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**NOTE**

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From: Presidency  
To: Permanent Representatives Committee  
Subject: Council Decision establishing a European Peace Facility  
- *Political agreement*

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1. On 13 June 2018, the High Representative, with the support of the Commission, submitted to the Council a proposal for a Council Decision establishing a European Peace Facility (doc. 9736/18). That proposal, based on Articles 28(1), 41(2), 42(4) and 30 (1) of the Treaty on European Union (TEU), aimed at providing the EU with an off-budget fund for the duration of the next Multiannual Financial Framework (MFF) to finance all Common Foreign and Security Policy (CFSP) operational actions having military or defence implications which the Council may decide.
2. The proposal was examined by the Foreign Relations Counsellors Working Party (RELEX) during the Austrian, Romanian, Finnish and Croatian Presidencies since November 2018. The German Presidency has continued with the examination of the draft legal act since July 2020.
3. On 27 November 2019, the Permanent Representatives Committee discussed the European Peace Facility (EPF) and addressed a range of issues, set out in document 14379/19.

4. In its Conclusions on Security and Defence of 17 June 2020 (doc. 8910/20) the Council underlined the urgent need to agree an effective EPF to be ready by January 2021.
5. On 21 July 2020, the European Council reached political agreement on the MFF and the EPF, setting the overall amount of the EPF to EUR 5 000 million<sup>1</sup> for the period 2021-2027 (doc. 10/20) for the Facility as a whole. The European Council confirmed that the EPF will replace the African Peace Facility (APF) and the Athena mechanism and be financed through contributions from Member States based on a GNI distribution key.
6. On 5 October 2020 the Council decided the replenishment of the 2019-2020 Action Programme of the APF to ensure business continuity until the EPF becomes operational (doc. 11039/20).
7. On 18 November 2020, the Permanent Representatives Committee reverted to the EPF with a view to being able to set up the Facility by 1 January 2021 (doc. 12645/20). That discussion addressed several questions, and in particular the consequences of a 'constructive abstention' for the financial contributions by Member States to an assistance measure providing for the supply of military equipment, or platforms, designed to deliver lethal force. Following that discussion, RELEX continued its work with the aim of finalising the text of the draft Council Decision. The Permanent Representatives Committee last discussed the EPF on 16 December 2020.
8. On 17 December 2020, the Political and Security Committee (PSC) endorsed the revised EPF General Guidelines paper as well as the paper on the EPF Integrated methodological framework for assistance measures (the 'Safeguards paper') with a view to their approval by the Council.
9. Considering the above, COREPER is invited to reach political agreement on the draft Council Decision establishing a European Peace Facility as set out in document 13981/1/20 REV 1<sup>2</sup>.

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<sup>1</sup> In 2018 prices

<sup>2</sup> The legal act will be submitted for formal adoption by the Council following finalisation of the text by the legal/linguistic experts.