

# THE EUROPEAN DEFENCE FUND: THE OPAQUE USE OF PUBLIC FUNDS

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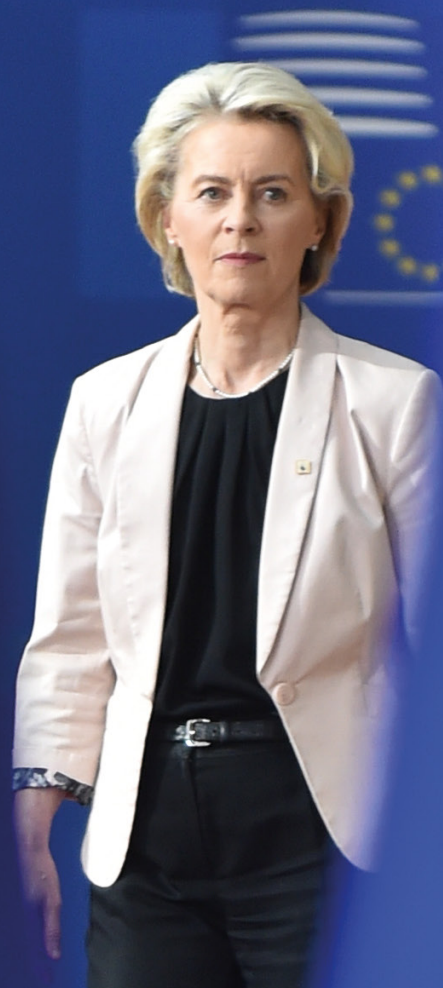


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## EXECUTIVE SUMMARY

Already in 2010, ASD (the AeroSpace and Defence Industries Association of Europe, the most important lobby organisation for the European arms industry), asked for significant EU funding for research. The discussion during the following years led to the creation, in 2015, of the Group of Personalities on Defence Research. Out of the 16 members of the Group, six represented arms companies, one represented ASD and two represented research institutes involved in arms research programs. The final Group report, published in February 2016, was the basis for the eventual EC proposal to establish the EDF.

**The final Report of the Group of Personalities was strongly influenced by the main arms producers**, with specific sentences that, coming from the lobby of the arms producers, were included in the Calls, were afterwards used in the proposals of the consortia, and can be found in the public descriptions of the funded projects.

The **Preparatory Action for Defence Research (PADR 2017–2019)** with a budget of €90 million for defence research, and the **European Defence Industrial Development Programme (EDIDP 2019–2020)** with a budget of €500 million for funding the development of defence equipment and technology were the two precursor programmes of EDF. Many of the companies and research institutes that were among the largest beneficiaries of PADR and EDIDP funding were also in the top 15 recipients of security research funding.

The first EDF work programme was launched in 2021. The Call was published during the last quarter of that year, and on 25 January 2023 the list of approved projects was published. Of the 142 projects submitted, 60 were selected. The budget allocated to them amounts to 1,166 million euros, including 322 million for military research projects and 845 million for military development projects.

**EDF subsidies are intended for research and development projects.** The results of these projects will materialize in military prototypes and technology issued by the defence industries. However, as stipulated in the EDF regulations, the Member States themselves will have to purchase these results. Therefore, **the European defence industry is being funded by the EDF program while it has already a guarantee regarding future sales and customers.**

In this Report we discuss **transparency issues during the Mid-Term review of the EDF projects funded under the 2021 Call of the European Commission (EC).** We focus on a representative sample of 6 projects to confirm the difficulties in obtaining a clear picture of their precise goals, developments and ethical guarantees. The selection of the proposed specific test sample of these 6 projects is based on two features: (1) They form a representative sub-group of all projects from a technological perspective; and (2) They account for nearly half of the total investment by the European Union in this call.

**The five main beneficiaries of the 2021 call (Leonardo, Thales, Airbus, Saab and Indra) are receiving over 30% of the funding.** The companies who lobbied the hardest for the establishment of the EDF and that had previously influenced the conclusions of the Group of Personalities, clearly profit from a fund that was founded on their advisory report.

The Mid-Term review of the projects under EDF 2021 Call has shown that **the problematic aspects already detected in the initial PADR and EDIDP Calls have not improved, remaining as questionable and controversial as they were, and even tending to worsen.**

We have observed a **lack of transparency on the application of EU ethical guidelines during EDF projects reviewing and funds assignation.** The decision-making process during EDF projects reviewing and funds assignation is extremely opaque and too heavily influenced by the arms industry lobbyists. **Civil society is not being provided with sufficient information and there is no evidence showing that these ethical controls are being carried out in line with international obligations.** In fact, several MEPs and the European

ombudsman herself have already expressed regular concerns about the lack of transparency on the ethical checks under the Defence Fund and its precursor programmes PADR and EDIDP.

**There is real concern on an excessive reliance on self-assessments by the applicants to EDF project Calls.** EU's legal and ethical risk assessment procedures mainly rely on self-assessments by applicants (mainly corporations) for EU funding. And these assessments are basically a box-ticking exercise.

There is **no transparency on the exclusion of companies on the base of provisions of the Financial Regulation.** The fact that for the EDF 2021 call no companies were excluded makes it highly questionable that this is done in a serious and strict way.

There exists an evident and overriding public interest in transparency, because the European Defence Fund is about developing or enhancing weaponry, including disruptive technologies that could radically change the way to conduct war. This is **an issue of extreme public interest. The Commission should not allow this lack of transparency in technological EDF systems that will contribute to aggravating violence, destruction, and the climate and environmental crisis.**

A significant number of projects explicitly mention **the use of AI**, while most of the others will probably use these techniques in specific subsystems. In each of the projects it would be **essential to know if the designed systems will be able to react autonomously to unexpected situations, in which cases they will be able to do so, and of what kind this reaction will be.** The deployment of unmanned systems using AI technologies poses obvious risks.

**Being compliant with the EU Ethics Guidelines for Trustworthy AI is unfortunately insufficient from an ethical perspective**, as these systems are not completely reliable, not reproducible, and not explainable, also leading to accountability difficulties in case of civilian victims. **All AI systems in EDF projects should therefore be subject to strict scrutiny by recognized independent non-military experts and by civilian ethics committees.**

Moreover, one of the main goals of the EDF is the **increase of arms exports to non-EU- countries. However, an increase in exports can easily contribute to war, violence, repression, human rights violations, climate change and poverty around the world.** Most of the main beneficiaries of the funding are major providers of arms to countries at war, repressive regimes and human rights abusers.

**Europe could consider a radical paradigm shift, moving from policies dictated by the large arms and transnational lobbies to policies of peace and global justice.** With disarmament and demilitarisation policies to transfer funds to ambitious programmes designed by and for the people, prioritising biosphere security and environmental peace. Europe

has a unique opportunity: The opportunity to implement and promote **a new framework for coexistence based on peaceful and non-militarised security.** This includes **offering a new human geopolitics based on global collaboration** to address the real present cross-border challenges which humanity is facing.







## INTRODUCTION

In this document, we discuss transparency issues during the Mid-Term review of the EDF projects funded under the 2021 Call of the European Commission (EC). After presenting the background and a characterization of the on-going EDF projects, we focus on a representative sample of 6 projects to confirm the difficulties in obtaining a clear picture of their precise goals, developments and ethical guarantees.

The problematic aspects already detected in the initial PADR and EDIDP Calls have not improved, remaining as questionable and controversial as they were, and even tending to worsen. We have observed a lack of transparency on the application of EU ethical guidelines during EDF projects reviewing and funds assignation, also with an interest in hiding the true concrete objectives of the EDF projects, which in fact are implementing policies dictated by the large arms and transnational lobbies. Moreover, the deployment of unmanned systems using AI technologies poses obvious risks.. We therefore claim that AI systems in EDF projects should be subject to strict scrutiny by recognized independent non-military experts and by civilian ethics committees.

Finally, EDF will result in an increase of arms exports to non-EU-countries, which could contribute to war, violence and human rights violations, worsening the environmental crisis and poverty around the world.

This paper is mainly based on the research, advisory and advocacy work carried out by Pere Brunet, Mark Akkerman, Joaquin Rodriguez Alvarez and Laëtitia Sédou for the ENAAT EU project, under the coordination and valuable direction of Laëtitia Sédou.



## 1. FROM 2015 TO 2020. THE WAY TO THE EDF

Back to 2010, ASD (the AeroSpace and Defence Industries Association of Europe, the most important lobby organisation for the European arms industry), called for significant EU funding for research. The discussion during the following years led to the creation, in 2015, of the Group of Personalities on Defence Research. Out of the 16 members of the Group, six represented arms companies,<sup>1</sup> one represented ASD and two represented research institutes involved in arms research programs. The final Group report, published in February 2016, was the basis for the eventual EC proposal to establish the EDF. This final Report of the Group of Personalities was strongly influenced by the main arms producers, with specific sentences that, coming from the lobby of the arms producers, were included in the Calls, were afterwards used in the proposals of the consortia, and can be found in the public descriptions of the funded projects. Also, many of the same companies and research institutes that were among the largest beneficiaries of PADR and EDIDP

1. Namely Airbus, BAE Systems, Indra, Leonardo, MBDA, and Saab

funding were also in the top 15 recipients of security research funding until December 2016.<sup>2</sup>

In March 2022, ENAAT and TNI published the Report *Fanning the Flames*<sup>3</sup> that focused on the two precursor programmes of EDF: the Preparatory Action for Defence Research (PADR 2017–2019) with a budget of €90 million for defence research, and the European Defence Industrial Development Programme (EDIDP 2019–2020) with a budget of €500 million for funding the development of defence equipment and technology.

The Report found that technologies being funded, including disruptive tools and AI-based systems, may lead to violations of EU and international law once they

2. The companies, Airbus, Fraunhofer, Leonardo, Thales and TNO, were unveiled in a Report from Statewatch and the Transnational Institute: Jones, C. (2017) 'Market Forces: The development of the EU security-industrial complex'. Statewatch/TNI: <https://www.tni.org/files/publication-downloads/marketforces-report-tni-statewatch.pdf>
3. Mark Akkerman, Pere Brunet, Andrew Feinstein, Tony Fortin, Angela Hegarty, Niamh Ní Bhriain, Joaquín Rodríguez Álvarez, Laëtitia Sédou, Alix Smidman, Josephine Valeske (2022) "Fanning The Flames: How the European Union is fuelling a new arms race", Published by the European Network Against the Arms Trade (ENAAT) and Stop Wapenhandel and Transnational Institute (TNI): <https://www.tni.org/en/publication/fanning-the-flames>

become operational, also finding that ethical guarantees are unacceptable. Responsibilities held by state parties under International Humanitarian Law (IHL) were shifted to private third-party funding applicants with a danger of a de facto deregulation of one of the potentially deadliest sources of money from the EU.<sup>4</sup>

In short, previous analysis of the PADR and EDIDP initial programs concluded that in these cases the EC

significantly lowered its standards regarding transparency and ethical controls, drastically reducing the usual levels considered in other European research programmes, and also creating opaque scenarios that cannot be controlled by European citizens and civil society organizations. This was especially worrying in an area – the military – that is especially sensitive from an ethical point of view and from the perspective of the international humanitarian law (IHL). The hope was that these aspects would improve in the subsequent EDF program.

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4. Mark Akkerman et al. (2022), Op. Cit., p. 9



## 2. THE 2021 EDF CALL. FUNDED PROJECTS AND PROPOSED TEST SAMPLE

The first EDF work programme was launched in 2021. The Call was published during the last quarter of that year, and on 25 January 2023 the list of approved projects was published. Of the 142 projects submitted, 60 were selected. The budget allocated to them amounts to 1,166 million euros, including 322 million for military research projects and 845 million for military development projects.

The approved projects cover different thematic areas. The areas of Naval Combat, Land Combat, Air Combat, Air and Missile Defence and Military Mobility and Protection include 13 projects. Most of the projects with the largest budgets are part of these areas. The total awarded to all of them amounts to 597.1 million, 51.21% of the total funding.<sup>5</sup> The remaining areas include aspects such as Cybernetics, Energy and Environment, Materials and Components, Innovation in

5. Pere Brunet, Teresa de Fortuny, Xavier Bohigas (2023), "Analysis of the first R&D projects of the European Defence Fund", Working Paper, Delàs Centre for Peace Studies:

Defence, Materials and CBRN (Chemical, Biological, Radiological and Nuclear Threats), Sensors, Space, Disruptive Technologies and Information Superiority. Out of the 60 selected projects, 11 are receiving grants of more than 30 million euros.

Among the 60 subsidised projects, we have identified a total of six projects that we will analyse in what follows.

The selection of the proposed specific test sample including 6 projects is based on two features: (1) They form a representative sub-group of all projects from a technological perspective; and (2), they account for more than one third of the total investment by The European Union in this. The six projects we consider in what follows (EPC, FAMOUS2, EPIIC, COUNTERACT, EICACS and Euro-HAPS) are each receiving over €40 million, totalling €396.7 million and making up 34% of the whole budget.

For these reasons, we consider that these six projects constitute a significant sample from which to draw conclusions from their analysis. A summary of their main goals and budget follows:

- **EPC** (€60 million), under the Naval Combat area, aims at designing a new patrol corvette that is flexible, interoperable, and cybersecure.
- **FAMOUS2** (€94.8 million), under the Land Combat area, focuses on designing interoperable armoured vehicles, including prototypes and testing.
- **EPIIC** (€75 million) and **EICACS** (€74.8 million), under the Air Combat area have objectives related to Advanced interfaces for pilots and Collaborative air Combat involving both manned and unmanned aircraft (drones).
- **COUNTERACT** (€49.1 million), under the CBRN area, aims at creating novel medical systems for defence and protection against chemical, biological, and ra-

diation attacks and accidents that could affect both military forces and civilian populations.

- Finally, **EuroHAPS** (€43 million), under the Information Superiority area, focuses on novel High-altitude surveillance and reconnaissance.

We would like to finally point out that EDF subsidies are intended for research and development projects. The results of these projects will materialize in military prototypes and technology issued by the defence industries. And, as stipulated in the EDF regulations, the Member States themselves will have to purchase these results. The European defence industry is being funded by the EDF program while it has already a guarantee regarding future sales and customers.



### 3. MID-TERM REVIEW OF PROJECTS FUNDED UNDER CALL 2021: REQUESTS, QUESTIONS AND ANSWERS

During the last months of 2023 and 2024, ENAAT attempted several times to obtain information on the funded projects and on this representative sample of six projects. This section describes the raised questions as well as the responses received by the Commission.

#### REQUEST OF DOCUMENTS RELATED TO THE REVIEWING AND PROCEDURES THAT DETERMINE EDF PROJECTS' COMPLIANCE WITH UNION, NATIONAL AND INTERNATIONAL LAW AND ETHICAL PRINCIPLES

ENAAT sent a written request on May 28, 2024,<sup>6</sup> requesting, for the 101 projects funded under EDF 2021 and EDF 2022, all documents related to the reviewing of EDF projects' compliance with Union, national

6. [https://www.asktheeu.org/en/request/ethics\\_screening\\_and\\_assessments](https://www.asktheeu.org/en/request/ethics_screening_and_assessments)

and international law and ethical principles, and all documents related to the procedures that determine the compliance of EDF projects with these EU ethical principles.

The Commission answer, dated June 24, 2024, considers that the petition is in fact asking for four documents: the EDF Guide for applicants, the Guidance Note on International Humanitarian Law from November 2021, the Guidance Note on International Humanitarian Law from November 2023, and the document on EDF methodology. Then, while observing that the EDF Guide for applicants is publicly available, it refuses access to the other documents on the basis of Article 4(3).<sup>7</sup>

In a subsequent confirmatory application dated June 25, 2024, ENAAT states that the European Defence Fund is about developing or enhancing weaponry, including disruptive technologies that could radically

7. The CE answer: [https://www.asktheeu.org/en/request/ethics\\_screening\\_and\\_assessments#outgoing-28475](https://www.asktheeu.org/en/request/ethics_screening_and_assessments#outgoing-28475) - The argument for refusing access: Article 4(3), second subparagraph states that 'Access to a document containing opinions for internal use as part of deliberations and preliminary consultations within the institution concerned shall be refused even after the decision has been taken if disclosure of the document would seriously undermine the institution's decision-making process, unless there is an overriding public interest in disclosure.'

change the way to conduct. Therefore, there is an overriding public interest in disclosing the requested documents.<sup>8</sup> Interested civil society and the public at large should be informed with clear and transparent information proving that the EU is developing this new weaponry in full respect of its obligations under international law. In fact, several MEPs and the European ombudsman herself expressed regular concerns about the lack of transparency on the ethical checks under the Defence Fund and its precursor programmes PADR and EDIDP, and about excessive reliance on self-assessments by the applicants.<sup>9</sup> It is not clear how external evaluators can have a different view/interpretation of the project if they can only rely on what the applicant declares.

On August 1, the Commission's General-Secretariat agreed with ENAAT's arguments and obliged DG Defis to give access to the two Guidance notes and the EDF methodology,<sup>10</sup> which in fact provide very little information. They are basically a list of a list of treaties and references, not including the minimum requirements for a proper ethical assessment.

#### **EU PARLIAMENT QUESTION FOR WRITTEN ANSWER ON THE EPC PROJECT (by Marc Botenga and Özlem Demirel – MEPs, The Left)**

This question on the EPC project was posed on December 13, 2023<sup>11</sup> and answered on April 5, 2024,<sup>12</sup> see Annex. The question refers to the European Patrol Corvette, aiming at the design of a new flexible, interoperable and cyber-secured naval patrol corvette.

The answer says that the project will assess how to enhance ship capabilities by deploying manned and unmanned vehicles, in order to increase the naval force projection. It will also consider options for the introduction of trustworthy artificial intelligence technologies for vessel control systems processes (e.g. ship data management, smart damage management system) and for threat assessment.

#### **EU PARLIAMENT QUESTION FOR WRITTEN ANSWER ON THE FAMOUS2 PROJECT (by Marc Botenga and Özlem Demirel – MEPs, The Left)**

This question on the FAMOUS2 project was posed on December 13, 2023<sup>13</sup> and answered on April 5, 2024,<sup>14</sup> see Annex. The question is related to the design of interoperable ground combat armoured vehicles, including prototypes and testing.

The answer states that regarding artificial intelligence (AI), the project will consider options for the introduction of trustworthy AI technologies for platform control systems (e.g. data management, smart damage management system) and for threat assessment. On the other hand, the project will not design, build or test novel unmanned armoured vehicles. Also, it says that green technologies used in the project will focus on developing a greener hybrid driveline for all-terrain and light armoured vehicles to enable silent operations during driving, longer stand-by phase and lower life-cycle costs.

#### **EU PARLIAMENT QUESTION FOR WRITTEN ANSWER ON THE EPIIC PROJECT (by Marc Botenga and Özlem Demirel – MEPs, The Left)**

This question on the EPIIC project was posed on December 13, 2023<sup>15</sup> and answered on April 5, 2024,<sup>16</sup> see Annex. This is an air combat project, with the aim to enhance pilot interfaces and interactions for fighter cockpits.

The answer confirms that the project will develop advanced cockpit avionics for fighter aircraft that can meet the challenges of future air warfare and collaborative combat, by creating a symbiotic teaming between systems and pilots, where pilots will always supervise all manned and unmanned platforms under their responsibility in a complex environment. Artificial intelligence (AI) technologies will be compliant with the EU Ethics Guidelines for Trustworthy AI. The answer confirms that the project includes recommendations and conditions regarding ethical aspects.

8. See: [https://www.asktheeu.org/en/request/ethics\\_screening\\_and\\_assessments#outgoing-28475](https://www.asktheeu.org/en/request/ethics_screening_and_assessments#outgoing-28475): There is a clear overriding public interest in disclosing the requested documents, to let interested civil society and the public at large know that the EU is developing this new weaponry in full respect of its obligations under international law.

9. See also: [https://www.asktheeu.org/en/request/ethics\\_screening\\_and\\_assessments#outgoing-28475](https://www.asktheeu.org/en/request/ethics_screening_and_assessments#outgoing-28475)

10. [https://www.asktheeu.org/en/request/ethics\\_screening\\_and\\_assessments#outgoing-28475](https://www.asktheeu.org/en/request/ethics_screening_and_assessments#outgoing-28475)

11. [https://www.europarl.europa.eu/doceo/document/E-9-2023-003647\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-9-2023-003647_EN.html)

12. [https://www.europarl.europa.eu/doceo/document/E-9-2023-003647-ASW\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-9-2023-003647-ASW_EN.html)

13. [https://www.europarl.europa.eu/doceo/document/E-9-2023-003645\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-9-2023-003645_EN.html)

14. [https://www.europarl.europa.eu/doceo/document/E-9-2023-003645-ASW\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-9-2023-003645-ASW_EN.html)

15. [https://www.europarl.europa.eu/doceo/document/E-9-2023-003644\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-9-2023-003644_EN.html)

16. [https://www.europarl.europa.eu/doceo/document/E-9-2023-003644-ASW\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-9-2023-003644-ASW_EN.html)

## EU PARLIAMENT QUESTION FOR WRITTEN ANSWER ON THE COUNTERACT PROJECT (by Marc Botenga and Özlem Demirel – MEPs, The Left)

This question on the COUNTERACT project was posed on December 13, 2023<sup>17</sup> and answered on April 5, 2024,<sup>18</sup> see Annex. The project goal is to develop and deploy medical countermeasures (MCMs) against major chemical, biological, radiological and nuclear (CBRN) threats.

The answer states that the project will develop four families of medical countermeasures (MCM), two of them up to application to market authorisation by the European Medicine Agency (anti-toxin and anti-acute radiation syndrome MCM), one up to phase 1 clinical trials (broad spectrum anti-microbial solution) and one up to proof-of-concept in pre-clinical in vivo models (anti-risk level 4 viruses). It will also develop aerosol administration for easy and efficient delivery of MCM in the case of lung targeting toxins and pathogens. Additionally, it will provide a road map for the development of next-generation MCM for current and future threats.

## EU PARLIAMENT QUESTION FOR WRITTEN ANSWER ON THE EUROHAPS PROJECT (by Marc Botenga – MEP, The Left)

This question on the EUROHAPS project was posed on December 13, 2023<sup>19</sup> and answered on April 5, 2024,<sup>20</sup> see Annex. The project will develop high altitude platform systems, providing airborne technology demonstrators to improve intelligence, surveillance and reconnaissance (ISR) capabilities.

The answer says that EUROHAPS will develop three major lighter-than-air (LTA) technology demonstrators: a strategic airship, a hybrid airship and an autonomous stratospheric balloon system. They will address four major intelligence, surveillance and reconnaissance ISR missions: 1) 3D light detection and ranging (LiDAR), 2) communication intelligence/infrared, 3) signal intelligence and 4) telecommunications. It states that the project is not planning activities involving artificial intelligence or machine learning.

## EU PARLIAMENT QUESTION FOR WRITTEN ANSWER ON THE EICACS PROJECT (by Marc Botenga – MEP, The Left)

This question on the EICACS project was posed on December 13, 2023<sup>21</sup> and answered on April 5, 2024,<sup>22</sup> see Annex. The project focuses on the interoperability of European air forces' combat air systems and the seamless integration of future air systems involving manned and unmanned/drones.

The answer observes that the project contemplates several innovative technologies, including AI. It will create processes and methods to be used for the development, validation and operational qualification of safety-critical, mission-critical and non-critical AI based functions.

The answer also indicates that EICACS implements the requirements of the Assessment List for Trustworthy AI at different stages during the project, Emphasizing that all European Defence Fund proposals underwent an ethics review, including EICACS.

## EU PARLIAMENT QUESTION FOR WRITTEN ANSWER ON THE ETHICAL CHECKS (by Özlem Demirel – MEP, The Left)

This question on ethical checks was posed on June 13, 2023<sup>23</sup> and answered on April 5, 2024,<sup>24</sup> see Annex.

The question asked if any project has ever been deemed ethically unacceptable and therefore modified, suspended or rejected, also asking names and information on the experts that perform ethical screening, and whether the Commission ensures that projects funded under the EDF calls are in line with legal obligations under international law. In its response (see annex), the Commission stated that, as of the time of the response, none of the proposals that had received conditional ethics approval following the ethics review had been rejected. Furthermore, the Commission indicated that the projects funded under the EDF calls comply with international law and pointed out that the names of the experts cannot be published.

17. [https://www.europarl.europa.eu/doceo/document/E-9-2023-003643\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-9-2023-003643_EN.html)

18. [https://www.europarl.europa.eu/doceo/document/E-9-2023-003643-ASW\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-9-2023-003643-ASW_EN.html)

19. [https://www.europarl.europa.eu/doceo/document/E-9-2023-003642\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-9-2023-003642_EN.html)

20. [https://www.europarl.europa.eu/doceo/document/E-9-2023-003642-ASW\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-9-2023-003642-ASW_EN.html)

21. [https://www.europarl.europa.eu/doceo/document/E-9-2023-003641\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-9-2023-003641_EN.html)

22. [https://www.europarl.europa.eu/doceo/document/E-9-2023-003641-ASW\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-9-2023-003641-ASW_EN.html)

23. [https://www.europarl.europa.eu/doceo/document/E-9-2023-001898\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-9-2023-001898_EN.html)

24. [https://www.europarl.europa.eu/doceo/document/E-9-2023-001898-ASW\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-9-2023-001898-ASW_EN.html)





## 4. ANALYSIS OF THE FEEDBACK AND ANSWERS FROM THE EUROPEAN COMMISSION

The first results of the EDF show that this fund continues under the same criteria that governed PADR and EDIDP. The five main beneficiaries of the 2021 call (Leonardo, Thales, Airbus, Saab and Indra) are receiving over 30% of the funding. The companies who lobbied the hardest for the establishment of the EDF and that had previously influenced the conclusions of the Group of Personalities, clearly profit from a fund that was founded on their advisory report, as largely demonstrated in the ENAAT 2020<sup>25</sup> and 2022<sup>26</sup> fact-sheets, and shown in the charts 1 and 2.

The Mid-Term review of the projects under EDF 2021 Call has shown that the problematic aspects already detected in the initial PADR and EDIDP Calls<sup>27</sup> have not

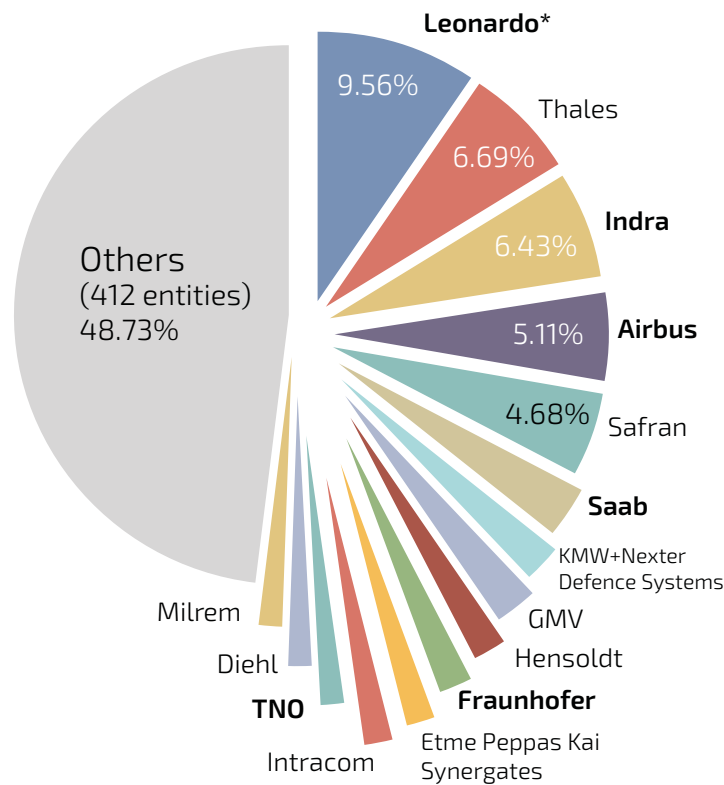
improved, remaining as questionable and controversial as they were,<sup>28</sup> and even tending to worsen.

The mid-term review of the EDF 2021 call projects shows that the problematic aspects already detected in the initial calls PADR and EDIDP have not improved, being as questionable and controversial as these, and even tending to worsen. The main objections, which were already raised by ENAAT in 2016 [28] include, first of all, the fact that the EDF contributes with its funding to a worrying shift of the founding purpose of the EU from being a civilian peace project to a military-oriented one. Moreover, the decision-making

28. The main objections were already raised by ENAAT in 2016: The EDF funds contribute to a worrying shift of the EU mission from a civilian peace project to a military-led one; the decision-making process is too heavily influenced by the arms industry lobbyists and is neither transparent nor democratic; it could set unprecedented grants conditions for the arms industry which does not respect the right of public interest; they divert part of the EU budget from other priorities which are much more relevant for people's well-being, such as health care, education, and other social questions; they will not contribute to more security, but rather represent the wasting of public money on boosting industry profits while doing nothing to make society safer in terms of human security; and the European Parliament and the Council were asked to vote for a blank cheque. ENAAT (2016), "Why the EU should not subsidize military research": ENAAT Position Paper on the proposal of Preparatory action on Defence research: [http://enaat.org/wp-content/uploads/2017/03/ENAAT-Position-on-Defence-research-PA\\_FINAL.pdf](http://enaat.org/wp-content/uploads/2017/03/ENAAT-Position-on-Defence-research-PA_FINAL.pdf)

25. ENAAT (2021), "Who profits from EU funding for military research and development?", April 2021: [https://enaat.org/wp-content/uploads/2021/04/Flyer\\_WhoProfitsEDF\\_210416EN.pdf](https://enaat.org/wp-content/uploads/2021/04/Flyer_WhoProfitsEDF_210416EN.pdf)  
 26. ENAAT (2022), "How the EU is Funding Arms Dealers and Corrupt Corporations", Factsheet, November 2022: [https://enaat.org/wp-content/uploads/2022/12/ENAAT\\_EDF-factsheet\\_nov22\\_EN.pdf](https://enaat.org/wp-content/uploads/2022/12/ENAAT_EDF-factsheet_nov22_EN.pdf)  
 27. Mark Akkerman et al. (2022), Op. Cit.

**Chart 1. Top 15 beneficiary companies, PADR & EDIDP**

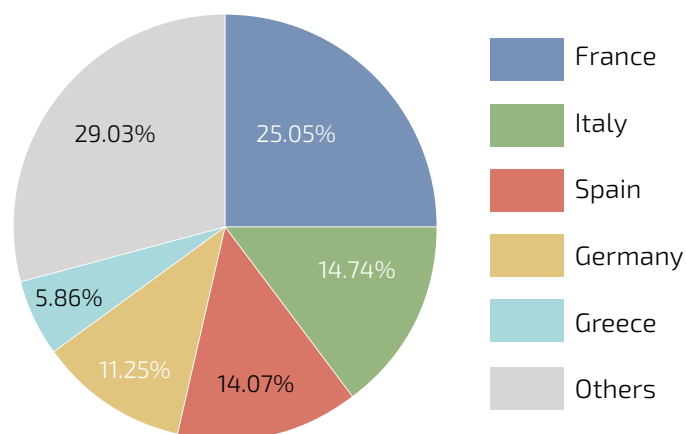


\* Companies in bold are entities member of the 2016 GoP

Including their subsidiaries and joint ventures  
(% of funding according to their % of ownership)

From: ENAAT (2022), "How the EU is Funding Arms Dealers and Corrupt Corporations", Factsheet, November 2022, see Note 26.

**Chart 2. Top 5 beneficiary countries, PADR & EDIDP**



**The 'big four' (France, Italy, Spain, Germany) get together almost two-third (65.1%) of total funding**

From: ENAAT (2022), "How the EU is Funding Arms Dealers and Corrupt Corporations", Factsheet, November 2022, see Note 26.

process is heavily influenced by arms industry lobbies and is neither transparent nor democratic. Moreover, it can establish unprecedented funding conditions for the arms industry that undermine the rights of public interest, appropriating part of EU budgets that should be allocated to issues much more relevant to the welfare of citizens, such as health care, education and other social issues. In short, EDF funding does not contribute to generating greater security, but represents the use of public money to increase industry's profit without contributing to making society safer in terms of human security. In practice, the European Parliament and Council have been asked to vote a blank check, both in the initial PADR and EDIDP calls and in the current EDF.

In the official answer to ENAAT's request of documents in May 2024, the Commission stated that "disclosure of the documents would seriously undermine the institution's decision-making process unless there is an overriding public interest in disclosure", therefore denying access to specific documents related to the procedures that determine the compliance of EDF projects and their reviewing process with EU ethical principles. But, as clearly observed in ENAAT's reply, there exists an evident and overriding public interest in disclosing the requested documents, because the European Defence Fund is about developing or enhancing weaponry, including disruptive technologies that could radically change the way to conduct war.

There is a serious risk of disruptive EDF technologies having a disproportionate impact on civilians in the conduct of war. Civilians are more and more hit by wars,<sup>29</sup> and therefore they have the right to demand ethical controls and transparency in decisions that end up financing projects that could strongly affect them. Interested civil society and all people must have guarantees that the EU is developing this new weaponry in full respect of its obligations under international law.

Civil society organisations expert in the area, several MEPs and the European ombudsman herself<sup>30</sup> expressed regular concerns about the lack of transparency on the ethical checks under the Defence Fund and its precursor programmes PADR and EDIDP.

29. In today's wars, the percentage of civilian casualties reaches 90%: United Nations Meetings Coverage, May 2022: <https://press.un.org/en/2022/sc14904.doc.htm> (in World War II, this percentage was between 60 and 75%)

30. See: <https://www.ombudsman.europa.eu/en/decision/en/139074> and <https://www.ombudsman.europa.eu/en/opening-summary/en/163874>

Ethical checks in the projects are essentially based on self-assessments by the applicants, and the official EC documents basically suggest to appoint an ethics advisor or an ethics advisory board.<sup>31</sup> Although this document also states that "the granting authority may also make this an ethics requirement during the selection procedure", there is no guarantee that this has been the case in the funded EDF projects. In other Sections of the instructions documents, the involvement of an ethics advisor/ethics advisory board is "highly recommend"<sup>32</sup> in projects that can lead to significant negative individual, social and environmental impacts. We understand that this is the case in five out of the six discussed EDF projects (except COUNTERACT).

Technical information available from the projects is limited, imprecise and even irrelevant. For instance, it has been disclosed that the EU HYDEF project will result in the concept, risk mitigation and demonstration of an endo-atmospheric interceptor able to operate in different air levels, and that "EU HYDEF will define the concept for an interceptor to respond to high velocity threats from 2035 onwards"<sup>33</sup>. However, it is hardly credible to try to design and build interceptor systems for threats more than ten years from now, in an environment of unpredictable escalation of war technologies worldwide.

The answers to the technical questions regarding the six projects in the representative sample are indefinite and insufficient, once again demonstrating the interest in hiding the true concrete objectives of the EDF projects. This is clear from the analysis of the vague answers to the questions related to the main naval, ground and air combat systems EPC, FAMOUS2 and EPIIC.

The projects EPC (naval vehicles) and EPIIC (air combat) involve developments related to unmanned combat vehicles, which raise several ethical concerns including potential autonomous use, lack of meaning-

31. EC, "EU Grants: How to complete your ethics self-assessment" (July 2021), p. 2: [https://ec.europa.eu/info/funding-tenders/opportunities/docs/2021-2027/common/guidance/how-to-complete-your-ethics-self-assessment\\_en.pdf](https://ec.europa.eu/info/funding-tenders/opportunities/docs/2021-2027/common/guidance/how-to-complete-your-ethics-self-assessment_en.pdf)

32. EC (July 2021), document cited in note 31, p. 42: "The involvement of an ethics advisor/ethics advisory board with appropriate expertise in ethics of new and emerging technologies is highly recommended for projects which may raise significant ethics risks. This is particularly relevant for systems that have the potential to lead to significant negative individual, social and environmental impacts".

33. See: <https://defbrief.com/2022/07/27/eu-awards-e100m-in-funds-for-hypersonic-missile-interceptor-program/>

ful human control,<sup>34</sup> and the automation bias.<sup>35</sup> Unfortunately, related technical details remain undisclosed. Some projects like FAMOUS2 claim that they will use greener technologies, a statement that is at least curious in a context in which states are not obliged to declare greenhouse gas emissions from the military sector, and in which the defence sector is known to be responsible for a significant percentage of global emissions.<sup>36</sup>

Four out of the six projects in the sample (EPC, FAMOUS2, EPIIC, EICACS) involve the use of innovative technologies, among which artificial intelligence (AI). Regarding EICACS, the project develops guidance on processes and methods to be used for the development, validation and operational qualification of safety-critical, mission-critical and non-critical AI based functions. Unlike the other four companies, COUNTERACT, which is developing medical countermeasures (MCM), and EURO HAPS, which is focused on surveillance algorithms, are not planning to use AI.

In short,

- We observe a lack of transparency regarding the application of EU ethical guidelines. The decision-making process during EDF projects reviewing and funds assignment is extremely opaque and too heavily influenced by the arms industry lobbyists.
- We have detected no transparency in the review process of the projects and in the exclusion of companies on the base of provisions of the Financial Regulation.
- Civil society is not being provided with sufficient information and evidence demonstrating that these ethical controls are being carried out in line with international obligations.
- There is real concern on an excessive reliance on self-assessments by the applicants to EDF project

Calls. EU's legal and ethical risk assessment procedures mainly rely on self-assessments by applicants (mainly corporations) for EU funding. These assessments are basically a box-ticking exercise.

- The lack of transparency on technical aspects, which can lead to situations that are ethically unacceptable and violate international law, should not be tolerated. Nor should the Commission condone intransparency in the technological EDF systems that contribute to exacerbating the climate and environmental crisis.
- The deployment of unmanned systems using AI technologies poses obvious risks. Although the current information is still vague, a significant number of projects explicitly mention the use of AI, while most of the others will probably use these techniques in specific subsystems. In each of the projects it would be essential to know if the designed systems will be able to react autonomously to unexpected situations, in which cases they will be able to do so, and of what kind this reaction will be. In short, individual projects should inform, for each of their outcomes, if they comply with the EC Regulations,<sup>37</sup> also guaranteeing that their future operators will always be able to explain any particular characteristics or results in their outcomes.
- All AI systems in EDF projects should be subject to strict scrutiny by recognized independent non-military experts and by civilian ethics committees.<sup>38</sup> Being compliant with the EU Ethics Guidelines for Trustworthy AI is unfortunately insufficient from an ethical perspective, as these systems are not completely reliable, not reproducible, and not explainable, also leading to accountability difficulties in case of civilian victims.<sup>39</sup>
- EDF funds are diverting part of the EU budget from other priorities which would be so much more relevant for people's well-being, such as the climate

34. Noel Sharkey (2018), ICRAC, Statement to the UN GGE Meeting 2018 delivered on 11 April 2018: "The design of weapon systems must render them INCAPABLE of operating without meaningful human control. This is control by design, which is governed by international weapons law. In terms of international weapons law, if the weapon system, by its design, is incapable of being sufficiently controlled in terms of the law, then such a weapon is illegal per se": <https://www.icrac.net/icrac-statement-on-the-human-control-of-weapons-systems-at-the-april-2018-ccw-gge/>

35. The automation bias appears when human operators come to accept computer generated solutions as correct and disregard or don't search for contradictory information. If a computer system suggests a target to an operator, it is highly likely that it would be accepted. This is known as automation bias. The operation of automatic reasoning has been shown to favour the uncritical acceptance of suggestions and maintains a strong bias. See: Cummings, M.L., (2004), "Automation Bias in Intelligent Time Critical Decisions Support Systems", American Institute of Aeronautics and Astronautics, AIAA 3rd Intelligent Systems Conference Chicago. See also: K.L. Mosier and L.J. Skitka, «Human Decision Makers and Automated Decision Aids: Made for Each Other?», in M. Mouloua (eds.), Automation and Human Performance: Theory and Applications, Lawrence Erlbaum Associates, Inc. Mahwah NJ 1996, pp. 201-220.

36. Stuart Parkinson and Linsey Cottrell, Scientists for Global Responsibility (2022): <https://www.sgr.org.uk/publications/estimating-military-s-global-greenhouse-gas-emissions>

37. The EC document (July 2021) cited in note 31 states in p. 41 that AI "should be developed in a way that enables human oversight (human-in-the-loop, human-on-the-loop, human-in-command), traceability and auditability. Whenever possible, explanation on how decisions are taken by the developed/used AI along with the logic behind it should be provided to the users". Also, it notes that "developers or operators of AI systems must be able to explain how and why a system exhibits particular characteristics or results in certain outcomes".

38. AI can become controversial and certainly risky if used in critical military systems, because zero-risk AI systems do not exist, and all AI systems involve a certain percentage of errors. And, in critical combat systems, errors lead to casualties including civilians.

39. The "Ethics guidelines for trustworthy AI" state, among other considerations, that "AI systems need to be resilient and secure. They need to be safe, ensuring a fall back plan in case something goes wrong, as well as being accurate, reliable and reproducible", "AI systems and their decisions should be explained in a manner adapted to the stakeholder concerned", and "Mechanisms should be put in place to ensure responsibility and accountability for AI systems and their outcomes" (see <https://digital-strategy.ec.europa.eu/en/library/ethics-guidelines-trustworthy-ai>). But there is a consensus among AI experts regarding that present Deep Learning-based AI systems are not completely accurate, nor reliable and reproducible. Moreover, they essentially lack explainability, making difficult the accountability for AI system outcomes.

and environmental crisis,<sup>40</sup> health care, education, human security and other social questions.

We can conclude that from the public interest point of view, the Mid-Term review does not provide new information, and instead continues to shield previous opaque procedures of the EDF program and preceding programmes PADR and EDIDP.

Furthermore, there is no transparency about the exclusion of companies based on the provisions of the Financial Regulation. The fact that no companies were excluded for the 2021 EDF call raises the question of whether the process is a serious and rigorous one, as corruption is widespread in the military industry. In fact, some of the (main) recipients of EDF, EDIDP and PADR funding have a history of serious allegations or cases of corruption.<sup>41</sup>

40. In November 1992, around 1,700 scientists from around the world, including the majority of Nobel laureates in life sciences at that time, warned mankind. They said that human activities cause damage that is often irreversible to the environment and to critical resources, and that many of our current practices place the future we want for human society and the plant and animal biosphere in serious jeopardy, so that it can end up threatening the entire living world. They explained that it was very urgent to make fundamental changes in order to avoid the collision that we were preparing. They stated that developed nations are the largest polluters in the world today, and that "success in this global endeavour will require a great reduction in violence and war. **Resources now devoted to the preparation and conduct of war, amounting to over \$1 trillion annually, will be badly needed in the new tasks and should be diverted to the new challenges**". Then, 25 years after this, the scientific journal *Bioscience* published in 2018 an article signed by 15,372 scientists from 184 countries giving a second warning to humanity, and saying that with our disproportionate consumption and with our rapid population growth, we are not sustainable, and we are endangering our future. They stated that there should be a lot of efforts generated by "organizations that come from the people", in order to overcome the current stubborn opposition to changes and to force political leaders "to do what needs to be done", according to scientific evidence. In: "World Scientists Warning to Humanity" (1992 and 2017), Union of Concerned Scientists: <https://www.ucsusa.org/sites/default/files/attach/2017/11/World%20Scientists%27%20Warning%20to%20Humanity%201992.pdf>

41. Mark Akkerman et al. (2022), Op. Cit.

On another note, one of the EDF's main goals is the increase of arms exports to non-EU-countries. An increase in exports contributes to war, violence, repression, human rights violations, climate change and poverty around the world. Most of the main beneficiaries of the funding are major providers of arms to countries at war, repressive regimes and human rights abusers.<sup>42</sup>

Independent and transparent ethics committees made up of experts who are neither military nor from companies and organizations with interests in military manufacturing, trade and business, should analyse whether any EDF project is controversial. This should be done in view of the EU's founding principles and values: inclusion, tolerance, justice, solidarity, non-discrimination, the promotion of peace, the inviolability of human dignity, and the defence of human rights.

42. Mark Akkerman (2024), private communication.



## 5. CONCLUSIONS

In the previous Sections we have discussed transparency issues during the Mid-Term review of the EDF projects funded under the 2021 Call. After presenting the background and a characterization of the on-going EDF projects, we have focused on a representative sample of six projects to confirm the difficulties in obtaining a clear picture of their precise goals, developments and ethical guarantees.

The Mid-Term review of the projects under EDF 2021 Call has shown that the problematic aspects already detected in the initial PADR and EDIDP Calls have not improved, remaining as questionable and controversial as they were, and even tending to worsen.

We have observed a lack of transparency in the application of EU ethical guidelines during EDF projects reviewing and funds assignation. Civil society is not being provided with sufficient information and there is no evidence showing that these ethical controls are being carried out in line with international obligations. Moreover, the Commission should not allow this lack of transparency in technological EDF systems that will contribute to aggravating violence, destruction, and

the climate and environmental crisis. The deployment of unmanned systems using AI technologies poses obvious risks. All AI systems in EDF projects should therefore be subject to strict scrutiny by recognized independent non-military experts and by civilian ethics committees.

Europe could consider a radical paradigm shift, moving from policies dictated by the large arms and transnational lobbies to policies of peace and global justice. These could include disarmament and demilitarisation policies to transfer funds to ambitious programmes designed by and for the people, prioritising biosphere security and environmental peace. Such policies should be based on the dignity of all people and their rights, on the dialogued resolution of conflicts and on collaboration to tackle global warming, desertification, loss of biodiversity, pandemics and the many challenges we will face. All of them global, cross-border and requiring multilateral action. Because, citing Gaia Vince, "our best hope as humanity is to cooperate on a planetary level as we have never done before".<sup>43</sup>

43. The Guardian: <https://www.theguardian.com/environment/2019/may/18/climate-crisis-heat-is-on-global-heating-four-degrees-2100-change-way-we-live>

Europe has a unique opportunity. The opportunity to propose a new framework for coexistence based on peaceful and therefore non-militarised security. By moving away from the current hegemonic blocs that constrain Europe, in particular the USA and NATO, and proposing a new human geopolitics based on global

collaboration to address the real great cross-border challenges which humanity is facing. Europe could and should promote, build and offer to the world novel and breaking proposals based on planetary collaboration and global democracy.

## ANNEX

### EDF CALL 2021 MID-TERM REVIEW

Questions for written answer (including answers)

#### 1. EUROPEAN DEFENCE FUND EPC NAVAL COMBAT PROJECT: THE DESIGN OF A NEW FLEXIBLE, INTEROPERABLE, CYBER- SECURED PATROL CORVETTE

##### Question for written answer E-003647/2023

To the Commission

Rule 138

Marc Botenga (*The Left*), Özlem Demirel (*The Left*)

The European Patrol Corvette (EPC) project, financed with EUR 60 million from the European Defence Fund, will design a new flexible, interoperable and cyber-secured naval patrol corvette.

The Organisation for Joint Armament Cooperation (OCCAR), an intergovernmental organisation facilitating and managing collaborative arms programmes between several European countries, including Belgium and Germany, has signed the grant agreement for this project with its industrial partners.

Can the Commission:

1. State what force projection systems the European patrol corvettes will include?
2. Clarify if the final corvettes will incorporate artificial intelligence (AI) technologies and list the main activities that will be addressed through the use of AI / machine learning (ML) / deep learning systems?
3. Share the respective EU-contribution for each participant in the project under the OCCAR agreement?

Submitted: 13.12.2023

##### Answer given by Mr Breton on behalf of the European Commission

5.4.2024

Written question

The corvette developed under the European Patrol Corvette (EPC) project<sup>[1]</sup> will herself be a means of force projection as regards missions related, for example, to securing sea lanes of communication, humanitarian response, peacekeeping, showing the flag, deterrence or armed intervention.

The awarded project (i.e. studies and initial design) will assess how to enhance ship capabilities by deploying vehicles, manned and unmanned, in order to increase the naval force projection.



The project will also consider options for the introduction of trustworthy artificial intelligence technologies for vessel control systems processes (e.g. ship data management, smart damage management system) and for threat assessment.

According to the contribution agreement between the Commission and the Organisation for Joint Armament Cooperation (OCCAR)[2] to entrust the management of this grant to that international organisation, information on the amount of EU contribution per beneficiary in the project will be published by OCCAR in its role as granting authority.

[1] [https://defence-industry-space.ec.europa.eu/european-patrol-corvette-european-defence-fund-project-launch-first-phase-2023-10-26\\_en](https://defence-industry-space.ec.europa.eu/european-patrol-corvette-european-defence-fund-project-launch-first-phase-2023-10-26_en)

[2] <https://www.occar.int/>

## 2. EUROPEAN DEFENCE FUND FAMOUS2 PROJECT: DESIGN OF INTEROPERABLE GROUND COMBAT ARMoured VEHICLES, INCLUDING PROTOTYPES AND TESTING

### Question for written answer E-003645/2023

to the Commission

Rule 138

Marc Botenga (*The Left*), Özlem Demirel (*The Left*)

The European Defence Fund is driving the militarisation of the EU economy by offering billions to the military-industrial complex. Transparency with regard to the projects selected and funded leaves a lot to be desired, to say the least. Transparency and civil society organisations are rightly worried about this situation.

The FAMOUS2 project (2023-2026), for example, with funding of EUR 94.8 million, will enhance all-terrain vehicles (AVTs), light armoured vehicles (LAVs) and main battle tanks (MBTs) through developments and upgrades. Given the amount of public financial support, more technical details should be made available.

Can the Commission clarify:

1. What specific uses of artificial intelligence (AI) are planned to be implemented for all-terrain vehicles, light armoured vehicles and main battle tanks?
2. Whether the project includes the design, building and testing of novel unmanned armoured vehicles?
3. What kind of green technologies the project includes?

Submitted: 13.12.2023

## Answer given by Mr Breton on behalf of the European Commission

5.4.2024

Written question

The project, European Future Highly Mobile Augmented Armoured Systems 2 (FAMOUS2)[1], co-funded by the European Defence Fund (EDF)[2] will develop next generation armoured platforms and upgrades existing platforms.

In the field of artificial intelligence (AI) the project will consider options for the introduction of trustworthy AI technologies for platform control systems (e.g. data management, smart damage management system) and for threat assessment.

The FAMOUS2 project does not design, build or test novel unmanned armoured vehicles.

The green technologies used in the FAMOUS2 project focus on developing a greener hybrid driveline for all-terrain vehicles and light armoured vehicles to enable silent operations during driving, longer stand-by phase and lower life-cycle costs.

[1] [https://defence-industry-space.ec.europa.eu/system/files/2022-07/Factsheet\\_EDF21\\_FAMOUS2.pdf](https://defence-industry-space.ec.europa.eu/system/files/2022-07/Factsheet_EDF21_FAMOUS2.pdf)

[2] [https://defence-industry-space.ec.europa.eu/eu-defence-industry/european-defence-fund-edf\\_en](https://defence-industry-space.ec.europa.eu/eu-defence-industry/european-defence-fund-edf_en)

### 3. EUROPEAN DEFENCE FUND EPIIC AIR COMBAT PROJECT: ENHANCED PILOT INTERFACES AND INTERACTIONS FOR FIGHTER COCKPITS

#### Question for written answer E-003644/2023

to the Commission

Rule 138

Marc Botenga (*The Left*), Özlem Demirel (*The Left*)

The EPIIC project received funding of EUR 75 million from the European Defence Fund. It will focus on new air power capabilities and officially seeks to help ensure the air dominance of European defence forces. It will design enhanced pilot interfaces and interaction systems for fighter cockpits.

Can the Commission clarify:

1. Which tasks are planned to be performed automatically, and which high value tasks will continue to be under the pilot's direct control?
2. Whether the project will ensure that pilots will be able to keep track of ethical and legal aspects of their actions while managing complex situations and focusing on 'combat effectiveness' and if so, how?

3. What specific artificial intelligence (AI) technologies will be included in the adaptive human machine interaction and the innovative virtual assistant interaction and how will these new human-machine cooperation tools help ensure European defence forces' air dominance?

*Submitted: 13.12.2023*

**Answer given by Mr Breton on behalf of the European Commission**

5.4.2024

*Written question*

The Enhanced Pilot Interfaces & Interactions for fighter Cockpit (EPIIC)[1] project develops advanced cockpit avionics for fighter aircraft that can meet the challenges of future air warfare and collaborative combat.

The project focuses on creating a symbiotic teaming between systems and pilots, where pilots always supervise all manned and unmanned platforms under their responsibility in a complex environment.

The Commission systematically screens proposals submitted to the European Defence Fund[2] to identify the ethical issues. Where appropriate, the proposals are subject to an ethics assessment.

Following the ethics assessment for EPIIC, the grant agreement includes recommendations and conditions regarding ethical aspects.

The Commission monitors the appropriate implementation of these ethical aspects of the project by the consortium and in particular the artificial intelligence (AI) technologies used and their compliance with the EU Ethics Guidelines for Trustworthy AI[3].

[1] [https://defence-industry-space.ec.europa.eu/system/files/2023-01/Factsheet\\_EDF21\\_EPIIC.pdf](https://defence-industry-space.ec.europa.eu/system/files/2023-01/Factsheet_EDF21_EPIIC.pdf)

[2] [https://defence-industry-space.ec.europa.eu/eu-defence-industry/european-defence-fund-edf\\_en](https://defence-industry-space.ec.europa.eu/eu-defence-industry/european-defence-fund-edf_en)

[3] <https://digital-strategy.ec.europa.eu/en/library/ethics-guidelines-trustworthy-ai>

#### 4. THE COUNTERACT EUROPEAN DEFENCE FUND PROJECT: EUROPEAN AGILE NETWORK FOR MEDICAL COUNTERMEASURES AGAINST CBRN THREATS

##### **Question for written answer E-003643/2023**

*to the Commission*

*Rule 138*

*Marc Botenga (The Left), Özlem Demirel (The Left)*

The COUNTERACT project, financed with EUR 49.1 million from the European Defence Fund, will establish a network within the European Union to develop and deploy medical countermeasures (MCMs) against major chemical – biological – radiological and nuclear (CBRN) threats:

Can the Commission specify:

1. Which specific measures the project will develop to ensure an 'immediate response' to future unknown medical CBRN threats to civilians?
2. Which specific research challenges of the project on virology, immunology, pharmacology and radiobiology will be considered beyond similar civil research challenges?
3. Specifically, how the project will initiate a core of European research on military health issues?

*Submitted: 13.12.2023*

##### **Answer given by Mr Breton on behalf of the European Commission**

*5.4.2024*

*Written question*

Chemical — biological — radiological and nuclear (CBRN) threats of intended, accidental or natural origin are amongst the major security challenges the EU is facing.

Among them are terror plots, nuclear accidents, weapon developments and epidemics caused by emerging or re-emerging high-consequence pathogens.

The European agile network for medical COUNTERmeasures Against CBRN Threats (COUNTERACT) project<sup>[1]</sup> will increase EU preparedness for immediate response to such specific threats by addressing three of those threats: toxins (in particular ricin and abrin), ionising radiation exposure and infectious agents.

The project will develop four families of medical countermeasures (MCM), two of them up to application to market authorisation by the European Medicine Agency (anti-toxin and anti-acute radiation syndrome MCM), one up to phase 1 clinical trials (broad spectrum anti-microbial solution) and one up to proof-of-concept in pre-clinical in vivo models (anti-risk level 4 viruses)<sup>[2]</sup>. It will also develop aerosol administration for easy and efficient delivery of MCM in the case of lung targeting toxins and pathogens.

COUNTERACT will establish an EU network of sustainable industries, research laboratories, contract research organisations and clinical centres with the ambition to achieve an agile and efficient structuring of the European public/private ecosystem to rapidly respond to current and future CBRN threats.

It will also provide a road map for the development of next-generation MCM for current and future threats, facilitate the process for marketing authorisation, secure EU autonomous supply chains and prepare stockpiling and deployment strategies.

[1] [https://defence-industry-space.ec.europa.eu/document/download/279dc793-3104-4bf1-8b12-3376c7a8e1b0\\_en?filename=Factsheet\\_EDF21\\_COUNTERACT.pdf](https://defence-industry-space.ec.europa.eu/document/download/279dc793-3104-4bf1-8b12-3376c7a8e1b0_en?filename=Factsheet_EDF21_COUNTERACT.pdf)

[2] <https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/opportunities/projects-details/44181033/101103023/EDF?programmePeriod=2021-2027&programId=44181033&order=DESC&page=2&pageSize=50>

## 5. THE EUROHAPS PROJECT

### Question for written answer E-003642/2023

to the Commission

Rule 138

Marc Botenga (The Left)

The 'High altitude platform systems demonstration' (EuroHAPS) project funded by the European Defence Fund will provide airborne technology demonstrators to improve intelligence, surveillance and reconnaissance (ISR) capabilities.

1. Will the classification of targets detected by LiDAR include artificial intelligence (AI) / Machine Learning (ML) techniques, and what is the expected quantitative reliability (percentage of failures) in the classification module included in the project?
2. Will the detection of the location of communications and radar include AI/ML techniques, and if so, what is the expected quantitative reliability (percentage of failures) in the location module included in the project?
3. Will the project use AI for identification, and if so, how precisely will it take into account the technology's inherent bias (machine bias) and its ability (degree) to distinguish between military and civilian assets?

Submitted: 13.12.2023

### Answer given by Mr Breton on behalf of the European Commission

5.4.2024

Written question

The project High altitude platform systems demonstration (EuroHAPS)[1] will develop three major lighter-than-air (LTA) technology demonstrators (strategic airship, hybrid airship and autonomous stratospheric balloon system) addressing four major

intelligence, surveillance and reconnaissance (ISR) missions (3D light detection and ranging (LiDAR), communication intelligence/infrared, signal intelligence and telecommunications), some of which have never been developed in Europe.

The project does not plan activities involving artificial intelligence or machine learning.

[1] [https://defence-industry-space.ec.europa.eu/system/files/2022-07/Factsheet\\_EDF21\\_EuroHAPS.pdf](https://defence-industry-space.ec.europa.eu/system/files/2022-07/Factsheet_EDF21_EuroHAPS.pdf)

## 6. EUROPEAN DEFENCE FUND EICACS PROJECT AND TECHNICAL REQUIREMENTS

### Question for written answer E-003641/2023

to the Commission

Rule 138

Marc Botenga (The Left)

The 'European Initiative for Collaborative Air Combat Standardisation' (EICACS) project funded by the EU Defence Fund is an ambitious project focusing on the interoperability of European air forces' combat air systems and the seamless integration of future air systems involving manned and unmanned/drones.

Could the Commission:

1. List at least five technical requirements of on-board artificial intelligence (AI) systems, in particular regarding decision-making support, as defined in the project in order to guarantee feasibility, safety, and airworthiness?
2. State the rules for validation and certification for the critical AI-based components, as defined in the project?

Submitted: 13.12.2023

### Answer given by Mr Breton on behalf of the European Commission

5.4.2024

Written question

The European Initiative for Collaborative Air Combat Standardisation (EICACS) project<sup>[1]</sup> addresses the integration of heterogeneous systems for collaborative air combat through standardisation of communication and sensors to ensure the interoperability of future air combat systems.

It integrates several innovative technologies, among which artificial intelligence (AI). Regarding AI, the project develops guidance on processes and methods to be used for the development, validation and operational qualification of safety-critical, mission-critical and non-critical AI based functions.

The project implements the requirements of the Assessment List for Trustworthy AI[2] at different stages during the project. All European Defence Fund proposals underwent an ethics review, including EICACS.

To maintain a beneficial coherence of military standards and technologies with civilian ones, a standardisation framework, such as the one being contemplated by ISO-IEC[3] and CEN-CENELEC[4] will be considered, for example the AI terminology and concepts[5] from ISO-IEC.

Standardisation efforts, inspired by the principles, rules of engagement, and doctrines of the European defence organisations and forces, and also inspired by foundational EU guidelines and roadmaps such as the Ethics Guidelines for Trustworthy AI[6], will be considered for the design and development of the future air combat systems, including mission preparation, operational decision-making and automatised human assistance.

[1] [https://defence-industry-space.ec.europa.eu/system/files/2023-01/Factsheet\\_EDF21\\_EICACS.pdf](https://defence-industry-space.ec.europa.eu/system/files/2023-01/Factsheet_EDF21_EICACS.pdf)

[2] <https://digital-strategy.ec.europa.eu/en/library/assessment-list-trustworthy-artificial-intelligence-altai-self-assessment>

[3] <https://www.iso.org/standards.html>

[4] <https://www.cencenelec.eu/>

[5] <https://webstore.iec.ch/publication/77839>

[6] <https://digital-strategy.ec.europa.eu/en/library/ethics-guidelines-trustworthy-ai>

## 7. EUROPEAN DEFENCE FUND – ETHICAL CHECKS\*

### Question for written answer E-001898/2023/rev.1

to the Commission

Rule 138

Özlem Demirel (*The Left*)

Projects funded under the European Defence Fund (EDF) calls for proposals undergo an ethical review, which includes a self-assessment carried out by applicants and an ethical screening carried out by the Commission and supported by experts. According to Article 7(4) of the regulation establishing the EDF[1], proposals not considered ethically acceptable must be rejected. In view of the foregoing:

1. Has a project ever been deemed ethically unacceptable and therefore modified, suspended or rejected? If so, how many times has this happened (please detail for each instance the reasons and specific concerns raised, the name of the entity that raised these concerns, the stage of the project when this occurred, and what final decisions and follow-up actions were taken and by whom)?
2. Can the Commission confirm which experts support it in conducting ethical screenings, including their full name, country of origin, area of expertise, affiliations and projects reviewed?

\* [https://www.europarl.europa.eu/doceo/document/E-9-2023-001898-ASW\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-9-2023-001898-ASW_EN.html)

3. Does the Commission ensure that projects funded under the EDF calls are in line with legal obligations under international law, in particular, that they are compliant with Article 36 of Additional Protocol I to the Geneva Conventions regarding the development of new weapons? If so, please outline the specific steps taken in this regard.

*Submitted: 13.6.2023*

**Answer given by Mr Breton on behalf of the European Commission**

*5.4.2024*

*Written question*

The Commission systematically screens proposals submitted to the European Defence Fund (EDF)[1] to identify if they raise serious ethical issues and, where appropriate, they are subject to ethics assessment. Following the assessment, recommendations or conditions may be imposed where appropriate to be implemented by the consortium.

Until now, none of the proposal having received a conditional ethics clearance following the ethics assessment were rejected, because they implemented the ethics recommendations or requirements during the grant agreement preparation.

The ethics review of EDF proposals is implemented with the support of independent ethics experts. They were selected based on their ethics expertise. In accordance with Article 26.2 of the EDF Regulation[2], the names of the experts are not disclosed.

The Commission ensures that projects funded under the EDF calls are in compliance with international law, notably with Article 36 of the Additional Protocol I to the Geneva Conventions[3] as required by the EDF Regulation.

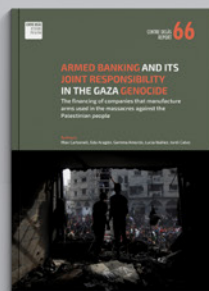
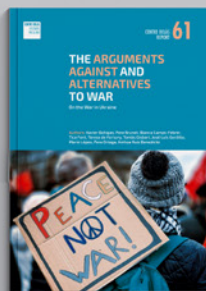
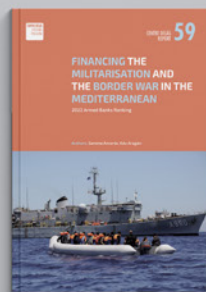
[1] [https://defence-industry-space.ec.europa.eu/eu-defence-industry/european-defence-fund-edf\\_en](https://defence-industry-space.ec.europa.eu/eu-defence-industry/european-defence-fund-edf_en)

[2] <https://eur-lex.europa.eu/eli/reg/2021/697/oj>

[3] [https://www.icrc.org/en/doc/assets/files/other/icrc\\_002\\_0321.pdf](https://www.icrc.org/en/doc/assets/files/other/icrc_002_0321.pdf)



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