



Brussels, 19 March 2023
(OR. en)

7500/23

LIMITE

**COPS 145
INDEF 5
RELEX 358
EPF AM 51
EPF OPS 12
POLMIL 64
EUMC 137
PESC 2**

NOTE

From: Permanent Representatives Committee (Part 2)
To: Council

Subject: Delivery and joint procurement of ammunition for Ukraine

1. The special European Council in February discussed the urgent need for swift deliveries of military equipment, in particular artillery ammunition.
2. On 1 March the High Representative, the Commission and the European Defence Agency presented a non-paper setting out ways to speed up the delivery and production of ammunition for Ukraine and EU Member States. The non-paper set out a three-track approach, aimed at (i) incentivising the immediate delivery of ammunition to Ukraine via a European Peace Facility (EPF) assistance measure, (ii) facilitating the joint procurement of 155mm ammunition, on the basis of an existing EDA project, and (iii) helping address supply chain bottlenecks and the ramp-up of manufacturing capabilities.

3. On 7 and 8 March, EU ministers of defence had an exchange on this non-paper and agreed in principle on the three-track approach.
 4. On 13 March, the High Representative presented a proposal for a Council decision amending Decision (CFSP) 2022/338 on an assistance measure under the EPF for the supply to the Ukrainian Armed Forces (UAF) of military equipment, designed to deliver lethal force (doc. 7341/23) and a proposal for a Council decision on an assistance measure under the EPF to support the UAF through the provision of ammunition (doc. 7343/23).
 5. The Annex to this note identifies the steps needed for the implementation of the three-track approach agreed in principle by EU ministers of defence. COREPER submits them to the Council for approval.
-

Speeding up the delivery and joint procurement of ammunition for Ukraine

1. In line with Ukraine's urgent needs discussed at the special European Council in February, the Council agrees on a three-track approach with the aim to, in particular, speed up the delivery and joint procurement aiming at one million rounds of artillery ammunition for Ukraine in a joint effort within the next twelve months, and calls for the swift implementation of these three tracks which are interlinked and need to be pursued in parallel and in a coordinated way.
2. The Council calls on Member States to urgently deliver ground-to-ground and artillery ammunition to Ukraine and, if requested, missiles. It invites the relevant Council preparatory bodies to quickly finalise work on the proposed amendment to Council Decision (CFSP) 2022/338 with a view to allowing for the reimbursement of donated materiel from existing stocks or from reprioritisation of existing orders delivered before 31 May 2023 and, thus, ensuring solidarity. Any unused funds may allow for the reimbursement of all lethal equipment, in accordance with the priorities set in Ukraine's list of requirements.
3. The Council further calls on Member States to jointly procure 155mm ammunition and, if requested, missiles for Ukraine in the fastest way possible before 30 September 2023 from the European defence industry (and Norway) within the parameters defined in the context of an existing EDA project or through complementary joint acquisition projects led by a Member State, and invites the relevant Council preparatory bodies to quickly finalise work on the proposal by the High Representative for an EPF assistance measure to support the Ukrainian Armed Forces through the provision of ammunition. The Council will receive regular, monthly updates on the implementation of this measure.
4. The Council invites the Commission to present concrete proposals to urgently support the ramp-up of manufacturing capacities of the European defence industry, secure supply chains, facilitate efficient procurement procedures, address shortfalls in production capacities and promote investments, including, where appropriate, mobilising the Union budget.

5. Regular meetings at the level of the National Armament Directors with the Defence Joint Procurement Task Force (Commission, EEAS, EDA) will also be organised, to assess the needs and the industrial capabilities as well as to ensure the necessary close coordination, especially regarding the provision from stocks, the reprioritisation of existing orders and the different joint acquisition projects, to ensure an adequate implementation of the three different tracks.
 6. The exact rates of reimbursement for the abovementioned two Council Decisions are to be determined by the EPF Committee, taking into account the indicative range of reimbursement rates discussed in PSC on 9 March 2023 (i.e. 50-60%). Actual deliveries are to be coordinated between Member States with the support of the EU Military Staff.
 7. The Council agrees to consider a further increase of the overall financial ceiling of the EPF by EUR 3 500 million (in 2018 prices), as anticipated on 12 December 2022. The implementation of such a possible increase should respect the global scope and predictability of the EPF, its long-term financing needs for assistance measures providing both lethal and non-lethal equipment, CSDP missions and operations as well as the ceiling for payments agreed for 2023.
 8. Coreper will monitor the coordinated and parallel implementation of this three-track approach.
 9. The Council remains committed to providing political and military support to Ukraine, notably through the European Peace Facility and the EU Military Assistance Mission in support of Ukraine, without prejudice to the specific character of the security and defence policies of certain Member States. The security and defence interests of all Member States will be duly taken into account.
-