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Discussion Paper

Session 2. Russian aggression
against Ukraine: internal security
challenges for the EU

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Session 2: Russian aggression against Ukraine: internal security challenges for the EU¹.

The EU's response to Russian aggression against Ukraine

Russia's illegal and unjustified war of aggression against Ukraine, launched on 24 February 2022, prompted a swift, coordinated, and united EU response, with support and assistance offered to Ukraine in all areas, including Home Affairs.

The strongest manifestation of this support on the humanitarian front has been the fast and orderly reception by Member States of people fleeing the war: more than four million beneficiaries of temporary protection have been registered (up until July 2023) following the activation, on 4 March 2022, of the Temporary Protection Directive, whose application has been extended – for the time being – until 4 March 2024. The extraordinary JHA Council of 28 March 2022 adopted the EU's 10-point plan for stronger European coordination on welcoming those fleeing Ukraine, which provided for actions such as the design of a common anti-trafficking plan, the mapping of reception capacity and accommodation in the Member States and the creation of an EU platform for registration to exchange information on beneficiaries of temporary protection and national protection status.

In this regard, during this semester the Spanish Presidency will also discuss the next steps to be taken in relation to the temporary protection granted, in order to guarantee the appropriate legal framework for the beneficiaries of international protection, especially as long as the situation does not allow for a safe return of these beneficiaries to their homes.

The analysis of the impact of the war on internal security and its evolution has been a priority for the EU and its JHA agencies (in particular Europol, Frontex and Eurojust) since the beginning of the Russian invasion, with several reports identifying, describing and forecasting potential threats, as well as numerous visits by the Commission, EU agencies and other EU actors to Ukraine to learn about assistance needs and priorities on the ground and to demonstrate European solidarity and support.

The EMPACT community has also made significant efforts to adapt relevant priorities to the situation resulting from the war, considering the needs, potential threats, and emerging risks arising from the war with a view to addressing them through various operational actions under the strategic guidance and oversight of the Standing Committee on Operational Cooperation on Internal Security (COSI).

To jointly address these internal security risks for both Ukraine and the Union arising from the Russian war of aggression, we launched a structured dialogue with the Ukrainian authorities in

¹ The Minister for the Interior of Ukraine, Mr Ihor Klymenko, has been invited to participate in this session.

September 2022, confirmed by the JHA Council on 14 October of the same year. This dialogue covers four main areas of cooperation: the security of common borders, trafficking in firearms and explosives, the risk of violent extremism from foreign volunteers, as well as a broad area of other security threats (such as war crimes, cyberattacks, hybrid threats and attacks on critical infrastructure). On the European side, the rotating Presidency of the Council, the Commission, the EU Counter-Terrorism Coordinator, as well as the European External Action Service, are participating in this dialogue with the support of Europol and Frontex.

An overview of the measures in place is provided in the document 'EU internal security implications of the war in Ukraine – Practical steps', produced in November 2022 and updated in May 2023, which is a useful living document to monitor the implementation of all agreed actions, as well as to include, where appropriate, new actions or reformulate existing ones.

The EU is also coordinating the largest EU Civil Protection Mechanism operation to date in response to the war of aggression in Ukraine. All Member States and selected partner countries (Iceland, North Macedonia, Norway, Serbia, and Turkey) are providing Ukraine with material assistance. The EU has also deployed its EU strategic reserve stocks for this purpose. Ukraine joined the EU Civil Protection Mechanism as a participating state in April 2023.

We need to ensure that initiatives regarding Ukraine and relevant for internal security are joined up with ongoing work in the JHA area. For example, among others, the EU is working in the framework of the Quad (US, UK, France and Germany) + EU on the prevention of the diversion of arms from Ukraine as well as on border security and border management. This initiative is currently being discussed in the external relations domain. Coordination with key partners is a prerequisite for an effective policy in this area.

Support for Moldova

The EU's response has also been extended to Moldova, given the serious consequences that Russia's aggression has for the stability and security of this neighbouring and candidate country: the EU Support Hub for Internal Security and Border Management, launched in July 2022, constitutes the operational platform acting as a one-stop shop for Moldovan authorities with all EU-provided tools and support measures in the field of internal security and border management. The EU Support Hub in Moldova is primarily focused on trafficking in firearms, migrant smuggling, trafficking in persons, prevention of terrorism and violent extremism, cybercrime and drug trafficking.

In the context of the Common Security and Defence Policy, the pre-existing missions in the area, namely the EU Advisory Mission (EUAM) Ukraine – whose mandate has been amended to also include support for the investigation and prosecution of war crimes – and the EU Border Assistance Mission to Moldova and Ukraine (EUBAM), are significant tools to support security in these two countries, together with the European Union Partnership Mission in Moldova (EUPM Moldova), launched in May 2023 with the aim of contributing to the strengthening of Moldova's crisis management structures and enhancing its resilience to hybrid threats, including cybersecurity, and countering foreign information manipulation and interference (FIMI).



Illicit arms trafficking as a particular security threat

Among all the threats to security in Europe posed by this unjustified war of aggression against Ukraine, the risk of arms diversion is probably one of the most worrying, especially in the light of the experience after the end of the war in the former Yugoslavia. To address this threat and effectively mitigate the risks, in February 2023 the Commission, together with the European External Action Service, drew up the 'EU list of actions to counter firearms and other small arms and light weapons diversion in the context of Russia's war of aggression against Ukraine'. The list includes eleven actions with short, medium and long-term measures aimed at prevention, operational cooperation and support, including information exchange, capacity building and funding.

During the informal COSI meeting on 7 July 2023, the risk of illicit arms trafficking arising from the war was addressed, with the Acting Chief of the Ukrainian Police, Ivan Vyhivskiy, joining online. Vyhivskiy reiterated Ukraine's commitment to continue working with the Union in this field with concrete measures, such as the recent launch of a single arms register or the work to establish a Ukrainian Firearms National Focal Point.

Questions for delegations

In the light of the current state of the threat to the internal security of the EU and Ukraine arising from the war, as well as the forthcoming round of the EU-US structured security dialogue, and the commitment expressed by the European Union and the United States of America to Ukraine and Moldova, the Presidency invites Ministers to consider the following questions:

1. How do Ministers assess the strategic and operational measures undertaken to respond to the implications for the EU's internal security arising from the Russian war of aggression against Ukraine? Do Ministers consider the measures effective and sufficient? How could the implementation be further improved?
2. In addition to illegal arms trafficking, border security and violent extremists fighting on either side of the frontline, what other threats to internal security do Ministers wish to highlight as a priority?
3. Do Ministers see merit in further or better coordination between the measures put forward in the JHA field and international initiatives (i.e. regarding border security and prevention of the diversion of arms) with third countries? If so, which countries would Ministers prioritise?