

DECLARATION OF INTENT

1. SCOPE

In order to contribute to the development of the European Security and Defence Policy and the creation of an area of freedom, security and justice, France, Italy, the Netherlands, Portugal and Spain, all of whom possess police forces with a military status capable of carrying out, in accordance with the Nice European Council conclusions, police missions through substitution and/or strengthening of local police, propose the following:

- to provide Europe with a full capability in order to conduct all police missions in crisis management operations within the framework of the Petersberg Declaration, with particular regard to substitution missions;
- to offer a multinational operational structure to those States which intend to join EU operations;
- to participate in initiatives of international organisations in the area of crisis management.

To that end, the above-mentioned countries have decided to create a gendarmerie force, called EUROGENDFOR (EGF) which will be operational, pre-organised, robust and rapidly deployable, in order to perform all police tasks.

In crisis management operations, the EGF will ensure an effective presence with other actors, including the military component, and with the local police. This in order to facilitate the reactivation of security facilities, particularly during the transition between the military and the civilian operational environment.

EGF Operations are open to the participation of third countries with appropriate police skills.

2. MISSIONS

Units of the EGF must be placed under a defined chain of command that can be changed during the mission according to the phases of the operations. These units can be put either under military command or civil authority, in order to guarantee public security, public order and to fulfil judiciary police tasks.

The EGF must be capable of covering every aspect of crisis response operations:

- during the initial phase of the operation, the EGF could enter the theatre along with the military force in order to perform its police tasks;
- during the transitional phase, EGF could continue its mission alone or together with a military force, facilitating co-ordination and co-operation with local or international police units;

- during the military disengagement phase, this force could facilitate the handing over of responsibilities to civilian authorities and agencies taking part in the co-operation efforts, if necessary.

During crisis prevention, the EGF could be deployed on its own or jointly with a military force.

In accordance with the mandate of each operation, the EGF will perform a broad spectrum of activities related to its own police capability, such as:

- performing security and public order missions;
- monitoring of and advice for local police in their day-to-day work, including criminal investigation work;
- conducting public surveillance, traffic regulations, border policing and general intelligence;
- performing criminal investigation work, covering detection of offences, tracing of offenders and their transfer to the appropriate judicial authorities;
- protecting people and property and keeping order in the event of public disturbances;
- training of police officers as regards international standards;
- training of instructors, particularly through co-operation programmes;

3. FRAMEWORK

The EGF will be mainly composed of the same forces as those included by the Party States in the Helsinki Headline Goal catalogue and the capacity of civilian crisis management, stemming from the conference held in Brussels on November 19, 2001. For this reason it will be, first and foremost, at the disposal of the EU. When deployed for the EU, the PSC assumes the political control and the strategic direction.

The EGF could also be put at the disposal of the UN, OSCE, NATO, other international organisations, or an *ad hoc* coalition. Planning of EGF operations must take into account the need for close co-ordination with the military and/or civilian bodies. When the EGF is an integrated part of the military force, it has to maintain a functional link with local or international police authorities and forces present in theatre.

The EGF operational deployment requires a unanimous decision to be taken by the Party States.

4. COMMAND STRUCTURE

A **High Level Interdepartmental Committee**, composed of representatives of the responsible ministries of each country¹, assures the political-military co-ordination, appoints the EGF Commander, provides him with directives and provides the guidance for employment.

Working groups will assist this Committee.

The structures and the procedures that will permit the implementation of the decisions adopted by the Party States, as well as the conditions of employment, will be worked out in detail in due course.

The EGF will have a **multinational, modular and projectable HQ**². This permanent HQ will be directed by the EGF Commander and consists of a multinational core that can be reinforced as needed and by agreement of the Party States. The EGF HQ deals with the operational planning and, on request, contributes to the strategic decision-making process. The permanent HQ will be based in Italy.

Its key positions will be manned by rotation criteria.

In the event of an operation the Party States will designate a Force Commander for an EGF mission. The permanent HQ of the EGF will act as a Parent HQ for the Force Commanders' HQ. The involvement of the permanent HQ in the chain of command must be defined according to the situation.

5. FORCE STRUCTURE

In the event of an operation the unit of the EGF may, in addition to the HQ, consist of:

- an operational component, dedicated to missions of general public security and maintenance of public order;
- a crime-fighting component, including specialists in criminal investigation missions, detection, gathering, information analysis and processing, protection and assistance of individuals, traffic control, Explosive Ordnance Disposal (EOD), fight against terrorism and other major crimes, and other specialists. The company consists of modules and specialists assigned to the EGF;
- a logistic support component, able to perform all activities related to supplies, restocking, maintenance, recovery and evacuation of equipment, transportation, medical and health care.

If necessary, some of these functions will be provided by other actors.

The Party States will have to identify periodically the dedicated forces in terms of capabilities, carrying out the definitive nominal designation at an appropriate moment. The units will be assigned "on request" to the EGF.

¹ See Annex A for the composition of this Committee.

The EGF will possess an initial rapid-reaction capability of approximately 800 persons within 30 days.

Each Party State will retain its full freedom to decide whether its units will participate in an EGF operation.

6. TRAINING

The operational standards for EGF units will be set by the High-Level Interdepartmental Committee.

The attainment and maintenance of that level will be a national responsibility. Training should take into account the annual objectives proposed by the Commanding Officer and approved by the high-level Interdepartmental Committee.

Multinational training organised by the EGF should make it possible to attain the required level of interoperability. This programme will be proposed by the Commanding Officer, and validated by a working group created for that purpose.

7. FINANCIAL AND ADMINISTRATIVE ASPECTS AND LOGISTICAL SUPPORT FUNDING AND SUPPORT FOR THE PERMANENT HQ OF THE EGF

Each Party State will sustain the expenditures arising from its participation to the EGF.

Common costs will be divided proportionally between Party States.

Support for the permanent HQ structure will be provided by Italy and will be the subject of a technical arrangement between the Party States which will also set the modalities of reimbursement of the common costs.

Party States will provide a budget for the permanent costs of the EGF. The amount of the contributions of the budget will be set annually by the Party States.

The annual budget will be requested by the Commanding Officer of the EGF and has to be approved by the High Level Interdepartmental Committee. Each Party State will be able to designate a financial expert for advice on the budget and expenses.

Support during operations

Funding (for operational matters) will be provided by contributing States and, when appropriate, by EU, UN and other international organisations. .

² See Annex B.

Interoperability

The Party States will strive for an improvement of interoperability between their forces.

8. LANGUAGE

The official languages of the EGF will be those of the Party States. A common working language may be used.

9. ADMISSION

Full membership of the EGF will be open to EU Member States, possessing a police force with a military statute. At their request, they may be admitted to the EGF after agreement by the Party States and following acceptance of the terms of the present Declaration.

On their request, EU Candidate Member States possessing police forces with a military status can obtain an Observer Status by detaching a liaison officer to the HQ.

With due respect for the military status, conditions of admission can be reviewed, on request of one of the Party States and with the agreement of all the other Party States.

10. LEGAL ASPECTS

The Party States will conclude a Treaty to establish the precise functions and status of the EGF and of its members.

Before the entry into force of this Treaty, the Party States recognise the application of the provisions of the agreement between parties to the North Atlantic Treaty of the status of their forces, done at London on 16 June 1951, to the EGF members.

11. SPECIFIC ARRANGEMENTS

The above-stated points and the measures that may be necessary to organise the concrete aspects of relations among the Party States will be the subject of specific arrangements.

Annex A

Composition of the High Level Interdepartmental Committee

| | |
|--------------------|--|
| France | Representatives of the Ministries of Defence and Foreign Affairs |
| Italy | Representatives of the Ministries of Defence and Foreign Affairs |
| Netherlands | Representatives of the Ministries of Defence and Foreign Affairs |
| Portugal | Representatives of the Ministries of the Interior and Foreign Affairs |
| Spain | Representatives of the Ministries of Defence, the Interior and Foreign Affairs |

Annex B

The Headquarters of the EGF

The EGF HQ will consist of a permanent core, located in Vicenza (Italy), that could be reinforced as needed by augmentees.

The HQ should be set up in 2005 and the preparations will start as from autumn 2004.

The Party States will separately define the details, taking into consideration the following key positions: Commander (OF 6/5 level), Deputy Commander (OF 5 level), COS (OF 5/4 level), ACOS OPS/INT (OF 4 level) and ACOS Support (OF 4 level).

The Party States contributions will be as follows:

| | OFFICERS | WAR. OFF. |
|--------------|-----------|-----------|
| FRANCE | 4 | 2 |
| ITALY | 5 | 6 |
| NETHERLANDS | 2 | 2 |
| PORTUGAL | 2 | 1 |
| SPAIN | 2 | 3 |
| Total | 15 | 14 |

(these figures do not include the Commander)

Rotational and proportional criteria will also be defined. The officers' positions will last in principle three years.

The EGF-HQ will be tasked of:

- monitoring the areas of possible operational intervention;
 - planning the operations of the EGF;
 - defining operational needs;
 - preparing the contingency planning;
 - planning and direct combined exercises;
 - evaluating activities and implementing lessons learned;
 - preparing a suitable logistic support system;
 - giving advice to the Party States to improve inter-operability between units and other Forces;
 - deploying an HQ for the EGF Commander;
- on request, contribute to the decision making process at a strategic level.