after becoming operational, but no later than by the end of 2018, based on a report by the High Representative. Such a review, drawing on lessons learned and a factual analysis, should in particular focus on the functioning, the efficiency and the organisational structure and position of the MPCC within the crisis management structures and the relationship between the MPCC and CPCC, including the Joint Support Coordination Cell. This review should be prepared in full consultation with the Member States and would not prejudice any political decisions to be taken.

DRAFT TERMS OF REFERENCE FOR THE (DIRECTOR) MPCC

The Director of the MPCC will have the appropriate command authority (up to OPCON over forces by Transfer of Authority (TOA) from the contributing MS and non-EU TCN) to assume the necessary functions, roles and tasks in order to exercise command and control at the military strategic level for the planning and conduct of all EU non-executive military missions, including:

- operation planning at the military strategic level (e.g. development of the CONOPS/OPLAN, ROE, SOR) and to perform his functions during the Force Generation Process;
- the mission conduct (execution) at the military strategic level of command ("current operations"), including:
 - the establishment and operation of the Military Planning and Conduct Capability (MPCC);
 - establish, in conjunction with the CPCC, a Joint Support Coordination Cell in order to further enhance civ-mil synergies;
 - the co-ordination of the establishment and launch of the non- executive missions, the deployment of forces, the termination of the missions and the re-deployment of forces;
 - the direct responsibility vis-à-vis the Council to report to the PSC and, as appropriate, the Committee of Contributors on all operational matters related to the missions. CEUMC remains as the primary point of contact as necessary;
 - to report to the EUMC at regular intervals;
 - the management and mitigation of risk, based, inter alia, on the existing permanent (24/7) threat and risk assessment and situational awareness capabilities;
 - the development of strategic direction and guidance to support the Mission Force Commanders at the operational and tactical level in theatre, as appropriate;

- the responsibility in relation to budget and procurement (responsibilities of Operation Commanders under the ATHENA mechanism) and conducting force generation (including third states` contributions);
- the mission assessment to continuously ensure the missions are operating in line with the military strategic desired end state and objectives;
- providing an input to the Lessons Learned database for EU Military CSDP operations/missions;
- supporting the coordination / improvement of synergies in the Areas of Operations (AOOs) with other relevant actors (transfer of current tasks of the Activated EU OPCEN (AOC) related to planning and conduct support at the military strategic level (and below) and the set of coordination functions);
- interface for coordination and liaison with relevant civ-mil stakeholders in crisis management matters outside the AOOs and at the EU institutional level, such as:
 - MS and non-EU TCNs,
 - CivOpsCdr/CPCC as required,
 - EUSR and EEAS,
 - EU SATCEN,
 - IOs,
 - European Commission;
- the conduct, where mandated, of Key Leader Engagement (KLE) at strategic level with relevant EU and non-EU stakeholders, within means and capabilities;
- the request, as required, and in accordance with existing procedures, for intelligence support from EUMS INT (available SIAC products, liaison with MS Defence Intelligence Organisations, RFI flow facilitation, INT expertise).

CIV/MIL SYNERGIES

All efforts will be made to ensure coherence and mutual support between civilian and military missions deployed in the same area of operations, as well as with those other CSDP missions or operations in the region that may have an impact in the implementation of their mandate. This requires close cooperation during the planning and the conduct of missions. In this context, in view of the establishment of the MPCC, the following guidelines should be followed by CMPD and EUMS at the political strategic level and by the Civilian Operations Commander and the Director MPCC, drawing on the Joint Support Coordination Cell which will also be important to ensure in the framework of the Comprehensive Approach the operational planning and conduct at the strategic level.

1. IN THE PLANNING PHASE

- a) When mandates and operational planning are being developed simultaneously for civilian and military missions, enhanced coordination should be envisaged. To this effect, CMPD, EUMS/MPCC and CPCC will consider:
 - Ways in which respective mandates/tasks can support and complement each other, bearing in mind, inter alia, existing SSR frameworks, or the need to contribute to their development together with other competent EEAS (including Geographical departments and PRISM) and Commission services.
 - Sharing or ensuring coordination of assets/enablers such as force protection, medical, IT, intelligence, premises, etc., making use of the Joint Support Coordination Cell. Appropriate financial arrangements, respecting the respective legal frameworks and applicable regulations, will need to be considered to facilitate these actions.

- b) When a civilian mission follows the deployment of a military one, or vice-versa,
- The mandate of the new mission will be developed bearing in mind the mandate and tasks of the mission already deployed and seeking, as appropriate, synergies, mutual support and complementarity. Lessons learned from the existing mission will be duly taken into account.
 - Security, logistic and all other areas for material support –including inter alia force protection, medical, communications- between the new mission and that already deployed will be explored including through the work of the Joint Support Coordination Cell, with due respect for existing financial management processes.
 - As required, the mandate of the mission already deployed will be adjusted to reflect this cooperation.

To ensure implementation of the above, the MPCC and CPCC will be systematically associated by CMPD to planning at political strategic level. As regards the operational planning, the MPCC and CPCC will establish joint planning teams as required, assisted by the Joint Support Coordination Cell. Respective mandates, planning and arrangements should refer to each other as appropriate.

2. IN THE CONDUCT PHASE

- In theatre, the military Mission Force Commander and civilian Head of Mission will hold regular consultations to maximise effectiveness of their efforts. As required, they will conduct joint demarches with local authorities.
- This will be complemented by regular consultations in Brussels between the Civilian Operations Commander and the Director MPCC, involving also CMPD. As useful, they will conduct coordinated visits to the Missions.
- Joint or holistic Strategic Reviews will be systematically conducted by CMPD, with cooperation of MPCC and CPCC as regards missions deployed in the same area.

- To the extent possible, the Director MPCC and the Civilian Operations Commander will report jointly to PSC on missions deployed in the same area of operations. Timelines for reporting should thus be aligned if necessary.

Other practices that contribute to enhanced coordination and effectiveness between civilian and military missions and operations, making full use of the Joint Support Coordination Cell, will be further developed and be integrated into these guidelines through a lessons learned process.

