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PROPOSAL

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
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To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2025) 847 final
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on establishing a framework of measures to facilitate the transport of military equipment, goods and personnel across the Union

Delegations will find attached document COM(2025) 847 final.

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EUROPEAN
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Brussels, 19.11.2025
COM(2025) 847 final

2025/0847 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on establishing a framework of measures to facilitate the transport of military equipment, goods and personnel across the Union

{SWD(2025) 847 final}

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

• Reasons for and objectives of the proposal

Military mobility is the ability of Member States' armed forces to swiftly move troops and equipment in the Union and across its external borders for military purposes. As an essential enabler for European security and deterrence, it underpins the Union's preparedness and readiness. Military mobility is vital for our European security and defence and capacity to react to natural and man-made disorders. The EU Member States' forces need to be able to carry out the military transport of equipment, goods and passengers in the Union and across its external borders, while minimising and mitigating the impact of such transport on civilian transport, and to respond quickly and with sufficient scale to crises erupting at the EU's external borders and beyond. Moreover, the Russian aggression against Ukraine demonstrates every day how important it is to move military aid and supply as quickly and smoothly as possible.

While important progress has been made, significant barriers to effective military mobility in the EU persist. Divergent national rules, fragmented procedures, and the absence of clear coordination continue to delay military transport. The EU's transport infrastructure is insufficiently adapted to dual-use needs and remains vulnerable to disruptions. Access to fuels for military transport operations remains a challenge. Dual-use transport capabilities that are critical for military transport operations remain scarce. These barriers expose critical vulnerabilities for the Union's transport network and undermine the EU's security stance, civilian protection operations, and deterrence capacity.

The Joint White Paper for European Defence - Readiness 2030 of March 2025[(1)] recognises the need to address the regulatory, infrastructure and capability hurdles to significantly improve military mobility. The Defence Readiness Roadmap 2030 of 16 October 2025[(2)] translates this into clear objectives and milestones, announcing a Military Mobility package in November 2025.

The European Council conclusions of 26 June 2025[(3)] also invited the Commission and the High Representative to present further proposals to strengthen military mobility, thereby allowing defence equipment and personnel to be moved efficiently across the Union.

The Regulation replies to these calls and forms part of the Military Mobility Package, with the Joint Communication on Military Mobility. It puts forward a comprehensive set of measures aiming at facilitating the transport of equipment, goods and personnel for military purposes, while minimising and mitigating the impact of such transport on civilian transport.

The Regulation entails a comprehensive set of measures aiming at:

(a) Streamlining cross-border military transport (establishing a uniform framework for permission procedures and ensuring uninterrupted and safe military transport);

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(1) JOIN(2025) 120 final - White Paper for European Defence – Readiness 2030.

(2) JOIN(2025) 27 final - JOINT COMMUNICATION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL - Preserving Peace - Defence Readiness Roadmap 2030.

(3) EUCO 12/25 - European Council meeting (26 June 2025) – Conclusions.

(b) Enhancing emergency response (creating an efficient, coordinated, and effective framework to facilitate military transport in response to temporary, extraordinary, and urgent situations);

(c) Improving infrastructure readiness and protection (setting out rules to enhance the readiness of dual-use transport infrastructure and better protect strategic dual-use infrastructure against all hazards and threats);

(d) Fostering solidarity and capability sharing (encouraging the sharing and pooling of transport and logistic capabilities through a Solidarity Pool and increasing visibility of existing transport capabilities for military transport).

- **Consistency with existing policy provisions in the policy area**

This Regulation, which focuses on the adaptation of dual-use transport infrastructure and equipment, as well as procedures to facilitate transport for military mobility purposes while minimising and mitigating the impact of such transport on civilian transport, is fully consistent and complementary with the progress that has been achieved so far to improve military mobility.

Since 2017, the EU has pursued a dedicated agenda to strengthen military mobility. A series of measures to tackle physical, procedural and regulatory barriers for military movements were proposed in two Action Plans on Military Mobility in 2018[(4)] and 2022[(5)]. In 2024, Member States committed in their ambitious Military Mobility Pledge[(6)] to address the remaining gaps in military mobility. Military mobility is also a "flagship area" of EU–NATO cooperation.

On regulatory aspects, efforts have been mainly focused on the cross-border military movement permissions. Here, the European Defence Agency (EDA) and contributing Member States have established Technical Arrangements to standardize cross-border movement permission procedures, aiming to simplify and harmonize these procedures. Although these arrangements represent a significant step forward, their implementation remains incomplete to truly facilitate seamless military transport.

On infrastructure, the revised 2024 TEN-T Regulation[(7)] commits Member States to integrate military mobility into European transport policy, aiming to create a dual-use network. To guide investments, the Council adopted four priority multi-modal military mobility corridors in 2025, enabling strengthened cooperation and coherent planning between Member States. Realizing a dual-use network requires significant investment. Under the 2021-2027 Multiannual Financial Framework (MFF), €1.69 billion was allocated to co-fund dual-use infrastructure through the Connecting Europe Facility (CEF)[(8)], supporting 95 projects across 21 Member States. However, demand substantially exceeded available resources, with the 3rd and final call for dual-use transport infrastructure projects under the CEF resulting in an

(4) JOIN/2018/05 JOINT COMMUNICATION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL on the Action Plan on Military Mobility.

(5) JOIN/2022/48 JOINT COMMUNICATION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL Action Plan on Military Mobility 2.0.

(6) Council Conclusions on EU Security and Defence, 27 May 2024, 9225/24.

(7) Regulation (EU) 2024/1679 of the European Parliament and of the Council of 13 June 2024 on Union guidelines for the development of the trans-European transport network. PE/56/2024/ADD/1.

(8) Regulation (EU) 2021/1153 of the European Parliament and of the Council of 7 July 2021 establishing the Connecting Europe Facility and repealing Regulations (EU) No 1316/2013 and (EU) No 283/2014 PE/52/2021/INIT.

oversubscription rate of 4.7[1]. 22 Member States applied to this call with 112 projects (for a total requested EU co-funding of EUR 3.7 billion, while eventually EUR 807 million was allocated to support 38 projects in 18 Member States. This, together with the increased urgency to reinforce EU defence prompted the Commission to propose a tenfold increase in the military mobility budget for the CEF proposal for the next 2028-2034 MFF[(9)]. Moreover in the next MFF, Member States can support the dual-use infrastructure investments, notably on TEN-T infrastructure, through their National and Regional Plans. Additionally in this MFF period, Member States can reallocate cohesion policy funds and use SAFE[(10)] instrument to finance dual-use projects. Finally, the European Investment Bank Group recently changed its lending policy on defence and plans to invest EUR 3.5 bn in 2025 in security and defence, including in defence infrastructure and military mobility.

Beyond regulatory aspects and infrastructure, progress has also been achieved on capability and digitalisation dimension, but also the development of necessary future transport equipment critical for military mobility. The EU has for instance supported projects on digital information exchange, outsized cargo airlift, and future air systems through the European Defence Fund (EDF)[(11)]. Horizon Europe[2], the EU's key research and innovation programme, has also supported research and innovation that indirectly supports military mobility, such as batteries, fuel cells, hydrogen technologies, high-capacity rail systems, and intelligent transport systems. The Commission proposal[3] for the next Horizon Europe Framework Programme may support military mobility more directly, as dual-use actions may be supported. Member States can also use the SAFE instrument to finance the procurement of military mobility capabilities. Under the next MFF, the Commission has proposed a specific component on Military Logistics Enablement and Support within the European Competitiveness Fund (ECF) proposal[(12)] including activities related to the digitalisation of military mobility processes, the procurement of products that improve the access to military mobility capabilities, the protection and resilience of dual-use infrastructure, and assistance to Member States in accessing required transport and logistic resources and equipment. The set up and functioning of the Solidarity Pool has notably been designed to work in consistency with the possible investments under ECF proposal aimed at improving the access to

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1 22 Member States applied to this call with 112 projects for a total requested EU co-funding of EUR 3.7 billion, while eventually EUR 807 million was allocated to support 38 projects in 18 Member States.

(9) COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS A dynamic EU Budget for the priorities of the future - The Multiannual Financial Framework 2028-2034 COM/2021/550.

(10) Council Regulation establishing the Security Action for Europe (SAFE) through the reinforcement of European defence industry Instrument (COM(2025) 122 final 2025/0122 (NLE), dated 19 March 2025).

(11) Regulation (EU) 2021/697 of the European Parliament and of the Council of 29 April 2021 establishing the European Defence Fund and repealing Regulation (EU) 2018/1092 PE/11/2021/INIT.

2 REGULATION (EU) 2021/695 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) no 1290/2013 and (EU) No 1291/2013.

3 Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing Horizon Europe, the Framework Programme for Research and Innovation, for the period 2028-2034 laying down its rules for participation and dissemination, and repealing (EU) 2021/695 COM/2025/543 final.

(12) Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on establishing the European Competitiveness Fund ('ECF'), including the specific programme for defence research and innovation activities, repealing Regulations (EU) 2021/522, (EU) 2021/694, (EU) 2021/697, (EU) 2021/783, repealing provisions of Regulations (EU) 2021/696, (EU) 2023/588, and amending Regulation (EU) [EDIP] COM/2025/555 final.

capabilities for military transport. The ECF InvestEU instrument can provide loans and guarantees for dual-use infrastructure.

This Regulation is entirely consistent with the progress, efforts, and proposals made to date. It will tackle key aspects that have not been adequately addressed so far in all three dimensions - regulatory, infrastructure, and capabilities. The Regulation is fully aligned with the financial investments foreseen under the next MFF and will work in tandem with them. For example, investments in infrastructure through the CEF will have a synergistic effect, facilitating military transport by increasing the availability of adapted dual-use infrastructure within the Union.

- **Consistency with other Union policies**

The Regulation is consistent with the Joint Communication of 26 March 2025 on the European Preparedness Union Strategy.[13] The latter calls for enhanced civil-military cooperation, with improved interaction between civilian and military actors, an approach that is at the heart of this Regulation which aims to improve the whole of society and whole of government approach when it comes to military transport operations.

The Regulation is also in line with the Communication of the Commission on “the EU stockpiling strategy: Boosting the EU's material preparedness for crisis".[14] The Regulation tables concrete measures to address the call made in this Communication to enhance cooperation and coordination to create adaptable policies and regulatory frameworks for cross-border movement in times of crisis and disruption, notably by simplifying procedures for moving and allocating resources across borders and providing targeted flexibility in transport Regulations. The provisions of this Regulation on the European Military Mobility Enhanced Response System (EMERS) are particularly consistent with the approach outlined in the EU stockpiling strategy.

The Regulation, by laying out the possibility to set up a Solidarity Pool of shared transport and logistic capabilities for the purposes of addressing the capability gaps faced by Member States when it comes to performing military transport operations, takes direct inspiration from the successful experience of the Commission with the European Civil Protection Pool and rescEU under the Union Civil Protection Mechanism[15].

In addition, while aiming to enhance the resilience of the strategic dual-use infrastructure, this Regulation builds on the existing Directive on the resilience of critical entities[17]. Among other, the Regulation addresses the specific need to enhance the resilience and protection of dual-use infrastructure strategic to military transport by introducing complementary rules that build on the above-mentioned existing directive, focusing on the identification and resilience of such transport infrastructure.

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(13) JOINT COMMUNICATION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS on the European Preparedness Union Strategy JOIN/2025/130.

(14) COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS EU stockpiling strategy: Boosting the EU's material preparedness for crises, COM(2025) 528 final.

(15) REGULATION (EU) 2021/836 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 20 May 2021 amending Decision No 1313/2013/EU on a Union Civil Protection Mechanism.

(17) Directive (EU) 2022/2557 of the European Parliament and of the Council of 14 December 2022 on the resilience of critical entities and repealing Council Directive 2008/114/EC PE/51/2022/REV/1.

Finally, while it proposes specific and ancillary provisions on customs procedures for military transport, strictly necessary to facilitate the implementation of the envisaged transport measures, this Regulation remains fully compatible with the proposed revision of the Union Customs Code[18], which lays down the customs rules and procedures in the EU customs territory.

2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY

- **Legal basis**

Member States' armed forces rely heavily on dual-use transport infrastructure and equipment to perform their military transport operations. By recognising this dual-use dimension, the common transport policy can be mobilised and developed to support the specific needs of military transport.

Further, rules on cross-border military transport need to be appropriately integrated and developed within the common transport policy, developed at Union level, in particular to take account of relevant specificities of transport carried out on behalf of the armed forces by civil companies, and also to ensure that its impact on other civilian transport is minimised and mitigated to the extent possible.

Taking into account the above, and also the fact that the Regulation includes measures applicable for road, rail and inland waterway transport, but also for air and sea transport, it is based on Articles 91 and 100(2) of the Treaty on the Functioning of the European Union (TFEU). It establishes a set of measures and lays down appropriate provisions aimed at facilitating military transport in the Union and across its external borders and minimising and mitigating the impact of such transport on civilian transport.

- **Subsidiarity (for non-exclusive competence)**

Military mobility in the EU refers to the ability of Member States armed forces to rapidly deploy troops and equipment in the Union and across its external borders for military purposes. Given its inherent transnational nature, military mobility is significantly impacted by the complexities of cross-border movement. By tackling the challenges associated with cross-border military transport, this Regulation aligns with the principle of subsidiarity, ensuring that decisions are taken at the most effective level to facilitate seamless and efficient military mobility across the EU.

On the regulatory side, despite national and intergovernmental efforts, progress in facilitating cross-border military transport has been insufficient. The current regulatory landscape is characterized by inconsistent and diverging national rules, resulting in a fragmented framework that hinders the efficient dual-use of transport infrastructure and therefore the transport of military personnel and equipment across borders while minimising and mitigating its impact on civilian transport. To address this issue, a unified regulatory framework at the Union level is necessary to establish a coherent and uniform approach to ensure dual-use of transport infrastructure for military movements. Furthermore, the rules governing cross-border military transport must be integrated and developed within the context of the common transport policy, which is established at the Union level.

On infrastructure, cross-border military transport operations inherently rely on dual-use infrastructure networks that span multiple Member States. The military mobility corridors

[18] Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code.

identified in 2025 are prime examples of this cross-border dimension. Consequently, the measures proposed in this Regulation to enhance the readiness and resilience of dual-use infrastructure are both necessary to ensure the seamless execution of cross-border military transport operations and in line with the principle of subsidiarity. In contrast, fragmented national approaches would be insufficient to achieve the objective of ensuring that cross-border military transport operations can be conducted on dual-use infrastructure that is fit for purpose.

When it comes to transport and logistic capabilities, Member States are confronted with significant gaps that are *de facto* difficult to bridge at the national level alone, either due to the substantial investment required or because addressing them individually would result in unnecessary duplication of efforts. This can hinder efficient military transport in the Union and across its external borders. To overcome this, several Member States have successfully implemented "pooling and sharing" initiatives for transport and logistical capacities, such as strategic air lift, demonstrating the potential of collaborative approaches. However, these initiatives are currently fragmented and limited to certain number of Member States. The proposed Regulation aims to build on these successes, making them accessible to all Member States and expanding their scope to include additional transport modes and capacities. By establishing a Solidarity Pool and introducing measures to enhance solidarity between Member States in accessing relevant capabilities, and with this addressing the capability gaps currently hindering military transport at Union level, the proposal respects the subsidiarity principle, by providing a Union-level solution to a cross-border challenge. This approach enables a more efficient and coordinated use of resources, ultimately benefiting all Member States.

Finally, while the European Court of Auditors[19] and stakeholder consultations underscored the necessity and relevance of EU-level action to address systemic barriers to military mobility, the pressing need to improve military mobility also made the EU intervention essential to deliver a coherent solution with the requisite speed and scale.

- **Proportionality**

The Regulation aims to facilitate and streamline military transport within the Union by promoting dual-use of civilian infrastructure and increased coordination among Member States. To achieve this objective, the proposed measures are carefully calibrated to be proportionate to the needs of the Regulation, striking a balance between streamlined rules and procedures for military transport and the primary responsibility of Member States regarding military mobility. The Regulation does neither affect the sovereignty of Member States to decide whether to move their military forces within the Union nor to grant permission for another Member State's armed forces to transit through their territory. Instead, it seeks to enable the effective implementation of such sovereign decisions, thereby enhancing the overall efficiency of military mobility. By adopting a proportionate approach, the Regulation ensures that military transport is facilitated while fully respecting the sovereignty of Member States.

In addition, the Regulation strikes a careful balance between facilitating military transport operations and mitigating their impact on civilians, thereby ensuring a proportionate approach. The proposed rules aim to clarify the regulatory framework for civilian operators contracted by Member States' armed forces, which account for most military transport operations in the Union. Also, by distinguishing between normal military transport rules and

[19] European Court of Auditors Special report 04/2025 - EU military mobility - Full speed not reached due to design weaknesses and obstacles en route.

the emergency measures entailed under EMERS, the Regulation adopts a graduated and progressive approach, reserving intrusive and far-reaching measures for situations that genuinely require them. This targeted approach minimises the impact on the civilian sector, limiting it to what is strictly necessary to accommodate increased military transport operations in the Union. Furthermore, the measures enhance predictability for civilian activities and provide opportunities for the civilian sector to contribute actively to improving military mobility in the Union, fostering a collaborative and mutually beneficial environment.

- **Choice of the instrument**

The Commission proposes a Regulation of the European Parliament and of the Council. This is the most suitable legal instrument as only a Regulation, with its uniform application, binding nature and direct applicability, can provide the necessary degree of uniformity needed to significantly facilitate and streamline military transport. In addition, this is in line with Articles 91 and 100(2) of the Treaty on the Functioning of the European Union, which set out the ordinary legislative procedure to be used to adopt measures in their respective fields of application.

The choice not to select the option of a Directive can mainly be explained by the fact that the latter necessarily entails a transposition period by Member States, requiring time and efforts that were incompatible with the pressing timeline by which the Union must improve military mobility, as outlined in the Joint White Paper for European Defence - Readiness 2030.

3. RESULTS OF EX-POST EVALUATIONS, STAKEHOLDER CONSULTATIONS AND IMPACT ASSESSMENTS

- **Ex-post evaluations/fitness checks of existing legislation**

This proposed Regulation is a new policy initiative. There has been no existing legislation on cross-border military transport of military personnel and goods at EU level so far.

- **Stakeholder consultations**

To collect qualitative and quantitative data and feedback on key issues of the Military Mobility Package 2025 a targeted stakeholder consultation for the Military Mobility Package was conducted. Launched on 12 June 2025 by the European Commission in collaboration with the High Representative, it addressed Member States and all relevant actors including NATO, relevant PESCO projects, military mobility areas, industry, transport infrastructure and assets managers, customs and energy sector stakeholders and the financial sector among others. This targeted stakeholder consultation encompassed a dedicated online survey and possibility to submit position papers and written contributions until 31 July 2025. The European External Action Service and the European Commission services also conducted bilateral meetings with Member States in September 2025.

In total, the Commission received 107 contributions to the survey, of which 39 from Member States and 2 from Norway, 36 from companies, 12 from industry associations, 4 from other organisations. Other contributions included 12 from port authorities, 1 from rail authority and 1 representing workers. With regards to sectors represented, where possible to provide a specific allocation, 6 originated from air sector, 3 representing customs authorities, 1 from energy sector, 21 from rail sector, 2 from road sector and 18 from sea domain. 76 position papers were also received in the consultation, 7 from Member States and 69 from industry, think tanks, and other organisations. Input was also received from NATO.

The bilateral meetings with the Member States provided an opportunity to further discuss and deepen the understanding of the written contributions provided and present the aggregate results of the stakeholder survey to Member States.

- **Collection and use of expertise**

Not Applicable

- **Impact assessment**

There is an urgent need to improve military mobility as part of the broader strategic objective of enhancing the European defence-readiness, as highlighted in the Strategic Compass of 2022[20] and the Joint White Paper for European Defence - Readiness 2030. In view of the urgency of the security context, and the urgent need to facilitate military transport in view of the geopolitical environment, the proposal is exceptionally presented without an accompanying impact assessment.

However, the Commission proposal for a Regulation is accompanied by a Staff Working Document providing a factual description of the rationale for EU-level intervention, to demonstrate the EU's capacity to bring added value through its regulatory, budgetary, and coordinating actions, and to prepare the ground for the adoption of the Military Mobility Package itself. This ensures that the new proposal is supported by a structured analysis of the problems, objectives, and options available.

- **Regulatory fitness and simplification**

The overall objective of the Regulation is also to facilitate and streamline rules on military transport, thereby it is expected to decrease the administrative burden, notably for the handling of cross-border military transport permissions and related procedures by Member States.

- **Fundamental rights**

This proposed Regulation fully aligns with the Charter of Fundamental Rights of the European Union (the "Charter"). The proposal respects the freedom of movement of persons and goods, as enshrined in the Charter. While this Regulation does not undermine the powers of the Member States to grant cross-border military transport permissions during peacetime, the Regulation establishes procedural and legal frameworks to ensure Member States apply these decisions in a manner consistent with the principles of fair proceedings (Article 47 of the Charter) and good administration (Article 41 of the Charter).

Facilitating military mobility can contribute to minimise the impact of civil transport and therefore safeguarding fundamental rights of EU citizens.

Article 8 of the Charter provides the right to protection of personal data. Where the foreseen sharing of information on dual-use capabilities (e.g., infrastructure) with military authorities may involve personal data (e.g., owner/operator names), any processing of personal data must comply with EU data protection law (in particular Regulation (EU) 2016/679 and Regulation (EU) 2018/1725) to balance operational needs and privacy.

Article 17 (1) of the Charter provides the right to property, laying out that everyone has the right to own, use, dispose of and bequeath his or her lawfully acquired possessions.

However, to facilitate military mobility within the EU, this Regulation requires that Member States establish or have in place a framework enabling the temporary control/right of use for

[20] A STRATEGIC COMPASS FOR SECURITY AND DEFENCE (2022).

infrastructure, assets, or equipment, to ensure the uninterrupted continuity and effectiveness of their military transport operations, as well as to allow the use of such temporary control measures to support the military transport operations of other Member States, upon request. This must be in line with Article 17 (1), which contains exemptions to the right of property, when it is in the public interest and in the cases and under the conditions provided for by law, subject to fair compensation being paid in good time for their loss. This Regulation foresees that owners, operators and managers of infrastructure, assets, or equipment subject to a temporary control measure shall not be unfairly burdened and shall be appropriately compensated for expenses incurred and damages suffered, because of such measures.

Any limitation of right to property in this proposal will, in accordance with Article 52(1) of the Charter, be provided for by law, respect the essence of those rights and freedoms, and comply with the principle of proportionality.

4. BUDGETARY IMPLICATIONS

The budgetary impact of this initiative is limited to appropriations for human resources to carry out the tasks and objectives under this Regulation and the necessary IT system developments to support databases development and maintenance. Human resources will be needed across Commission services (DG MOVE, DG DEFIS, DG TAXUD, DG ECHO) to ensure the adoption of the necessary implementing and delegated acts, to meet the Commission's new responsibilities and to implement the actions and tasks under this Regulation (in particular relating to the Military Mobility Transport Group, Solidarity Pool and Digital Information System, the implementation of the military mobility corridors and the strategic dual-use infrastructure with increased responsibilities for the TEN-T Committee, and the simplification and digitalisation of customs formalities). The required budget in human resources to perform these tasks is estimated to amount to EUR 53.7 million from which EUR 4.5 million in the budgetary period 2021 – 2027.

Human resource needs are also expected in decentralised agencies. The Commission will be assisted by EASA in implementing the provisions of the Regulation related to aviation, notably for the rule development of unmanned aircraft systems, the delivery of new military mobility capabilities by facilitation of innovative dual drones, manned aircraft and Counter-UAS (C-UAS) systems harmonised technical rules and guidance for Counter-UAS systems harmonised technical rules and guidance to facilitate air military mobility and interoperability with civil aviation. The Commission will be assisted by the European Union Agency for Railways (ERA) in implementing the provisions of the Regulation related to rai, notably (i) the contribution to discussions related to military requirements for rail infrastructure and assets, (ii) the integration of existing military standards into the technical specifications for interoperability to make them enforceable, as appropriate, (iii) the harmonisation of operational (safety) and technical rules for military transport, (iv) additional authorisation tasks related to dual-use vehicles, including as Registration Entity, and (v) the adaptation of existing registers and tools, including the European Vehicle Register. The required budget to perform these tasks across both agencies is estimated to amount to EUR 17.5 million from which EUR 2.6 million in the budgetary period 2021 – 2027.

The digital investments related to this initiative, in particular for the Solidarity Pool and other required IT tools, are estimated to amount to EUR 2.5 million.

The indicative budget under the next MFF is without prejudice to the outcome of the negotiations on the next MFF.

5. OTHER ELEMENTS

- **Implementation plans and monitoring, evaluation and reporting arrangements**

Monitoring of implementation will be carried out in cooperation with Member States to ensure that competent authorities implement the requirements of the proposed Regulation effectively and consistently. To this end, the proposal requires Member States to establish National Coordinator for Cross-Border Military Transport and establishes of a Military Mobility Transport Group consisting of Member States' representatives, who will meet regularly to consider, *inter alia*, questions relating to the implementation of parts of the Regulation. The monitoring of transport infrastructure related aspects, notably with regard to the military mobility corridors and the identification of strategic dual-use infrastructures will be done through the TEN-T Committee.

Stress tests may be conducted by the Commission, in collaboration with Member States and relevant EU bodies, to test and evaluate the effectiveness of the whole-of-government approach in implementing this proposal's objectives, including the coordination and cooperation among relevant bodies, authorities, and stakeholders, as well as to test the implementation of this Regulation's objectives in a specific geographical area, such as a specific military mobility corridor or European border regions of a Member State with a third country, or in a specific sectorial area, such as customs.

The Commission will undertake an evaluation of this Regulation no later than three years after its entry into force to assess the actual impacts and evaluate its efficiency and effectiveness and the extent to which its results are consistent with the objectives. The Commission will communicate the results of this evaluation to the European Parliament and the Council.

- **Detailed explanation of the specific provisions of the proposal**

Not Applicable

2025/0847 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on establishing a framework of measures to facilitate the transport of military equipment, goods and personnel across the Union

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91 and Article 100(2) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee[(1)],

Having regard to the opinion of the Committee of the Regions[(2)],

Acting in accordance with the ordinary legislative procedure,

Whereas:

(1) The Commission and the High Representative presented a Joint White Paper for European Defence - Readiness 2030[(4)] on 19 March 2025, highlighting that military mobility was an essential enabler for European security and defence and our support to Ukraine. The Joint White Paper indicated that although significant progress had been made in recent years, considerable obstacles to moving troops and equipment unhindered across the Union remained unaddressed.

(2) In the European Council conclusions of 26 June 2025[(3)], the Heads of State or Government invited the Commission and the High Representative of the Union for Foreign Affairs and Security Policy to present further proposals to strengthen military mobility, thereby allowing defence equipment and personnel to be moved efficiently across the Union.

(3) Military transport operations through the dual-use of civilian infrastructure and mobile assets in the Union and across its external borders should be facilitated, while limiting and mitigating the impact of such operations on civilian transport. This is to be without prejudice to the Member States' responsibility for safeguarding national security and defence and their power to safeguard other essential State functions, including ensuring the territorial integrity of the State and maintaining law and order.

(4) In the past, the transport of military goods and equipment was mainly, if not solely, undertaken by the armed forces directly, and such transport was in most Member States exempted from the Union rules on goods transport. However, the armed forces

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(1) OJ C [...], [...], p. [...].
(2) OJ C [...], [...], p. [...].
(4) JOIN(2025) 120 final - White Paper for European Defence – Readiness 2030.
(3) Conclusions of the European Council, EUCO 12/25, 26 June 2025.

increasingly subcontract their transports to commercial carriers. There is a need to ensure that the same rules apply through the Union in the area of military transport, whether military transport operations are directly performed by the armed forces of the Member States of the Union, and whether they are carried out on their behalf by civilian companies or other contractors engaged by those armed forces.

(5) Cross-border military transport performed directly by the armed forces is hindered by the fact that the Union rules on transport have not set out specific measures to take into consideration the particularities of such transport, which is thus subject to different national rules, and fragmented procedures. Those national requirements are stricter than those applicable to civilian transport operations. Administrative rules (e.g. diplomatic clearance) are often complex and/or paper-based across Member States (e.g. customs). That causes delays, inefficiencies, and bottlenecks and hampers military transport. The Union lacks a uniform framework to ensure and support military transport across its territory and beyond. Such a framework is critical to ensure seamless military transport under any circumstances, and particularly in situations necessitating the swift and large-scale transport of military persons, goods and equipment.

(6) To facilitate the transport of equipment, goods and persons for military or civil protection, there is in particular a need for a comprehensive Union-wide framework for permissions granted by a receiving Member State for military transport operations carried out on its territory by or on behalf of the armed forces of a requesting Member State. While current Technical Arrangements for cross-border movement permission procedures have been developed by the European Defence Agency ('EDA') and by some Member States, they are applied on a voluntary basis and unevenly implemented. That creates gaps in the harmonisation of rules and procedures on military transport, results in operational uncertainty, administrative burden and puts at risk the Union's capacity of intervention in civil protection as well as its overall preparedness. In order to address those issues, cross-border military transport permissions should be streamlined for all transport modes (road, rail, inland waterway, air and sea). All Member States should apply the same procedures for administrative authorisations and diplomatic clearances, thereby significantly reducing delays, administrative burden and administrative costs. Building on the existing annual permissions under the EDA's Technical Arrangements, it is necessary to increase both predictability and operational readiness by creating a standing military transport permission which should be valid until revoked.

(7) Standing military transport permissions should not be tied to any specific military transport operation, but should constitute pre-authorised permissions for cross-border military transport and should cover pre-defined types of military transport operations. When granting standing military transport permissions for military transport operations, Member States should be able to agree on pre-conditions under which those operations are to be carried out, including applicable traffic arrangements and pre-defined routes, in order to facilitate permitted transport operations requiring traffic arrangements using the available dual-use infrastructure.

(8) To ensure more transparency and operational coherence in the management of dual-use transport infrastructure, Member States should coordinate as much as possible in advance, in line with the 2024 Military Mobility Pledge[(7)], which emphasises

[(7)] Council Conclusions on EU Security and Defence, 27 May 2024, 9225/24.

multilateral and bilateral coordination mechanisms to harmonise procedures and improve efficiency along main corridors. Therefore, Member States situated along the same military mobility corridor should be able to align their standing military transport permissions, and should be able to coordinate in advance those pre-planned arrangements and pre-defined routes. Where a military transport operation crosses several Member States, the requesting Member State should simultaneously submit the notification to all involved Member States that granted standing military transport permissions to that Member State.

(9) The scope of the standing military transport permission should be specified in order to cover at this stage only simple military transport operations, while providing for the possibility to be extended in the future in order to cover more complex military transport operations. That process should go hand-in-hand with an investment effort to adapt and upgrade infrastructure of the military mobility corridors, enhanced coordination on pre-defined routes for all kind of military transport operations and a reinforced access to transport capabilities.

(10) *Ad hoc* military transport permissions are necessary to carry out military transport operations in the absence of a standing permission or when they fall out of the scope of an existing standing permission and should mainly apply for short notice, unplanned military transport operations that go beyond the agreed scope of standing permission, in line with the 2024 Military Mobility Pledge in which Member States committed to grant cross-border movement permissions within a maximum of three working days.

(11) In addition to permissions, certain cross-border military transport operations require traffic arrangements. Such arrangements can relate to the routes for the safe transport of abnormal military cargo or dangerous goods, the escorts to accompany military transport operations, the necessary Host-Nation-Support in the context of a military transport operation, or other transport mode-specific traffic safety measures or requirements that go beyond ordinary rules, such as limited access to rail track crossings, blocked roads, or restricted airspace. In addition, in the rail sector, the rail infrastructure manager also needs to allocate an individual train path and give specific authorisation for exceptional transports, while railway undertakings need to carry out route compatibility and train composition checks required for a military transport operation. Such traffic arrangements and path allocations help minimise adverse impacts on civilian transport activities. Common procedures and deadlines for requesting and granting traffic arrangements, including the coordination with infrastructure managers, are needed to harmonise and streamline processes and reduce delays and disruptions. Traffic arrangements established under this Regulation should be without prejudice to other operational procedures or requirements that may be applicable under Union or national legislation for carrying out the concerned military transport operations.

(12) It is necessary to streamline procedural formalities and provide templates for military transport requests and notifications in order to avoid delays, inefficiencies and operational bottlenecks. Any request and notification for a military transport permission, including for the military transport of dangerous goods and abnormal military cargo, should be made by Member States using the template set out in Annex II to this Regulation. All requests and notifications linked to a single military transport operation should be combined into a single permission request or a single notification. No additional forms should be required by any Member State. That should be without prejudice to the applicable Union customs rules, in particular to the EU and NATO

forms 302. Any communication between Member States linked to requests and notifications of military transport operations and traffic arrangements should be transmitted through the respective National Coordinator for Cross-Border Military Transport.

(13) In order to ensure uniform conditions for the implementation of this Regulation, and in line with the 2024 Military Mobility Pledge's objective to develop and apply digitalised and harmonised procedures where possible, implementing powers should be conferred on the Commission to establish a secure and restricted Military Mobility Digital Information System to be deployed by 2030. Once this system is deployed all Member States should make use of it for all military transport permission, traffic arrangements and for customs formalities for cross-border military transport related to EU form 302. As to the customs formalities related to EU form 302, the system should be in accordance with relevant Union customs legislation, including the common data requirements constituting the EU Customs Data Model.

(14) Military transport operations should be conducted without undue disruption at the internal border crossings, within the customs territory of the Union, in a way that limits bottlenecks for civilian transport. During the escort of military transport, the flagging of vehicles, and the handling of weapons and ammunition are needed to guarantee both safety and efficiency, and controls at the border could introduce delays that could jeopardise the timeliness of military transport operations. Any necessary control measures should only be conducted at the first planned stop after the internal border of a Member State.

(15) Some international agreements already apply to the transport of dangerous goods by or for the armed forces. However, such transport is to a great extent subject to the relevant national rules and permit systems of the Member States. This creates delays and unnecessary administrative burdens. Therefore, the military transport of dangerous goods within the Union by or for the armed forces should be allowed, provided that the same requirements as set out in the relevant international agreements and regulations on the transport of dangerous goods are complied with. In addition, in cases where a NATO Ally that is not a Member State and that is not a party to these agreements is treated as equivalent to a requesting Member State in accordance with this Regulation, it should also be able to carry out military transport of dangerous goods in the Union if it complies with the relevant NATO rules or, if no NATO rules apply, with its applicable national rules, as appropriate.

(16) It is necessary to ensure that the road transport of abnormal military cargo that exceeds the maximum weights or dimensions set out in Council Directive 96/53/EC[(8)] is permitted, subject to the necessary traffic arrangements, if any, and provided that they carry an indivisible load.

(17) While most Member States grant some exemptions to military transport operations from weekend and holiday travel bans, and similar periodic traffic restrictions, those exemptions differ significantly across the Union. There is therefore a need to introduce a general exemption from such time-based traffic restrictions, in order to ensure that

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(8) Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic (OJ L 235, 17.9.1996, p. 59, ELI: http://data.europa.eu/eli/dir/1996/53/oj).

military transport operations are carried out swiftly and smoothly throughout the Union also during those periods.

(18) Traffic restrictions applied on specific road sections and based on the environmental performance of vehicles can pose in some circumstances a disproportionate burden on military transports performed directly by the armed forces. That is because military road vehicles are often significantly heavier than civilian road vehicles, meaning there are less zero- or low emission alternatives. In addition, the renewal of such heavy military road vehicles is slower than that of the civilian fleet. For those reasons, military transport carried out directly by the armed forces should be exempted from traffic restrictions applied on specific road sections based on the environmental performance of vehicles.

(19) Cabotage operations by road in the Union are restricted under Regulation (EC) No 1072/2009 of the European Parliament and of the Council[(9)]. While military transport operations done by the armed forces are excluded from those restrictions, this is not the case for those carried out by contracted civilian hauliers. To facilitate military transport, it is necessary to give Member States the possibility to exempt military transport operations carried out by civilian operators from those restrictions where necessary to facilitate military transport.

(20) Avoidable delays and unnecessary administrative burden in the transport of goods in the context of military transport operations often stem from an insufficient use by the operators of the facilitations provided for by the Union customs legislation, as well as, to a lesser extent, a divergent national application of Union customs rules. These can also create important bottlenecks that negatively impact civil transport operations. To streamline and simplify customs formalities for cross-border military transport of goods, the Union developed the EU form 302, designed to simplify customs procedures for such military goods. The EU and NATO forms 302 should constitute the standard method for completing relevant customs formalities, unless military authorities in charge of the respective operation otherwise indicate their preference for the submission of standard customs declarations. Member States should support and encourage the use of EU and NATO forms 302. To reinforce the effective implementation of these forms, operators, should use them by default, unless their use is explicitly waived by the military authorities in charge of the respective operation in favour of submitting a standard customs declaration. Where controls are required, they should be prioritised to balance operational needs with risk management, in accordance with Union customs legislation.

(21) Regarding military transport permissions, traffic arrangements, templates, the digital system, transport rules for the uninterrupted transport of military equipment and personnel, the military transport of dangerous goods and abnormal military transport and other rules in relation to holiday traffic bans and cabotage, Member States that are members to NATO should treat any of the NATO Allies as equivalent to requesting Member States in the context of NATO operations, with the exception of rules and provisions related to customs formalities and the related digitalisation of EU form 302. The equivalent treatment laid down in this Regulation shall not put in jeopardy the security and defence interests of the Union and its Member States. This Regulation is

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(9) Regulation (EC) No 1072/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market (OJ L 300, 14.11.2009, p. 72, ELI: http://data.europa.eu/eli/reg/2009/1072/oj).

to be without prejudice to the application of the Agreement between the Parties to the North Atlantic Treaty regarding the Status of their Forces (NATO SOFA), signed in London on 19 June 1951, by Member States that are parties to the North Atlantic Treaty Organisation (NATO).

(22) As highlighted in the Action Plan on Military Mobility 2.0[10] a Union framework is needed to facilitate large-scale and accelerated transport of military personnel and equipment when needed in exceptional circumstances. To that end, a European Military Mobility Enhanced Response System ('EMERS') should be established to provide for temporary and extraordinary Union-wide measures to ensure timely and uninterrupted military transport across the Union in such circumstances, while minimising civilian traffic disruption.

(23) EMERS should be activated by the Council where an existing or expected increase in the volume, frequency, or speed of military transport in the Union cannot be met under the normal Union transport rules or due to the capacity of the Union's transport network. Such an increased need for military transport could be caused, *inter alia*, by a deterioration in the Union's security environment, or natural or human-made crises that would necessitate an involvement of armed forces, affecting the Union as a whole or part of it, or by threats in third countries.

(24) The activation of EMERS should be initiated on the Commission's own initiative or upon a reasoned request from at least one Member State. Before submitting a proposal to the Council for the activation of EMERS, the Commission should use all expertise available and collect any relevant information to assess the risk of a significant increase in volume, frequency or speed of military transport within the Union, including through liaising with the High Representative for Foreign Affairs and Security Policy and NATO.

(25) When the Commission determines that the activation of EMERS is justified, it should propose such activation to the Council. After receiving this request, the Council should be able to activate EMERS no later than 48 hours after receiving the activation request, by adopting an implementing act specifying the duration of the application of EMERS, which should not exceed 12 months. The implementing act should also specify which effects of the provisions are to be extended by Member States that are parties to the North Atlantic Treaty to military transports by parties to the North Atlantic Treaty that are not Member States, without prejudice to relevant customs formalities. When the Council decides to extend certain provisions to Allies, it should take into account notably operations, missions and exercises that are commonly agreed within NATO and that relate to the causes of EMERS, and respect security and defence interests of the Union and its Member States. The conferral of these powers to the Council is justified by the sensitive nature of the decision to activate EMERS and the special nature of the emergency measures to be applicable under that mechanism.

(26) During the period of activation of EMERS, the Commission should be able to convene meetings of the extraordinary Military Mobility Transport Group, comprising of representatives of the Commission, the European External Action Service ('EEAS'), including the European Union Military Staff, the EDA and the Member States (representing their governments) and should ensure close coordination with Member States. Member States should promptly inform the Commission of national measures

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(10) JOINT COMMUNICATION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL on the Action Plan on Military Mobility. JOIN/2018/05.

taken in response to EMERS activation, fostering operational coherence and solidarity. The EMERS framework should work in synergy with the emergency frameworks established under IMERA and [EDIP]. In case of activation of EMERS due consideration should be given to the [EDIP] supply crisis state and security-related supply-crisis state and the IMERA Emergency Mode, in particular when it is active, in order to assess the impact on the Single Market, and to determine whether it can serve to complement the military transport operations, notably by ensuring the free-movement of workers.

(27) In order to facilitate military transport, specific rules relating to transport should apply during the period of activation of EMERS. Military transport operations should be deemed to be automatically permitted by receiving Member States. Requesting Member States should only notify receiving Member States of a planned military transport operation as early as possible and at the latest six hours before the scheduled time of arrival at the border crossing point of the receiving Member State. Notifications should include all relevant details, and, where applicable, the request for Host-Nation-Support or other traffic arrangements, to enable receiving Member States to prepare effectively. Where the receiving Member State requires traffic arrangements, these should be determined in due time to ensure that the transport operation can take place according to schedule, ensuring rapid coordination, balancing military readiness with the need for timely and predictable cross-border operations, which helps to minimise disruptions of civilian traffic. To the extent that this Regulation may have indirect consequences on the security and defence policy of certain Member States, it provides rules to cater for specificities of those Member States' security and defence regimes.

(28) The Council Conclusions on EU Security and Defence[(11)] of 27 May 2024 pledged to ensure that, by 2026 at the latest, a priority access or traffic in emergency or crisis situations may be granted for rail military transport. Priority access for rail or air military transport may be granted under provisions on crisis or emergency under Regulation [Rail Capacity Regulation proposal] of the European Parliament and of the Council[(12)] and under Regulation (EC) No 1008/2008 of the European Parliament and of the Council[(13)], respectively. However, more specific rules granting priority access, covering all modes of transport and better suited to EMERS, are needed. It is therefore necessary to introduce a horizontal priority access right for the armed forces to transport networks and infrastructure, and related services and facilities, across all modes of transport. Due to the exceptional nature of EMERS and in order to limit the financial burden on the armed forces, no compensation should be due by the armed forces to transport users that are affected by such priority access, for instance because their train is delayed, or they cannot dock at a specific port terminal. In view of these potentially severe and costly consequences for other transport users, priority access for the armed forces is considered justified only where EMERS is activated.

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(11) Council Conclusions on EU Security and Defence - 9225/24.

(12) Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the use of railway infrastructure capacity in the single European railway area. [Rail Capacity Regulation proposal].

(13) Regulation (EC) No 1008/2008 of the European Parliament and of the Council of 24 September 2008 on common rules for the operation of air services in the Community (OJ L 293, 31.10.2008, p. 3, ELI: http://data.europa.eu/eli/reg/2008/1008/oj).

(29) During the period of activation of EMERS, where the requirements laid down in international agreements are applicable to the military transport of dangerous goods under this Regulation, Member States should be allowed, with the exception of customs formalities to exempt military transport of dangerous goods from any of those requirements. When doing so, they should not impose additional national rules. They should also coordinate such exemptions in order to ensure that military transport operations are subject to consistent rules as regards the transport of dangerous goods.

(30) In normal situations, the cargo to be transported should not exceed the maximum applicable weights and dimensions, namely for reasons of road safety, unless the cargo is indivisible. However, during the period of activation of EMERS, it may be necessary to transport significant loads in a quick and effective manner, due to the emergency situation. Therefore, during this period, the transport of abnormal cargo should be permitted even if the load is not indivisible.

(31) During the period of activation of EMERS, Member States need to have access to necessary transport and logistical capabilities to execute their military transport operations. Therefore, Member States should be able to benefit from increased support in this regard. The ability of the Commission to assist Member States in accessing those capabilities is also necessary to ensure the effective execution of military transport operations. The Military Mobility Transport Group should be able to identify specific transport capabilities registered in the Solidarity Pool that are urgently needed by certain Member States. In such cases, sharing and coordination efforts under the Solidarity Pool should focus on supporting those priority requests, ensuring that the required capabilities are made available in a timely and efficient manner.

(32) During the period of activation of EMERS, more military transport operations involving cabotage may be needed. Member States should therefore exempt all military transport of equipment, goods and personnel from cabotage restrictions during that period.

(33) Union rules on driving times, breaks and rest periods for road transport as laid down in Regulation (EC) No 561/2006 of the European Parliament and of the Council[(35)] are important to ensure traffic safety and the health and well-being of transport workers. While traffic safety remains essential during the period of activation of EMERS, the limitations that those rules impose on military transport operations can cause critical delays. Therefore, during that period, military transport by road should benefit from less restrictive rules, without compromising workers' welfare and the safety of the transport.

(34) Directive (EU) 2016/797 of the European Parliament and of the Council[(14)] sets out that before a railway undertaking uses a vehicle on a given network, the railway undertaking should check if the vehicle has been authorised for this area of use and is duly registered. During the period of activation of EMERS, due to higher volumes and frequency of military transport operations, dual-use rail vehicles could be needed outside their specified authorised areas of use. Therefore, railway undertakings should

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(35) Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85 (OJ L 102, 11.4.2006, p. 1, ELI: http://data.europa.eu/eli/reg/2006/561/oj).

(14) Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system within the European Union (recast) (OJ L 138, 26.5.2016, p. 44, ELI: http://data.europa.eu/eli/dir/2016/797/oj).

be able to use them outside those areas, provided that safety is assured via other mechanisms.

(35) Union and national rules restricting traffic on the basis of noise, air quality and other environmental criteria support the Union's objectives of reducing the environmental impact of the transport sector and ensuring the wellbeing of citizens. However, in emergency cases where a higher volume and frequency of military transport operations are needed for overriding reasons of public security, those rules can lead to disproportionate restrictions and delays of such transport. During the period of activation of EMERS, military transport should be exempted from road traffic restrictions based on the environmental performance of vehicles and from restrictions based on air quality and noise control put in place at ports and airports.

(36) Regulation (EU) 2017/625 of the European Parliament and of the Council[(15)] lays down rules for the performance of official controls by the competent authorities of the Member States to verify compliance with Union legislation in certain areas, including food and feed safety and animal health. In particular, Regulation (EU) 2017/625 requires that certain categories of animals and goods from third countries are presented at a border control post for official controls upon first entry into the Union to verify compliance with Union requirements relating among others to public health and animal health.

(37) Regulation (EU) 2017/625 does not provide for specific mechanisms for expedited or waived official controls in emergency situations that justify the rapid entry of relevant goods into the territory of the Union. During the period of activation of EMERS, the requirement to perform mandatory border controls provided for in Regulation (EU) 2017/625 risks causing delays incompatible with the urgent and seamless military transport of food, feed and dogs. To ensure rapid and unhindered military transport when EMERS is activated, a derogation from official controls at border controls posts required under Regulation (EU) 2017/625 is necessary with respect to food and feed supplies and military dogs entering the Union.

(38) To ensure rapid and unhindered military transport within the Union in situations when EMERS is activated and to avoid bottlenecks that could negatively impact civil transport, customs procedures should be managed by activating the protocols and procedures prepared by the European Union Customs Authority, in consultation with the Commission, and the customs crisis management mechanism set out in Regulation [customs reform][(16)] .

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(15) Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (OJ L 95, 7.4.2017, p. 1, ELI: http://data.europa.eu/eli/reg/2017/625/oj).

(16) Proposal for a Regulation of the European Parliament and of the Council establishing the Union Customs Code and the European Union Customs Authority, and repealing Regulation (EU) No 952/2013.

(39) The EU priority military mobility corridors as set out in the Council 'Military Requirements for Military Mobility within and beyond the EU'[4] are an instrument to facilitate the coordinated implementation of the parts of the trans-European transport network that are of particular military value. They are intended, in particular, to ensure the smooth movement, across the Union and beyond, of military troops and materiel. By focusing on the most urgent investments in dual-use infrastructure along those corridors, and in particular on targeted short-term investments ('hotspots'), Member States can upgrade those corridors rapidly, and in a coordinated and synchronised manner.

(40) In addition, those corridors provide the basis for Member States and rail infrastructure managers or national aviation authorities to pre-agree on designated routes and supporting facilities, in particular for the military transport of dangerous goods and for abnormal military transport, and on predefined cross-border air connections, or connectivity points. Such pre-agreed or pre-arranged routes should be established to significantly reduce the time needed for processing traffic arrangements.

(41) The Union transport system relies on the development of traffic measures and technical requirements that are built with the view of ensuring and improving safety and reliability. Those objectives serve in a similar way military transport that uses the dual-use infrastructure as well as the resilience and security of the transport systems.

(42) Directive (EU) 2022/2557 of the European Parliament and of the Council[(17)] requires Member States to identify critical entities that provide essential services across eleven key sectors in the Internal Market, with a view to enhancing the resilience of those critical entities against all hazards, and accounting for both natural and man-made risks. Under Directive (EU) 2022/2557, Member States must also ensure that critical entities take measures to enhance their resilience. In addition, there may be certain dual-use transport, energy and ditigal infrastructure that are critical for military transport, and notably the infrastructure that is located on or along the EU military mobility corridors. This infrastructure has a strategic value that goes beyond national borders. Such strategic dual-use infrastructure ('SDI') should therefore be identified and protected by Member States due to its strategic importance under the coordination of the Commission.

(43) Such SDI should therefore be protected against all hazards, to enhance their resilience and to ensure their effective operation at all times, by Member States and their owners, operators and managers alike. As a minimum, the obligations for critical entities stemming from Directive (EU) 2022/2557 and the requirements for essential and important entities stemming from Directive (EU) 2022/2555 of the European Parliament and of the Council[5] should be complied with by the owners, operators and

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4 ST10440, ADD1, Council 'Military Requirements for Military Mobility within and beyond the EU' approved by the Council on 26 June 2023 and 23 October 2023 and any subsequent amendments thereof as approved by the Council.

(17) Directive (EU) 2022/2557 of the European Parliament and of the Council of 14 December 2022 on the resilience of critical entities and repealing Council Directive 2008/114/EC (OJ L 333, 27.12.2022, p. 164, ELI: http://data.europa.eu/eli/dir/2022/2557/oj).

5 Directive (EU) 2022/2555 of the European Parliament and of the Council of 14 December 2022 on measures for a high common level of cybersecurity across the Union, amending Regulation (EU) No 910/2014 and Directive (EU) 2018/1972, and repealing Directive (EU) 2016/1148 (NIS 2 Directive) (OJ L 333, 27.12.2022, pp. 80 ELI: http://data.europa.eu/eli/dir/2022/2555/oj).

managers of SDI, irrespective of whether they fall within the scope of those Directives.

(44) Moreover, following up on the announcements in this respect in the White Paper on the future of European Defence, Member States should also put in place stricter rules on the ownership and control of strategic dual-use infrastructure. While effective screening of new foreign investments into SDI in accordance with Regulation (EU) 2019/452 of the European Parliament and of the Council[6] could help in preventing risks related to malicious foreign ownership or control, Member States should also mitigate and address already existing risks of foreign ownership of control in SDI.

(45) As highlighted in the Action Plan on Military Mobility 2.0, Member States are faced with capability gaps when it comes to military mobility. Those capability gaps hamper Member States' ability to perform military transport operations. Hence, empowering the Commission to establish a Solidarity Pool is appropriate to address those capability gaps faced by Member States. The Solidarity Pool should allow Member States to pool and share transport and logistic capabilities, including those enhancing energy security, thereby facilitating their access to the necessary capabilities and enhancing their ability to perform military transport operations.

(46) The Commission should ensure that the Solidarity Pool is set up in a way that encourages Member States to voluntarily share their transport and logistics capabilities, including dual-use mobile assets such as vehicles and vessels, and allows for the efficient use of Union funding to support the deployment and maintenance of those capabilities. The Solidarity Pool should also encompass Union transport and logistic capabilities, including those that are contracted with private operators. Such Union transport and logistic capabilities should have a particular focus on rare and scarce capabilities that are not readily available within the armed forces of Member States, and where Union service contracting could provide significant added value.

(47) Member States should be able to access information about existing dual-use transport capabilities to appropriately plan future military transport operations and identify persisting capability gaps. Most civilian rail and road vehicles, vessels and aircraft are registered in national or European registers. Member States' visibility over existing capabilities should therefore be improved by ensuring that the national services responsible for military transport have access to those registers. To enhance visibility at Union level and support the planning of military transport, the Commission should also have access to that information.

(48) Large numbers of civilian rail vehicles might be considered dual-use and fit for military transport operations, or easily upgradeable for those purposes. Therefore, implementing powers should be conferred on the Commission to set out whether and under what conditions railway undertakings that own such vehicles, vehicle keepers that are responsible for them and vehicle manufacturers that manufacture them assess whether railway vehicles have the technical characteristics to be used as part of a military transport. Those powers should include the development of harmonised technical parameters on which such identification might be based.

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[6] Regulation (EU) 2019/452 of the European Parliament and of the Council of 19 March 2019 establishing a framework for the screening of foreign direct investments into the Union (OJ L 79I, 21.3.2019, p. 1, ELI: http://data.europa.eu/eli/reg/2019/452/oj).

(49) In exceptional circumstances, military transport operations may necessitate the use of specialised infrastructure, assets or equipment to further facilitate military transport. To ensure uninterrupted access to such critical transport resources, Member States should establish or have in place a framework that enables them to access them in a timely manner when alternative solutions, such as contracting, are not available in the required timeframe.

(50) Such framework should enable Member States to obtain the temporary control or right of use of infrastructure, assets or equipment, as a last resort measure where strictly necessary to ensure military transport. It should also allow the use of such temporary control measures to support the military transport operations of other Member States, upon request. Owners, operators and managers of the infrastructure, assets or equipment concerned should however not be unfairly burdened by such measures and should therefore be appropriately compensated for expenses incurred and damages suffered as a result of their deployment. In accordance with the Charter on Fundamental Rights, Member States should ensure that where such measures interfere with the right to property, they are provided for by law, respect the essence of those rights and freedoms, and comply with the principle of proportionality.

(51) While the European Council stressed the importance of establishing framework contracts with civilian transport providers in the 2024 Military Mobility Pledge, any future framework contracts should be more transparent and flexible.

(52) Because of scarce transport capabilities, a Member State may end up pre-contracting those already booked by another Member State. To address such risks associated with possible double-booking, in new framework contracts, transport providers should keep Member States informed of such double-booking cases. At the same time, with a view to ensuring access to the necessary transport services, new framework contracts should allow Member States to invite other Member States to join as contracting parties.

(53) Without prejudice to the National Point of Contact network established under the Permanent Structured Cooperation in Defence (PESCO) project Military Mobility, a National Coordinator for Cross-Border Military Transport should be designated by each Member State, in order to ensure the effective coordination, communication and execution of cross-border military transport operations, especially when EMERS is activated.

(54) The National Coordinator for Cross-Border Military Transport should be reachable at all times to facilitate the timely exchange of information and requests related to military transport operations, including the receipt and transmission of military transport permission requests and notifications. In order to achieve the objectives of this Regulation, the National Coordinator should also have the necessary expertise and resources to provide advice and support on customs formalities, receive and reply to requests for priority access submitted during a period of activation of EMERS and facilitate the necessary procedures, and have the ability to coordinate with all relevant national, regional, and local level actors involved in military transport operations.

(55) In order to assist the Commission in the implementation of this Regulation and facilitate cooperation and exchange of information among Member States a Military Mobility Transport Group should be established. Such Military Mobility Transport Group is essential to, among other tasks, facilitate cooperation on the granting of military transport permissions and traffic arrangements – particularly among Member States situated along the same military mobility corridors, fostering coordination and cooperation among Member States, including for the implementation of the relevant

customs formalities, facilitating the identification and pre-positioning of key transport capabilities for the Solidarity Pool, addressing energy security challenges for military transport operations and in identifying areas where joint procurement of capabilities for military transport can be undertaken. The Military Mobility Transport Group should be allowed to invite, where relevant and with due respect to the security and defence interests of the Union and its Member States, Ukraine, Moldova and European Economic Area countries to attend meetings as observers. Where relevant, the Military Mobility Transport Group should also be allowed to organise joint meetings with the Defence Security of Supply Board set up under Article 57 of Regulation [EDIP proposal], to address issues linked to availability of military assets and capabilities.

(56) To facilitate the effectiveness of military transport operations in the Union, Member States should conduct an annual Military Transport Readiness Check, enabling each Member State to assess its preparedness to perform or contribute to military transport operations, as well as to implement EMERS. Such checks should, among others, help ensure that Member States are adequately prepared to welcome cross-border military transport operations on their territory and that they have taken the necessary measures to facilitate the granting of military transport permissions and to ensure a whole-of-government approach.

(57) The European Council's 2024 Military Mobility Pledge highlighted the need for regular exercises to test cross-border military movements. The Commission's ability to perform stress tests is also essential to evaluate the effectiveness of this Regulation in this regard. Therefore, the Commission should be allowed to conduct stress tests, in collaboration with Member States and relevant Union bodies, to improve the preparedness of Member States and Union-level actors to implement this Regulation. Such tests should focus on aspects such as preparing for the activation of EMERS, assessing the effectiveness of the whole-of-government approach in implementing this Regulation’s objectives, and assessing the implementation of this Regulation’s objectives in specific geographical areas, such as specific military mobility corridors, or sectors, including customs.

(58) In order to achieve the objective of this Regulation to establish uniform Union rules for military transport, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission for updating the list of types of military transport operations covered by standing military transport permissions laid down in Annex I, and for updating the template for requests and notifications of military transport permissions laid down in Annex II, in order to ensure that it remains up to date. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making[(19)]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

(59) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission to establish a secure and restricted Military Mobility Digital Information System, identify basic protection

(19) OJ L 123, 12.5.2016, p. 1, ELI: http://data.europa.eu/eli/agree_interinstit/2016/512/oj.

and resilience measures and enhanced protection measures for strategic dual-use infrastructure, establish a Solidarity Pool guarantying, optimising and facilitating the execution of military transport operations, identify categories of railway vehicles most suitable for use as part of a military transport, establish technical specifications on which such identification may be based, and whether and under what conditions railway undertakings, vehicle keepers and manufacturers should identify such vehicles. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[20].

(60) Large numbers of rail vehicles might be considered for dual-use and necessary to fulfil the military transport purposes of the railways. The European Union Agency for Railways ('ERA') should be allowed to assist the Commission in establishing criteria for the identification of suitable vehicles. Moreover, in order to bring rail vehicles involved in military transport rapidly and effectively into operation, processes should be streamlined and Member States should be allowed to delegate the authorisation of vehicles that can be used for military transports to ERA. After having granted vehicle authorisations, ERA should be given powers similar to Member States to update information in the European vehicle register (''EVR') with immediate effect. Regulation (EU) 2016/796 of the European Parliament and of the Council[21] and Directive (EU) 2016/797 should be amended accordingly. Finally, more generally Regulation (EU) 2016/796 of the European Parliament and the Council should be amended to reflect the European Union Agency for Railways' role in supporting military mobility by enhancing preparedness, resilience and security of the railway system.

(61) A robust and continuously available communication services between air and ground assets is crucial for optimising airspace utilization. Regulation (EU) 2024/2803 of the European Parliament and of the Council[22], which entered into force on 1 December 2024, aims to bolster the resilience of critical air traffic infrastructure. It mandates that providers of Communication, Navigation, and Surveillance systems, Aeronautical Information Services, Automatic Dependent Surveillance, Meteorological services, and air traffic control services for aerodrome and approach control are to meet stringent certification and ownership requirements. Those requirements, including the necessity for providers to be more than 50% owned and effectively controlled by Member States or their nationals, are designed to ensure the integrity and security of air traffic services. However, to prevent disruptions to air traffic services, it is essential to amend Regulation (EU) 2024/2803 by postponing the application of its relevant provisions to providers of communication services to maintain their operational readiness,

(62) The current cooperation model between the European Aviation Safety Agency ('EASA') and national armed forces has proven effective in certifying dual-use

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(20) Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13, ELI: http://data.europa.eu/eli/reg/2011/182/oj).

(21) Regulation (EU) 2016/796 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Railways and repealing Regulation (EC) No 881/2004 (OJ L 138, 26.5.2016, p. 1, ELI: http://data.europa.eu/eli/reg/2016/796/oj).

(22) Regulation (EU) 2024/2803 of the European Parliament and of the Council of 23 October 2024 on the implementation of the Single European Sky (OJ L, 2024/2803, 11.11.2024, ELI: http://data.europa.eu/eli/reg/2024/2803/oj).

aircraft. However, the certification of large drones poses a significant challenge, with national armed forces certifying them in an uncoordinated manner, creating a risk of fragmentation and non-alignment with future civilian regulations. The integration of those drones into General Air Traffic – as defined in Article 2(4) of Regulation (EU) 2024/2803 – is considered a necessity by the armed forces. In order to enable the dual-use of such drones for transport purposes, it is essential to align the military requirements with future civilian requirements. The current Union regulatory framework does not provide adequate flexibility to permit the certification of innovative technologies and products, such as certain categories of drones. It is necessary to amend Article 71 of Regulation (EU) 2018/1139 of the European Parliament and of the Council[23] to allow for exemptions from applicable requirements when such requirements prevent the certification of innovative technologies and products, while ensuring the highest level of safety and security, and to establish a coordinated approach between EASA and national armed forces to define requirements for the certification of large drones.

(63) To enhance military transport, the Union should promote innovative, dual-use air transport solutions, including unmanned aerial vehicles, autonomous systems, advanced urban air mobility concepts and cyber-secure air traffic management systems. Establishing regulatory testing environments ('regulatory sandboxes') is necessary to facilitate a more rapid and autonomous development in the Union of such technologies in cooperation between civil and military authorities. By providing controlled conditions for experimentation, those testing environments should contribute to accelerating the deployment of new capabilities, improving logistics and supply-chain management, and strengthening the readiness and effectiveness of military transport. Furthermore, they should support the harmonisation of civilian and military regulatory frameworks, enabling the seamless integration of dual-use air transport assets into both commercial and military transport operations, while reducing administrative burdens associated with mode switching. In that way, regulatory sandboxes should help to bridge existing regulatory gaps, foster interoperability, and contribute to a more resilient, efficient and responsive system of military transport within the Union. Regulation (EU) 2018/1139 should therefore be amended accordingly, without prejudice to the relevant Union requirements and formalities in areas such as health, safety, environment and competition, as well as to customs formalities and procedures which cannot be lifted for the purposes of the regulatory sandboxes.

(64) Member States and the Commission should take all necessary measures to ensure the protection of confidential information in compliance with, in particular, Commission Decision (EU, Euratom) 2015/443[24], Commission Decision (EU, Euratom)

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(23) Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1, ELI: http://data.europa.eu/eli/reg/2018/1139/oj).

(24) Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41, ELI: http://data.europa.eu/eli/dec/2015/443/oj).

2015/444[25] and the Agreement between the Member States of the European Union, meeting within the Council, regarding the protection of classified information exchanged in the interests of the European Union[26]. Those measures should include, in particular, the obligation not to downgrade or declassify classified information without the prior written consent of the originator. Any non-classified sensitive information or information which is provided on a confidential basis should be handled as such by the authorities.

(65) Any processing of personal data pursuant to this Regulation should comply with the applicable rules on the protection of personal data. Processing of personal data by Member States should be carried out, in particular, in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council[27] and Directive 2002/58/EC of the European Parliament and of the Council[28]. Processing of personal data by the Commission should, in particular, be carried out in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council[29].

(66) Since the objectives of this Regulation, namely to facilitate military transport in the Union and across its external borders, while minimising and mitigating the impact of such transport on civilian transport, cannot be sufficiently achieved by the Member States, as the current fragmentation, inefficiencies, and incoherent implementation of national policies prevent effective resolution at the Member State level, but can rather be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.

(67) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered an opinion on [DD/MM/YYYY].

HAVE ADOPTED THIS REGULATION:

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(25) Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53, ELI: http://data.europa.eu/eli/dec/2015/444/oj).

(26) Agreement between the Member States of the European Union, meeting within the Council, regarding the protection of classified information exchanged in the interests of the European Union (OJ C 202, 8.7.2011, p. 13).

(27) Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1, ELI: http://data.europa.eu/eli/reg/2016/679/oj).

(28) Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications), OJ L 201, 31.7.2002, p. 37, ELI: http://data.europa.eu/eli/dir/2002/58/oj).

(29) Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: http://data.europa.eu/eli/reg/2018/1725/oj).

Chapter I
General provisions

Article 1

Subject matter

This Regulation lays down measures relating to dual-use equipment, means of transport and infrastructure to facilitate military transport in the Union and across its external borders, while minimising and mitigating the impact of such transport on civilian transport.

This Regulation lays down in particular:

(a) a uniform framework for permission procedures for cross-border military transport and measures that ensure uninterrupted and safe military transport, including measures that simplify customs formalities applicable to such transport at the Union's external borders;

(b) efficient, coordinated and effective measures that facilitate military transport in response to temporary, extraordinary and urgent situations;

(c) rules to make dual-use transport infrastructure fit for dual-use purpose and to protect and make strategic dual-use infrastructure resilient against all hazards and threats;

(d) measures to share and pool Union and Member States' transport and logistic capabilities and increase visibility of existing transport capabilities for military transport.

Article 2

Scope

This Regulation applies to the transport of equipment, goods and personnel that is operated by, or under the responsibility of, the armed forces of the Member States or, in the cases provided for in Articles 17 and 19 of this Regulation, of Allies of the North Atlantic Treaty Organisation (NATO), takes place in part or entirely in the Union and makes use, during that transport, of dual-use infrastructure, assets and capabilities located in the Union.

Article 3

Definitions

For the purposes of this Regulation, the following definitions apply:

(1) 'military transport' means the transport of equipment, goods or persons, undertaken directly by armed forces, as well as the transport carried out on their behalf by civil companies or other contractors engaged by those armed forces, including in the context of a military exercise, operation or mission, and including, the manned or unmanned transport of vehicles, vessels or aircraft through their own propulsion;

(2) 'military transport operation' means a laden or unladen journey of military transport;

(3) ‘military transport permission’ means an authorisation or a diplomatic clearance granted by a receiving Member State to a requesting Member State, for cross-border military transport;

(4) ‘requesting Member State’ means the Member State making a request to a receiving Member State to conduct a military transport operation through the territory of that receiving Member State, or the Member State making a request for support under the Solidarity Pool referred to in Article 35;

(5) ‘receiving Member State’ means the Member State of destination of a military transport operation or the Member State crossed or overflown in transit of a military transport operation;

(6) ‘abnormal military cargo’ means military-related goods or equipment that require special permits, customised transport plans or specialised logistical handling to ensure safe transport, and that, together with the vehicle carrying out the military transport operation, exceed:

(a) in the case of transport by road, the maximum authorised dimensions (length, width, height) or weight limits set out in Annex I to Directive 96/53/EC;

(b) in the case of transport by rail, the weight limits, loading gauge or other technical characteristics specified in the register of infrastructure referred to in Article 49 of Directive (EU) 2016/797 and in the RINF application referred to in Commission Implementing Regulation (EU) 2019/777[30];

(7) ‘abnormal military transport’ means the military transport of abnormal military cargo;

(8) ‘dangerous goods’ means the substances and articles falling within the scope of the international agreements and regulations referred to in Article 10(1) of this Regulation;

(9) ‘Host-Nation-Support’ means any action or assistance provided by a receiving Member State or on its behalf to facilitate the transit through and temporary stationing within the territory of the receiving Member State of military personnel and equipment of the requesting Member State, including access to refuelling, recharging and to parking and rest facilities, in the context of a military transport operation;

(10) ‘traffic arrangements’ means operational arrangements established by the receiving Member States’ competent authorities specifically to enable military transport operations in their relevant territories, including traffic control services measures, measures to ensure the safe transport of abnormal military cargo and dangerous goods, escorting and any other security arrangements, Host-Nation-Support, and any other transport mode-specific requirements such as the establishment of temporary restricted areas for air movements;

(11) ‘escort’ means a guard or police force accompanying a military transport operation;

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[30] Commission Implementing Regulation (EU) 2019/777 of 16 May 2019 on the common specifications for the register of railway infrastructure and repealing Implementing Decision 2014/880/EU (OJ L 139I, 27.5.2019, p. 312, ELI: http://data.europa.eu/eli/reg_impl/2019/777/oj).

(12) ‘cabotage’ means either of the following:

(a) national transport of goods for hire or reward carried out on a temporary basis in a Member State by an operator established in another Member State;

(b) national road passenger services for hire and reward carried out on a temporary basis in a Member State by a carrier established in another Member State;

(13) ‘framework contract’ means an agreement between one or more contracting authorities or entities and one or more economic operators, the purpose of which is to establish the terms governing contracts to be awarded during a given period, in particular with regard to price and, where appropriate, the quantity envisaged;

(14) ‘transport capabilities’ means any equipment, transport means or personnel, separately or in combination, that can facilitate, enable and execute military transport operations, as well as mobile assets for the repair of strategic dual-use infrastructure;

(15) ‘logistic capabilities' means the personnel, equipment, and services, that can facilitate, enable, and execute Host-Nation-Support activities, including the storage and distribution of fuel, supplies, and other essential commodities;

(16) ‘strategic dual-use infrastructure’ or ‘SDI’ means an infrastructure meeting the criteria set out in Article 33;

(17) ‘owners, operators and managers of an infrastructure’ means entities responsible for investments in, or day-to-day operation of that infrastructure;

(18) ‘Council Military Requirements’ means the ‘Military Requirements for Military Mobility within and beyond the EU’ approved by the Council on 26 June 2023 and 23 October 2023 and any subsequent amendments thereof as approved by the Council;

(19) ‘military mobility corridor’ means one among the EU priority military mobility corridors set out in Annex II to the Council Military Requirements;

(20) ‘dual-use’ means the capacity to be used for both civilian and military transport purposes;

(21) ‘food’ means food or foodstuff as defined in Article 2 of Regulation (EC) No 178/2002 of the European Parliament and of the Council[31];

(22) ‘goods to be moved or used in the context of military activities’ means any goods, including animals, to be moved or used in either of the following contexts:

(a) of activities arranged by or under the control of the relevant military authorities of one or more Member State(s) or of a third country with which one or more Member State(s) has (have) concluded an agreement

[31] Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1 ELI: http://data.europa.eu/eli/reg/2002/178/oj).

to carry out military activities within the customs territory of the Union; or

(b) of any military activities undertaken on the basis of either of the following:

(i) the Common Security and Defence Policy of the European Union (CSDP);

(ii) the North Atlantic Treaty, signed in Washington D. C. on 4 April 1949.

Chapter II
Uniform framework for military mobility

SECTION 1
UNIFORM MILITARY TRANSPORT PERMISSION PROCEDURES AND RULES

Article 4

Military transport permissions

To facilitate cross-border military transport, the receiving Member State may grant to the requesting Member State any of the following:

(a) standing military transport permissions as specified in Article 5;

(b) ad hoc military transport permissions as specified in Article 6.

Article 5

Standing military transport permissions

1. A standing military transport permission shall specify the types of military transport operations that are deemed to be authorised by the receiving Member States during its period of validity. Standing military transport permissions shall cover at least the types of military transport operations set out in Annex I.

2. The receiving Member States shall take a decision to grant or deny a standing military transport permission no later than two months after receipt of the request for a standing permission.

3. The receiving and requesting Member States shall inasmuch as possible agree, in the standing military transport permission, on the conditions under which the military transport operations covered by that standing military transport permission are to be carried out, if any, including applicable traffic arrangements and pre-defined routes.

4. Member States, notably those situated along the same military mobility corridor, may align their standing military transport permissions and coordinate in advance, in particular to ensure coherence of traffic arrangements and pre-defined routes.

5. Standing military transport permissions shall be valid until explicitly suspended or revoked by the receiving Member State. The Member State shall only suspend or revoke a standing military transport permission in the case of force majeure or where there is a serious threat to public policy, public order or national security in that

Member State and it shall provide justification. The receiving Member State revoking or suspending the permission shall notify the requesting Member State as early as possible.

6. The receiving Member State may, in duly justified cases, modify a standing military transport permission, giving the requesting Member State at least three working days' notice.

7. Before carrying out a military transport operation under a valid standing military transport permission, the requesting Member State shall send a notification to the receiving Member State. Where the requesting Member State seeks Host-Nation-Support or other traffic arrangements, such request shall be included in the notification.

8. The notification referred to in paragraph 7 shall be sent at the latest 72 hours before the scheduled time of arrival at the border crossing point of the receiving Member State. In the case of transit through several Member States, the requesting Member State shall submit the notification to all receiving Member States at the same time. When the notification includes one or more requests for traffic arrangements, the receiving Member States shall coordinate and process these requests simultaneously to ensure coherent traffic arrangements for the military transport. The receiving and requesting Member State may, in the standing military transport permission, agree on a shorter deadline for notifications of military transport operations.

9. Upon receipt of a notification as referred to in paragraph 7, the receiving Member State may determine specific traffic arrangements for the military transport operation in question or impose conditions on that military transport operation, including the use of specific routes, in particular where that is necessary for the safe transport of abnormal military cargo or dangerous goods in accordance with Articles 10 and 11. In such cases, it shall coordinate the necessary arrangements with the requesting Member State without undue delay, in order to make sure that the military transport operation can take place as scheduled.

10. The Commission is empowered to adopt delegated acts in accordance with Article 44 to amend Annex I in order to update the list of types of military transport operations covered by standing military transport permissions.

Article 6

***Ad hoc* military transport permissions**

1. An *ad hoc* military transport permission may be granted by the receiving Member State to the requesting Member State for one or several military transport operations which are not covered by a valid standing military permission. It shall be valid only for the duration specified in the *ad ho*c military transport permission.

2. The requesting Member State shall make the request for an *ad hoc* military transport permission as early as possible, and in any case in due time to allow the receiving Member State to grant or deny the permission in accordance with paragraph 3. Where the requesting Member State seeks Host-Nation-Support or other traffic arrangements, such request for traffic arrangements shall be included in the request for the *ad hoc* military transport permission. In the case of transit through several Member States, the requesting Member State shall submit the request to all receiving Member States at the same time. The receiving Member States shall then coordinate

and process the requests simultaneously to ensure coherent traffic arrangements for the military transport.

3. The receiving Member State shall take a decision to grant or deny the *ad hoc* permission no later than three working days after the receipt of the *ad hoc* permission request. In its decision to grant an *ad hoc* military transport permission, the receiving Member State may determine specific traffic arrangements for the military transport operation in question or impose conditions on that military transport operation, including the use of specific routes, in particular where that is necessary for the safe transport of abnormal military cargo or dangerous goods in accordance with Articles 10 and 11. In such cases, it shall coordinate the necessary arrangements with the requesting Member State without undue delay, in order to make sure that the military transport operation can take place as scheduled.

4. The receiving Member State may revoke an *ad hoc* military transport permission only in the case of force majeure or where there is a serious threat to public policy, public order or national security in that Member State. The receiving Member State revoking the permission shall notify the requesting Member State as early as possible and duly justify it.

5. The receiving Member State may modify the issued *ad hoc* military transport permission only in duly justified cases. It shall notify the requesting Member State about the modifications as early as possible.

6. The requesting Member State may modify a previously submitted request for an *ad hoc* military transport permission. It shall do so no later than three working days prior to the originally scheduled date of arrival at the border crossing point. The receiving Member State shall reply to modification requests without undue delay.

7. A new request for an *ad hoc* military transport permission shall be submitted by the requesting Member State if the planned modifications concern transport of dangerous goods or abnormal military cargo, significant modifications to the Host-Nation-Support or a modification of dates.

Article 7

Individual train paths for military transport by rail

1. Before carrying out a military transport operation by rail, the requesting Member State, directly or through a railway undertaking carrying out the military transport on behalf of that requesting Member State, shall request an individual train path from the rail infrastructure manager(s) in the receiving Member State pursuant to Article 48 of Directive 2012/34/EU of the European Parliament and of the Council[(32)].

2. Where the cooperation of the infrastructure manager is required to ensure that the rail vehicles, in particular when carrying abnormal military cargo, are compatible with the route and are properly integrated in the composition of the train in accordance with Article 23 of Directive (EU) 2016/797, the infrastructure manager shall provide the necessary information to the rail undertaking and facilitate any required testing, as soon as possible.

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(32) Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area (OJ L 343, 14.12.2012, p. 32, ELI: http://data.europa.eu/eli/dir/2012/34/oj).

3. Where the rail vehicles, in particular when carrying abnormal military cargo, are not compatible with the parameters of the route set out in the common specifications for the register of infrastructure laid down in Implementing Regulation (EU) 2019/777 under normal operating conditions, the infrastructure manager shall determine as soon as possible whether those vehicles could operate safely under particular operating conditions.

4. Where the rail transport includes dangerous goods permitted under Article 10, the infrastructure manager and railway undertaking shall put in place all measures necessary to ensure compliance with the provisions referred to in Article 10.

5. In the case of transit through several Member States, the infrastructure managers of those Member States shall coordinate to ensure coherent treatment of the military transport operation.

Article 8

Practical arrangements for military transport permission procedures

1. Requests for military transport permissions, notifications under such permissions, and requests for traffic arrangements provided for in this Chapter, including for the military transport of dangerous goods and abnormal military cargo, shall be made using the template set out in Annex II. Requests and notifications shall be combined into a single permission request, a single notification or a single request for traffic arrangements for the same military transport. Without prejudice to the applicable Union customs rules, including the NATO and EU forms 302 referred in Article 15, no additional forms shall be required by any Member State.

2. The Commission is empowered to adopt delegated acts in accordance with Article 44 to amend Annex II, by updating the content of the template, in order to take account of technical or operational developments.

3. Any communication between requesting and the receiving Member States under Articles 5 and 6 shall be transmitted through the National Coordinator for Cross-Border Military Transport, appointed in accordance with Article 40(1).

Article 9

Uninterrupted military transport

Any necessary control measures in relation to the escort of military transport operations, flagging of vehicles of a military transport and weapons and ammunition, for military transport operations within the Union, shall only be carried out at the military transport operation's first planned stop after the internal border of a Member State to ensure uninterrupted military transport.

Article 10

Military transport of dangerous goods

1. Military transport of dangerous goods shall be permitted, subject to a valid military transport permission referred to in Article 5 and 6, when it complies with the requirements laid down in any of the following instruments, as appropriate:

   (a) Agreement concerning the International Carriage of Dangerous Goods by Road, concluded at Geneva on 30 September 1957 (ADR);

(b) European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways, concluded at Geneva on 26 May 2000 (ADN);

(c) Regulations concerning the International Carriage of Dangerous Goods by Rail, appearing as Appendix C to the Convention concerning International Carriage by Rail (COTIF) concluded at Vilnius on 3 June 1999 (RID);

(d) International Maritime Dangerous Goods Code (IMDG Code);

(e) International Civil Aviation Organization – Technical Instructions (ICAO-TI);

(f) NATO Allied Movement Publication 6 (AMovP-6).

2. Military transport operations carried out in accordance with Article 17 by the armed forces of a NATO Ally that is not a contracting party to ADR, ADN, RID, IMDG Code or ICAO-TI shall be permitted if they comply with NATO AMovP-6 or, if these do not apply, with the national rules applicable in the country of origin, as appropriate.

3. Where necessary, specific measures to ensure compliance with the requirements laid down in the instruments referred to in paragraph 1 and 2 shall be included in the traffic arrangements set under this Regulation.

4. Military transport of dangerous goods carried out under a military transport permission shall not require the submission, before the start of the military transport, of any forms or documents demonstrating compliance with the requirements laid down in ADR, ADN, RID, IMDG Code, ICAO-TI, NATO AMovP-6 or with the national rules applicable in the country of origin, as appropriate.

Article 11

Abnormal military transport by road

1. Military transport by road carried out by vehicles or vehicle combinations which exceed the maximum weights or dimensions set out in Annex I to Directive 96/53/EC, where these vehicles or vehicle combinations carry or are intended to carry indivisible loads as defined in Article 2 of Directive 96/53/EC, shall be permitted where it is subject to a valid military transport permission referred to in Articles 5 and 6 of this Regulation.

2. For military transport carried out in accordance with paragraph 1, the receiving Member State shall determine traffic arrangements to ensure the safe transport of abnormal military cargo and infrastructure compatibility. Such traffic arrangements shall replace the special permits and similar arrangements referred to in Article 4(3) of Directive 96/53/EC.

Article 12

Exemption of military transport from traffic restrictions

1. Military transport carried out under a valid military transport permission referred to in Articles 5 and 6 shall be permitted during weekends, public holidays, national celebrations, nighttime, and any other period that may be subject to traffic restrictions.

2. Member States shall exempt military transport operations undertaken directly by the armed forces from traffic restrictions that apply on specific road sections and are based on the environmental performance of vehicles.

Article 13

Exemption of military transport from cabotage rules

1. Member States may, where necessary to facilitate military transport, exempt military transport carried out by civilian operators from the restrictions on cabotage operations laid down in Article 8 of Regulation (EC) No 1072/2009.

2. Member States shall inform the Commission and other Member States of such exemptions.

Article 14

Military Mobility Digital Information System

1. The Commission may adopt implementing acts establishing a secure and restricted Military Mobility Digital Information System (the System), taking into account the following requirements:

   (a) the System shall be deployed by 2030;

   (b) any digitalisation of EU Form 302 under the System shall comply with applicable Union customs legislation, including the common data requirements constituting the EU Customs Data Model, as defined in Article 36 of Regulation (EU) [customs reform];

   (c) the System shall be operated and maintained by the Commission;

   (d) the System shall with the exception of the relevant customs legislation take into account military transport in the context of NATO operations, as laid out in Article 17;

   (e) the System shall ensure interoperability where required and shall be developed using Union and international standards, with due regard to EU customs legislation.

   That implementing act shall be adopted in accordance with the examination procedure referred to in Article 45(4).

2. Where the System is established and becomes operational, Member States shall make use of it for all procedures covered by this Chapter, including for customs formalities related to EU form 302, referred to in this Regulation.

Article 15

Simplified customs formalities

1. The military transport of goods to be moved or used in the context of military activities crossing the Union external borders shall be subject to customs supervision and shall be declared for the relevant customs procedure using the NATO form 302 or the EU form 302 as defined in Article 1, points (50) and (51), of Commission

Delegated Regulation (EU) 2015/2446[34], as applicable, unless the military authorities in charge of the respective military transport operation expressly decide to submit the standard customs declaration.

2. Where consignments declared under EU or NATO forms 302 have been selected for physical or document-based control, those controls shall be carried out as a matter of priority.

Article 16

Digitalisation of EU form 302

1. Where the Military Mobility Digital Information System referred to in Article 14 is established and becomes operational, customs authorities of the Member States shall use it for the purpose of the exchange and storage of information related to EU form 302, based on common data requirements defined in accordance with Article 36 of Regulation (EU) [customs reform]. Customs authorities of the Member States and the European Union Customs Authority shall have access to that system to perform their customs obligations in the context of military mobility.

2. In the case of a temporary failure of the Military Mobility Digital Information System, economic operators and other persons, including military authorities, shall submit the information to fulfil the formalities concerned by the means determined in accordance with Article 203 of Regulation [customs reform], including means other than electronic data processing techniques.

Article 17

Military transport in the context of NATO operations

1. As regards military transport in the context of operations, missions and exercises that are commonly agreed within the North Atlantic Treaty Organisation (NATO), as well as in the context of operations, missions and exercises at multilateral and bilateral level among NATO members, Member States that are parties to the North Atlantic Treaty shall treat other parties to the North Atlantic Treaty as equivalent to requesting Member States for the purposes of Articles 4 to 13 in this Section. In this case, they shall apply the rules in Articles 4 to 13 of this Section *mutatis mutandis* and without prejudice to the security and defence interests of the Union and its Member States.

2. Member States that are not parties to the North-Atlantic Treaty may equally decide to treat parties to the North Atlantic Treaty that are not Member States as equivalent to requesting Member States for the purposes of Articles 4 to 13 and apply those rules *mutatis mutandis*.

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(34) Commission Delegated Regulation (EU) 2015/2446 of 28 July 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code (OJ L 343, 29.12.2015, p. 1, ELI: http://data.europa.eu/eli/reg_del/2015/2446/oj).

SECTION 2
EUROPEAN MILITARY MOBILITY ENHANCED RESPONSE SYSTEM (EMERS)

Article 18

EMERS

1. A European Military Mobility Enhanced Response System ('EMERS') is established. Upon activation in accordance with the procedures and conditions set out in Article 19, EMERS shall allow for the implementation of the temporary measures provided for in this Section.

2. During the period of activation of EMERS, the temporary measures under this Section shall apply to the entire territory of the Union.

Article 19

Activation of EMERS

1. EMERS may be activated in accordance with the procedure set out in paragraph 2 where there is an existing or an expected need for significantly higher volumes, frequency or speed of military transport in the Union or any part thereof, and the existing rules on military transport and the capacity of the transport network do not allow or are not sufficient for that need to be met.

2. Where the Commission considers that the conditions set out in paragraph 1 are met, or upon a reasoned request of at least one Member State, the Commission shall submit to the Council a proposal for an implementing act to activate EMERS as soon as possible.

   Prior to requesting activation of EMERS and where it is possible in view of the urgency, the Commission shall consult the Military Mobility Transport Group.

   Prior to requesting activation or in parallel the Commission shall conduct an assessment of the impact of the activation of EMERS on the functioning of the internal market and of the possible need for mitigating measures.

3. The Council, acting on the proposal of the Commission referred to in paragraph 2, may adopt the implementing act to activate the EMERS no later than 48 hours after receiving the activation request. The implementing act of the Council shall specify the duration of the application of EMERS, which shall not exceed 12 months.

   The Council shall specify in the implementing act activating EMERS which effects of the provisions of this Section are to be extended by Member States that are parties to the North Atlantic Treaty to military transports by parties to the North Atlantic Treaty that are not Member States, without prejudice to relevant customs formalities. Member States that are not parties to the North Atlantic Treaty may decide to apply the same extension of the rules of EMERS to parties to the North Atlantic Treaty that are not Member States. When deciding to extend certain EMERS provisions to parties to the North Atlantic Treaty that are not Member States, the Council shall take into account notably operations, missions and exercises that are commonly agreed within NATO and that relate to the causes of EMERS and shall respect security and defence interests of the Union and its Member States.

4. During the application of EMERS, the Commission shall, upon request from a Member State or on its own initiative, convene extraordinary meetings of the

Military Mobility Transport Group where necessary. Member States shall work closely with the Commission, by informing it in a timely manner about and coordinating with it any national measures taken with regard to the activation of EMERS.

5. Upon reasoned request of at least one Member State, or on its own initiative, the Commission shall assess whether the conditions pursuant to paragraph 1 continue to be met and submit to the Council a new proposal, where appropriate. Based on the Commission's assessment, the Council may decide to extend EMERS or to terminate it before the end of the deadline set out in the Council implementing act referred to in paragraph 3, in accordance with the procedure set out in paragraph 2. Each implementing act extending the application of EMERS shall remain in force for a period not exceeding 12 months. If further extension is needed after that date, the same procedure provided for in this Article shall apply.

Article 20

Notification of military transport during the period of activation of EMERS

1. By way of derogation from Article 5 and 6, during the period of activation of EMERS, requests for military transport permissions shall be deemed accepted by the receiving Member States. This shall be without prejudice to the specific character of the security and defence policies of certain Member States.

2. The requesting Member State shall notify the receiving Member States of its intended military transport as early as possible, and at the latest six hours before the scheduled time of arrival at the border crossing point of the receiving Member State. The notification shall include all relevant details, including the scope, intended route, and timeline of the transport, and, where applicable, the request for Host-Nation-Support or other traffic arrangements.

3. Where the receiving Member State requires traffic arrangements in accordance with Articles 5(9) and 6(3), it shall determine these without undue delay, in order to make sure that the transport operation can take place as scheduled.

Article 21

Priority access during the period of activation of EMERS

1. During the period of activation of EMERS, Member States, as well as infrastructure owners, operators and managers or, as the case may be, related services or facilities providers, shall grant military transports, including abnormal military transports or transports of dangerous goods, priority access to transport networks and infrastructure, including road networks, roadside parking and rest areas, rail networks, stations, and service facilities, maritime and inland waterways infrastructure, including internal waters and territorial seas as defined in the United Nations Convention on the Law of the Sea (UNCLOS), sea lanes, fairways, dredged channels, port approaches, straits used for international navigation, and areas under maritime traffic management or pilotage, locks, ports and port terminals, sea canals, aerodromes, airspace, multimodal freight terminals, refuelling/recharging infrastructure for all modes of transport, and related services and facilities.

2. In order to ensure priority access for a military transport operation, the armed forces performing or contracting the military transport shall submit a request for priority

access to the National Coordinator for Cross-Border Military Transport of the receiving Member State, appointed in accordance with Article 40.

3. The request referred to in paragraph 2 shall be submitted as soon as possible and shall include the information necessary to appropriately prepare the priority access of the military transport. It shall in particular specify the expected arrival time and duration of the priority access and the number of vehicles, a description of the cargo, their respective dimensions and weights. It shall also specify whether the military transport includes dangerous goods and their nature. It may include an application for the traffic arrangements referred to in Article 20(2).

4. The National Coordinator for Cross-Border Military Transport of the receiving Member State shall promptly inform the affected infrastructure owners, operators and managers or, as the case may be, related services or facilities providers of the request for priority access, that they are likely to be concerned by the military transport operation so that they can grant priority in accordance with paragraph 6.

5. With the assistance of the National Coordinator for Cross-Border Military Transport, the armed forces performing or contracting the military transport shall request:

   (a) the individual train paths from the competent infrastructure managers;

   (b) the berth allocation and port services from the competent port authorities;

   (c) the required airspace and access to aerodrome services from the competent airport managers and coordinators, from the European Network Manager and from the air navigation service provider, as the case may be.

6. The priority access shall be granted as early as possible following the requests referred to in paragraphs 2 and 5 and the armed forces performing or contracting the military transport shall be immediately informed thereof, in accordance with the provisions of this paragraph. To the extent necessary, and with due regard to safety measures, ongoing or planned transport services and operations shall be interrupted, postponed or cancelled to allow for priority access of the military transport.

   As regards military transport by road, the road infrastructure owners, operators and managers concerned shall inform the armed forces performing or contracting the military transport that they have taken the necessary measures ensuring priority access at the tolling sections, roadside parking and rest areas, bridges and tunnels on their road networks. The National Coordinator for Cross-Border Military Transport may recommend the route and the road infrastructure ensuring best priority access to the requesting armed forces.

   As regards military transport by rail, by way of derogation from Article 7(1), the infrastructure manager shall grant individual train paths within six hours. However, in the case of transport of dangerous goods or abnormal military transport, the rail infrastructure manager shall grant the individual train paths as soon as possible.

   As regards ports, the competent port authorities shall inform the armed forces performing or contracting the military transport of the berth allocated and port services offered.

   As regards military transport by inland waterways, where necessary, the National Coordinator for Cross-Border Military Transport shall inform the armed forces performing or contracting the military transport of the route and inland waterway infrastructure ensuring best priority access.

As regards military transport by air, the competent airport managers and coordinators, the European Network Manager and the air navigation service provider, as applicable, shall inform the armed forces performing, contracting or ordering the military transport of available airspace and access to aerodrome services offered at the airports concerned.

7. When priority access is granted to military transport under paragraph 1, no compensation shall be due to other affected transport users. Member States and infrastructure owners, operators and managers or, as the case may be, related services or facilities providers shall make all reasonable efforts to limit the impact of such priority access by, for example, offering alternative routes, slots, transport services or facilities as appropriate and depending on availabilities and inform the transport users as soon as possible.

8. Where emergency measures have a significant impact on cross-border traffic, Member States, infrastructure owners, operators and managers or, as the case may be, related services or facilities providers, shall coordinate in order to limit impacts on traffic flow as much as possible.

Article 22

Military transport of dangerous goods during the period of activation of EMERS

1. During the period of activation of EMERS, where the requirements laid down in international agreements or national rules referred to in Article 10(1) are applicable to the military transport of dangerous goods under this Regulation, Member States may exempt such transport from those requirements or national rules, insofar as those requirements do not mandatorily apply in accordance with those agreements. When a Member State grants such an exemption, it shall not impose new requirements under national law.

2. Member States concerned by the military transport shall coordinate any exemptions granted in accordance with this Article and promptly inform other Member States thereof through the Military Mobility Transport Group.

Article 23

Abnormal military transport by road during the period of activation of EMERS

During the period of activation of EMERS, military transport by road carried out by vehicles or vehicle combinations which exceed the maximum weights or dimensions set out in Annex I to Directive 96/53/EC shall be permitted irrespective of whether the load is indivisible or not, without prejudice to any necessary traffic arrangements.

Article 24

Enhanced protection of strategic dual-use infrastructure during the period of activation of EMERS

During the period of activation of EMERS, Member States shall activate enhanced protection measures in relation to the strategic dual-use infrastructure located on their territories, identified in accordance with Article 33, to protect them, to make them resilient against all hazards and threats and to ensure their effective operation at all times.

Article 25

Enhanced access to transport and logistic capabilities during the period of activation of EMERS

1. During the period of activation of EMERS, and if the Solidarity Pool referred to in Article 35 is operational, the Commission, taking into account the advice of the Military Mobility Transport Group, may identify specific capabilities registered in the Solidarity Pool that are urgently needed to support certain Member States. In such cases, requests for those capabilities from the affected Member States and Member States that support military transport operations for the affected Member States shall be given priority consideration.

   The sharing and coordination efforts under the Solidarity Pool referred to in Article 35 shall focus on supporting those priority requests, ensuring that the required capabilities are made available in a timely and efficient manner.

   Where Member States' capabilities have been acquired, contracted or purchased, after the entry into force of this Regulation, with the financing support of any Union funding and could support priority requests in accordance with the first subparagraph of this paragraph, the Member States shall not invoke the exceptional situation requiring the use of their capabilities, referred to in Article 35(10) and (11).

2. The Commission may assist the Member States in contracting any relevant transport and logistic capabilities.

3. The Commission may contract any relevant transport and logistic capabilities, following the advice of the Military Mobility Transport Group.

Article 26

Exemption of military transport operations by road from cabotage rules during the period of activation of EMERS

During the period of activation of EMERS, military transport carried out by civilian operators shall be exempted from the restrictions on cabotage operations laid down in Article 8 of Regulation (EC) No 1072/2009, and from restrictions on the duration and frequency of cabotage operations carried out in the context of road passenger transport services.

Article 27

Derogations from rules on driving time and rest periods for military transport operations during the period of activation of EMERS

1. During the period of activation of EMERS, the following derogations from driving times, breaks and rest periods laid down in Regulation (EC) No 561/2006 of the European Parliament and of the Council shall apply to military transport operations carried out by civilian operators:

   (a) by way of derogation from Article 6(1) of Regulation (EC) No 561/2006, the daily driving time of 9 hours shall be extended to 11 hours twice during the week;

   (b) by way of derogation from Article 6(2) of Regulation (EC) No 561/2006, the weekly driving time of 56 hours shall be extended to 60 hours;

(c) by way of derogation from Article 6(3) of Regulation (EC) No 561/2006, the total accumulated driving time during any two consecutive weeks shall be extended from 90 hours to 96 hours;

(d) by way of derogation from Article 7, first paragraph, of Regulation (EC) No 561/2006, the driving period of four and a half hours after which the driver is required to take an uninterrupted break of not less than 45 minutes shall be increased up to five and a half hours. The break may be replaced by three breaks of 15 minutes each distributed in such a way as to comply with the provision of Article 7, first paragraph, of that Regulation;

(e) by way of derogation from Article 8(2), second subparagraph, of Regulation (EC) No 561/2006, the daily rest period of 9 hours shall be regarded as a reduced daily rest period;

(f) by way of derogation from Article 8(6), first subparagraph, of Regulation (EC) No 561/2006, in any two consecutive weeks a driver may take two reduced weekly rest periods of at least of 24 hours. When use is made of this derogation, the start of the weekly rest period referred to in Article 8(6), second subparagraph, of that Regulation may be postponed beyond the end of six 24-hour periods from the end of the previous weekly rest period, without however exceeding 12 periods of 24 hours;

(g) by way of derogation from Article 8(6b) of Regulation (EC) No 561/2006, any reduction in the weekly rest period shall be compensated by an equivalent period of rest taken before the end of the twelfth week following the week in question, either *en bloc* or as two rest periods, one of them being of at least 45 hours;

(h) by way of derogation from Article 8(8) of Regulation (EC) No 561/2006, the regular weekly rest periods and any weekly rest period of more than 45 hours taken in compensation for previous reduced weekly rest periods may be taken in a vehicle, provided that the vehicle is safely parked and has adequate conditions for the rest;

(i) by way of derogation from Article 9(1) of Regulation (EC) No 561/2006, the permitted period of interruption where a driver accompanies a vehicle which is transported by ferry or train and takes a regular daily rest period or a reduced weekly rest period in a sleeper cabin, bunk or couchette shall be increased from one to two hours.

2. The use of the derogations laid down in paragraph 1 of this Article shall be without prejudice to the maximum working times under Directive 2002/15/EC of the European Parliament and of the Council[36].

3. For the purpose of roadside checks, the driver shall be able to produce, whenever an authorised control officer so requests, the record sheets and any manual records and printouts for the current day and the previous days that justify the use of the derogations.

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[36] Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organisation of the working time of persons performing mobile road transport activities (OJ L 80, 23.3.2002, p. 35, ELI: http://data.europa.eu/eli/dir/2002/15/oj).

Article 28

Use of rail vehicles outside their specified area of use during the period of activation of EMERS

1. During the period of activation of EMERS, rail vehicles may be used outside the area of use specified in their authorisation for placing on the market under Article 21 of Directive (EU) 2016/797 or outside the area of use for which they were put in operation under the Union or national legal framework previously applicable before the authorisation framework set out by that Directive, provided that the following conditions are met:

   (a) the vehicle has been subject to checks in accordance with Article 23(1), points (b) and (c), of Directive (EU) 2016/797;

   (b) the vehicle is to be used as part of a military transport;

   (c) the vehicle is in operation on one network prior to its use on a further network;

   (d) the vehicle has been identified for potential use as part of a military transport in accordance with Article 37 of this Regulation.

2. Operations of the vehicles referred to in paragraph 1 shall be carried out in agreement between the concerned infrastructure managers and railway undertakings, in compliance with each of their safety management system as set out under Article 9 of Directive (EU) 2016/798 of the European Parliament and of the Council[37] and, where relevant, in accordance with Article 10(9) of that Directive.

Article 29

Exemption of military transport operations from traffic restrictions during the period of activation of EMERS

1. During the period of activation of EMERS, military transport operations carried out by road shall be permitted during weekends, public holidays, national celebrations, nighttime, and any other period that may be subject to traffic restrictions.

2. During the period of activation of EMERS, Member States shall exempt military transport operations from traffic restrictions applied on specific road sections and based on the environmental performance of vehicles and from restrictions based on air quality and noise control put in place at ports and airports.

Article 30

Exemption of official controls on food, feed and dogs at entry into the Union during the period of activation of EMERS

1. During the period of activation of EMERS, Articles 43 to 57 and Articles 65 to 72 of Regulation (EU) 2017/625 shall not apply to food, feed and dogs entering the Union that constitute goods to be moved or used in the context of military activities, provided that they:

   (a) are declared under the EU or NATO forms 302, as referred to in Article 15;

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[37] Directive (EU) 2016/798 of the European Parliament and of the Council of 11 May 2016 on railway safety (OJ L 138, 26.5.2016, p. 102, ELI: http://data.europa.eu/eli/dir/2016/798/oj).

(b) are identified by means of marking or labelling as being for military use only, in accordance with the internal procedures implemented by the military authorities in charge of the respective military transport operation;

(c) enter the Union under the supervision of military authorities in charge of the respective military transport operation.

2. Following the entry into the Union of food, feed and dogs referred to in paragraph 1, military authorities in charge of the respective military transport operation shall ensure that those goods move under their supervision and are intended for military use only.

3. Military authorities in charge of the respective military transport operation shall ensure that food and feed referred to in paragraph 1 are not placed on the market of the Union and are either consumed, safely disposed of or reexported from the Union.

4. Military authorities in charge of the respective military transport operation shall ensure that dogs referred to in paragraph 1 do not pose a risk to animal or public health in the Union and are not subjected to any transfer of ownership in the Union.

Article 31

Expedited customs procedures during the period of activation of EMERS

1. During the period of activation of EMERS, the Council implementing act referred to in Article 19(3) of this Regulation shall have the effect of activating the procedures and protocols in accordance with the procedures set out in Article 203(1) of Regulation [customs reform] and the customs crisis management mechanism as defined in Article 204 of Regulation [customs reform].

2. The European Union Customs Authority, as set out in Title XII of Regulation [customs reform], in consultation with the Commission shall prepare procedures and protocols referred to in paragraph 1 of this Article for the implementation of action in the event of the activation of EMERS as defined under Article 19.

Chapter III
Resilience of transport infrastructure

Article 32

Preparedness of the transport network for dual-use

1. Member States shall upgrade the dual-use infrastructure identified as part of the military mobility corridors to the transport infrastructure requirements defined in Annex II to the Council Military Requirements as a matter of priority, and in a coordinated and synchronised approach. When upgrading those dual-use sections of the military mobility corridors, Member States shall prioritise the following projects:

(a) ensuring continuity of the transport network, by closing missing links and removing important bottlenecks to military transport;

(b) ensuring interoperability of the transport network, including by migrating to European nominal standard railway gauge;

(c) adapting the infrastructure to abnormal military transport, including by reinforcing bridges for rail and road transport and by reinforcing and enlarging rail, road, port and aerodrome infrastructure;

(d) upgrading road tunnels to ADR category A, or providing for alternative routes for vehicles carrying dangerous goods incompatible with the existing tunnel category;

(e) increasing throughput capacity for all transport modes, including by improving rail and road access to ports and airports and improving port, airport and terminal facilities and equipment;

(f) enhancing the resilience of communication, control, navigation, surveillance and energy supply infrastructure, in particular against interferences with radio-frequency communications;

(g) ensuring sufficient resilience and redundancy in the network.

2. The Member States situated along the same military mobility corridor shall cooperate to identify and address potential risks that may affect the functionality, security, or resilience of that corridor, in particular for cross-border transport. To that end, they shall:

(a) assess the functionality of the military mobility corridors;

(b) analyse the state of compliance of the military mobility corridor infrastructure with the transport infrastructure requirements as set out in the Council Military Requirements;

(c) assess potential infrastructure gaps, missing links and bottlenecks hampering the smooth flow of military transport;

(d) determine the accurate and precise technical characteristics of their transport infrastructure and the conditions under which abnormal military cargo could be transported;

(e) monitor the resilience of communication, control, navigation, surveillance and fuel supply infrastructure, in particular against interferences with radio-frequency communications, and assess enforcement measures;

(f) assess any other potential risks for military transport operations along the military mobility corridors, with a view to appropriately protecting the related transport infrastructure;

(g) reinforce resilience by ensuring compatibility with the use of the services offered by the Union Space Systems, such as Positioning, Navigation and Timing (PNT), Earth Observation (EO) and Secure Connectivity. In particular, when using PNT services, they shall use the authentication services offered by the Union Space Programme, or alternatively the Galileo Public Regulated Service (PRS) whenever feasible and without prejudice to Member States prerogatives concerning the use of PRS in their territory. Furthermore, Member States shall utilise the Union space-based EO services, where they offer monitoring and protection solutions.

3. Based on the analysis conducted in accordance with paragraph 2, the Commission, in close cooperation with the Member States, shall identify targeted short-term investments (transport infrastructure ‘hotspots’) that are to be implemented by Member States as a matter of priority along the military mobility corridors. To that

end, the Commission shall set up targeted meetings per military mobility corridor in order to agree on the implementation of such hotspots in a synchronised and coordinated manner. The Member States concerned shall be invited to such meetings, and military experts shall be consulted in the assessment.

4. Member States, with the support of the Commission and the EEAS, shall coordinate on the following:

(a) agreeing on designated routes, transport nodes and supporting facilities like military transport support centres, and making best use of the military mobility corridors;

(b) fostering coordination and cooperation between rail infrastructure managers in different Member States, in particular to ensure the efficient processing of the traffic arrangements pursuant to Article 7 and rapid and efficient route compatibility checks for abnormal military transport crossing more than one network;

(c) fostering coordination and cooperation between national aviation authorities with the support of the EDA and, where relevant, the Network Manager defined in Article 2, point (49), of Regulation (EU) 2024/2803, in order to define cross-border connectivity points between all Member States, in accordance with the principles laid down in Commission Regulation (EC) No 2150/2005[(38)] .

For the purposes of the first subparagraph, point (b), Member States shall instruct infrastructure managers to agree on pre-arranged routes for cross-border military transport, in particular for dangerous goods and abnormal military transport.

5. In the implementation of this Article, the Commission shall be assisted by the Committee established in accordance with Article 61 of Regulation (EU) 2024/1679[7]. Where relevant, the Military Mobility Transport Group may be consulted.

Article 33

Identification of strategic dual-use infrastructure

1. Wihtout prejudice to Directive (EU) 2022/2557 an in complementarity with it, Member States shall identify the following infrastructure located in their territories as strategic dual-use infrastructure for the purposes of this Regulation:

(a) key transport infrastructure serving the capital city of each Member State, including, if applicable, the biggest maritime and inland waterway ports as well as the biggest airport and multimodal freight terminal, based on highest traffic volumes or throughput capacity, or both;

(b) key transport infrastructure serving the urban nodes on the trans-European transport network with a population of at least 1 million inhabitants;

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(38) Commission Regulation (EC) No 2150/2005 of 23 December 2005 laying down common rules for the flexible use of airspace (OJ L 342, 24.12.2005, p. 20, ELI: http://data.europa.eu/eli/reg/2005/2150/oj).

7 Regulation (EU) 2024/1679 of the European Parliament and of the Council of 13 June 2024 on Union guidelines for the development of the trans-European transport network, amending Regulations (EU) 2021/1153 and (EU) No 913/2010 and repealing Regulation (EU) No 1315/2013 (OJ L, 2024/1679, 28.6.2024, ELI: http://data.europa.eu/eli/reg/2024/1679/oj)

(c) for each NUTS 2 region along the military mobility corridors, the biggest maritime and inland waterway port as well as the biggest airport and multimodal freight terminal, based on highest traffic volumes or throughput capacity, or both.

2. In addition to the strategic dual-use infrastructure referred to in paragraph 1, Member States shall identify transport infrastructure meeting the following criteria as strategic dual-use infrastructure for the purposes of this Regulation:

(a) infrastructure that has a strategic capacity to support large-scale military transport operations;

(b) infrastructure that is strategically important for military transport along one or several military mobility corridors;

(c) infrastructure that provides or has provided a strategic contribution to planned or past military transport;

(d) infrastructure that poses a known bottleneck or missing link for military transport operations, such as a strategic river crossing or tunnel.

3. In addition to the strategic dual-use infrastructure referred to in paragraph 1, Member States shall also identify essential supporting infrastructure, amongst which transport-critical energy and communications infrastructure, meeting the following criteria as strategic dual-use infrastructure for the purposes of this Regulation:

(a) infrastructure that has a strategic capacity to support large-scale military transport operations;

(b) infrastructure that provides or has provided a strategic contribution to planned or past military transport;

(c) infrastructure that plays a strategic role in providing services of transport of goods or persons to Member States or regions vulnerable to security threats;

(d) infrastructure that disposes of very specialised dual-use services or facilities that are essential for military transport, and for which there are very few alternatives elsewhere in the same Member State or along the same military mobility corridor;

(e) infrastructure that plays a strategic role in storing dual-use assets that facilitate military transport along the military mobility corridors.

4. By [2 years after entry into force of this Regulation], each Member State shall draw up a list of the strategic dual-use infrastructure located in its territory and identified in accordance with this Article. They shall submit that list to the Commission for possible comments and review it accordingly. The Member States shall update that list on a regular basis according to the same procedure. The list shall be treated as "Sensitive/*Limité*".

5. In the implementation of paragraphs 1 and 2, the Commission shall be assisted by the Committee established in accordance with Article 61 of Regulation (EU) 2024/1679.

In the implementation of paragraph 3, the Commission shall be assisted by Military Mobility Transport Group.

Article 34

Basic protection measures for SDI

1. Member States shall take the following basic protection measures in relation to SDI located in their territories to protect them against all hazards, to enhance their resilience and to ensure their effective operation at all times:

   (a) inform the owners, operators and managers of the infrastructure of its designation as an SDI and communicate any relevant information necessary for them to comply with their obligations under this Article;

   (b) prevent, mitigate and address the risks associated with foreign ownership or control of SDI, including through the foreign investment screening in accordance with Regulation (EU) 2019/452;

   (c) prevent, mitigate and address the risks linked to the management or operation of specific assets that are part of or related to an SDI such as specific lifting equipment, IT systems, security control and detection equipment, as well as critical personnel and operations, such as rail freight providers, logistics companies, providers of port services as defined in Regulation (EU) 2017/352 of the European Parliament and of the Council[39], seafarers and pilots;

   (d) where appropriate, take basic measures to protect the SDI against interferences and attacks by State and non-State actors, including terrorist attacks, cybersecurity and other hybrid attacks, and equip the SDI with electronic warfare interference capacity to counter air raids and drone attacks, including jamming and spoofing.

2. The owners, operators and managers of SDI shall take all necessary technical, security and organisational measures within their area of responsibility and, where relevant, in collaboration with each other, to ensure that the SDI is appropriately protected against all hazards, that its resilience is enhanced and that its effective operation at all times is guaranteed. In particular, the owners, operators and managers of SDI shall:

   (a) implement the relevant basic protection and resilience measures for SDI;

   (b) comply with the obligations for critical entities stemming from Directive (EU) 2022/2557, in particular those laid down in Articles 12 to 15 thereof, irrespective of whether the owner, operator or manager of SDI falls within the scope of that Directive;

   (c) apply the requirements for essential or important entities stemming from Articles 20 and 21 of Directive (EU) 2022/2555, irrespective of whether the owner, operator or manager of SDI falls within the scope of that Directive;

   (d) provide detailed information on the ownership structure of the SDI at the first request of the Member State where the SDI is located.

3. Member States shall, without undue delay, inform the Commission and the Member States situated along the same military mobility corridors of any incidents in relation to SDI located on their territory that significantly disrupt or have the potential to

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[39] Regulation (EU) 2017/352 of the European Parliament and of the Council of 15 February 2017 establishing a framework for the provision of port services and common rules on the financial transparency of ports (OJ L 57, 3.3.2017, p. 1, ELI: http://data.europa.eu/eli/reg/2017/352/oj).

significantly disrupt the provision of essential services, within the meaning of Article 15, paragraph 1 of Directive (EU) 2022/2557, and that were either notified to them by the owners, operators and managers of SDI or that they became aware of through any other means. Such notifications shall include any available information to enable the competent authority to assess the nature, cause and possible consequences of the incident, including any available information to determine the resulting capacity restrictions and possible cross-border impact of the incident.

4. The Commission may adopt implementing acts to identify the basic protection and resilience measures for SDI, as referred to in paragraphs 1 and 2 of this Article, and to identify the enhanced protection measures for SDI referred to in Article 24 of this Regulation. To this end, the Commission shall in particular take account of the Commission guidelines adopted pursuant to Article 13(5) of Directive (EU) 2022/2557 and may also seek the advice of the Military Mobility Transport Group and the Committee established in accordance with Article 61 of Regulation (EU) 2024/1679. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 45(4) of this Regulation. The Commission may propose to include the measures covered in that implementing act in the Council Military Requirements.

Chapter IV
Availability of transport and logistic capabilities for military transport operations

Article 35

Solidarity Pool to facilitate military transport operations

1. The Solidarity Pool is established. It shall consist of a pool with a list of registered capabilities of Member States and possibly of the Union. The capabilities registered in the Solidarity Pool shall consist of transport and logistic capabilities and shall be used to guarantee, optimise and facilitate the execution of military transport operations. The Solidarity Pool shall become operational subject to the adoption by the Commission of the implementing act referred to in paragraph 15.

2. On the basis of the advice of the Military Mobility Transport Group and the results of the stress tests referred to in Article 43, the Commission may adopt guidelines defining the types and specifying the number of key transport capabilities required for the Solidarity Pool to address the Union's gaps in the area of military transport capabilities.

3. The Solidarity Pool shall be operational 24 hours a day, seven days a week.

4. Member States may voluntarily register their own capabilities in the Solidarity Pool. Capabilities that have been acquired or contracted by Member States with the financing support of any Union funding shall be registered in the Solidarity Pool.

5. The registration of multinational capabilities provided by two or more Member States shall be undertaken jointly by all the Member States concerned or by any relevant entity.

6. Subject to the availability of Union funding, Union capabilities may be procured with the objective of addressing the Union's gaps in the area of transport capabilities,

under conditions to be specified in the implementing act referred to in paragraph 15. Union capabilities shall be automatically registered in the Solidarity Pool.

7. The capabilities registered in the Solidarity Pool by Member States or the Union, or both, may comprise their own capabilities and those obtained through service contracts with commercial operators, where such contracts permit it.

8. Capabilities registered in the Solidarity Pool shall be available for support following a request made by a requesting Member States to the Commission unless such capabilities are already used to support another request. In the event of competing requests, any decisions to allocate the capabilities shall be taken, in close coordination between the requesting Member States, the Commission and where relevant the Member State that has registered the capabilities.

9. When not being used or needed for planned support, capabilities registered under the Solidarity Pool may be used for national purposes by their registering Member States or for commercial purposes by the commercial operator that has been contracted by the registering Member State or the Union.

10. Member State's capabilities registered in the Solidarity Pool may be excluded from support where that Member State is confronted with an exceptional situation requiring the use of those capabilities. Where a Member State invokes such an exceptional situation, it shall inform and provide explanations to the Commission, as early as possible.

11. Member State's capabilities registered in the Solidarity Pool which are deployed for support shall remain under its command and control. Where the registering Member State is confronted with an exceptional situation requiring the use of registered capabilities that have been deployed, it may withdraw them, upon consultation with the Commission and the requesting Member State for which the capabilities were deployed.

12. Union capabilities shall be hosted in a Member State. The Commission and the Member States shall ensure, where appropriate, an adequate geographical distribution of Union capabilities. The requesting Member State for which Union capabilities are deployed shall be responsible for directing support operations.

13. Capabilities registered under the Solidarity Pool may be pre-positioned. When capabilities are pre-positioned, they shall be located in facilities that apply, where relevant, the basic protection measures referred to in Article 34.

14. The maintenance and deployment costs of Member States' capabilities shall be borne by the registering Member State unless provided otherwise in the implementing act referred to in paragraph 15.

15. Subject to the availability of Union funding, the Commission may adopt an implementing act putting into operation the Solidarity Pool. That implementing act shall also set out:

    (a) the procedures to be followed to process requests by Member States for capabilities under the Solidarity Pool;

    (b) additional specifications under which the costs listed in paragraph 14 may be financed;

    (c) additional specifications under which the cost related to the pre-positioning of the capabilities may be financed;

(d) additional specifications under which the training, reskilling and upskilling costs of personnel operating the capabilities registered under the Solidarity Pool may be financed;

(e) any additional rules on the functioning of the Solidarity Pool, where necessary;

This implementing act may set out:

(a) the conditions under which the maintenance and deployment costs of member State capabilities are to be allocated;

(b) the conditions under which a credit-based system may be used as a form of non-financial exchange mechanism for capabilities registered in the Solidarity Pool.

Article 36

Access to vehicle registries for potential use in military transport

1. Member States shall ensure that their services responsible for carrying out military transport operations have access to their respective national road vehicle registers, with a view to identify dual-use road transport vehicles.

2. Member States, in cooperation with the European Union Agency for Railways, shall ensure that their services responsible for carrying out military transport operations have access to their respective national railway vehicle registers and to the European Vehicle Register referred to in Article 47(5) of Directive (EU) 2016/797, with a view to identify dual-use railway vehicles.

3. Member States shall ensure that their services responsible for carrying out military transport operations have access to their respective national aircraft and shipping registers, with a view to identify dual-use aircraft and vessels.

4. The Commission shall equally be granted access to the registries specified under paragraphs 1 to 3, with a view to identify dual-use vehicles, vessels or aircraft.

Article 37

Identification of railway vehicles for potential use in military transport

1. The Commission may adopt implementing acts in order to:

(c) identify categories of railway vehicles most suitable for use as part of a military transport;

(d) where available, and after consulting the European Union Agency for Railways, establish technical specifications on which the identification pursuant to point (a) may be based, and if necessary, establish any appropriate technical parameters and related compliance testing methods;

(e) for railway vehicles already authorised pursuant to Article 21 of Directive (EU) 2016/797 or put in operation under the Union or national legal framework previously applicable before the authorisation framework set out by that Directive, determine whether and under what conditions:

(1) railway undertakings and vehicle keepers are to identify if the vehicles for which they are responsible fall into a category under point (a), and if so, determine the full relevant technical characteristics of those vehicles;

(2) manufacturers of railway equipment are to identify if vehicles they manufacture fall into a category under point (a), and if so, determine the full relevant technical characteristics of those vehicles.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 45(4).

2. If the Commission adopts the implementing act referred to in paragraph 1, for every registered railway vehicle, the vehicle keeper shall include the identification as a vehicle that can be used as part of a military transport and any relevant parameters established under paragraph 1, point (b)in the respective vehicle's technical documentation. Vehicle keepers, in collaboration with the registration entities, shall be responsible for recording those parameters in the European Vehicle Register referred to in Article 47(5) of Directive (EU) 2016/797.

Article 38

Establishment of a temporary control or right of use framework for military transport

1. By [*1 year following the entry into force of this Regulation*], each Member State shall have in place a framework allowing it to issue, as a last resort, binding orders to obtain the temporary control or right of use over an infrastructure, asset or equipment located on its territory which is necessary for the execution of military transport operations, in cases where no alternative solution can be achieved through mutual agreement or under an existing contract within the required timeframe. Where a Member State has an existing framework enabling such temporary control or right of use, it shall ensure that the existing framework complies with the requirements set out in paragraphs 2 and 3.

2. Member States shall ensure that their framework referred to in paragraph 1 complies with the following minimum requirements:

(a) allows for the temporary control or right of use over an infrastructure, asset or equipment to support the military transport operations of another Member State, upon request from that Member State, and lays down a procedure for submitting such request;

(b) entails a compensation mechanism to compensate owners, operators and managers of the infrastructure, assets or equipment concerned for expenses incurred and damages suffered;

(c) includes transparent and non-discriminatory rules and procedures related to such temporary control and right of use, and that measures taken pursuant to such rules and procedures are in place.

3. Member States shall ensure that any measures adopted under their framework referred to in paragraph 1 are strictly necessary and proportionate.

Article 39

Framework contracts with dual-use transport service providers

1. Member States may conclude framework contracts with dual-use transport service providers for ensuring the availability of transport capabilities for military transport operations, including the rapid deployment of personnel, equipment, and supplies.

2. The framework contracts referred to in paragraph 1 that are concluded, renewed or substantially modified after the entry into force of this Regulation shall:

(a) be designed to allow other Member States to join as contracting parties, and shall provide for the possibility to be amended to accommodate additional participants without compromising the primary objective of supporting military transport;

(b) entail an obligation for the transport service providers to disclose any potential double-booking of transport capability to all participating Member States, prior to accepting conflicting orders.

3. Member States and the transport service providers referred to in paragraph 2, point (b), shall implement procedures to resolve transport capability allocation disputes, ensuring that military transport priorities are met without undue delay.

Chapter V
Horizontal provisions

Article 40

National Coordinator for Cross-Border Military Transport

1. By [six months following the entry into force of this Regulation], each Member State shall designate a National Coordinator for Cross-Border Military Transport with permanent availability, to ensure coordination and effective communication on cross-border military transport.

2. Member States shall ensure that their respective National Coordinator for Cross-Border Military Transport:

(a) receives and sends military transport permission requests and notifications as referred to in Article 8(3) and Article 20(2);

(b) has the necessary expertise and resources to be able to provide advice and support for all customs formalities;

(c) receives and replies to requests for priority access submitted during a period of activation of EMERS and facilitates the necessary procedures, in accordance with Article 21;

(d) is able to coordinate all relevant national, regional, and local level actors involved in military transport operations, in order to ensure the smooth execution of cross-border military transport operations, in particular during the activation of EMERS, and coordinate the Military Transport Readiness Check referred to in Article 42.

Article 41

Military Mobility Transport Group

1. The Military Mobility Transport Group is established to assist and provide advice and recommendations to the Commission and to facilitate cooperation and exchange of information among Member States on issues relating to this Regulation.

2. The specific tasks of the Military Mobility Transport Group shall be the following:

(a) to promote discussions and dialogue between Member States with a view to facilitating the granting of military transport permissions and traffic arrangements, in particular among Member States situated along the same military mobility corridors;

(b) to facilitate the use of pre-planned traffic arrangements and pre-defined routes for the purpose of military transport operations;

(c) to advise on basic and enhanced protection measures referred to in Article 34(4) and Article 24, respectively;

(d) to facilitate the identification and pre-positioning of key transport and logistic capabilities for the Solidarity Pool to address the Union's gaps in this area, where a Solidarity Pool is operationalised in accordance with Article 35;

(e) to facilitate joint procurement by Member States of transport and logistic capabilities for military transport;

(f) to review the Military Transport Readiness Checks results and stress tests results carried out in accordance with Articles 42 and 43 and to issue recommendations on their basis, where appropriate;

(g) to advise on the technical specifications and modules for the Military Mobility Digital Information System, where established in accordance with Article 14, taking due account of applicable Union customs legislation;

(h) to be consulted on the list of strategic dual-use infrastructure referred to in Article 33(3).

3. The Military Mobility Transport Group shall be composed of representatives of the Commission, the EEAS, including the European Union Military Staff, the European Defence Agency and the Member States. Each Member State's representatives shall be able to represent their respective governments' position. Where relevant for customs formalities, Member States' customs authorities and the European Union Customs Authority shall also be invited to participate. The Commission shall chair the Military Mobility Transport Group and ensure its secretariat.

4. The Military Mobility Transport Group may invite, where relevant, in accordance with its rules of procedure and with due respect to the security and defence interests of the Union and its Member States, Ukraine, Moldova and countries of European Economic Area to attend meetings as observers.

5. The Commission shall ensure transparency by providing members of the Military Mobility Transport Group equal access to information.

6. The Military Mobility Transport Group shall meet regularly, and whenever the situation so requires, upon request from the Commission or a Member State. It shall adopt its rules of procedure on the basis of a proposal submitted by the Commission.

7. The Military Mobility Transport Group may issue opinions, advice and recommendations upon the request of the Commission or on its own initiative. The Military Mobility Transport Group shall endeavour to find solutions which command the widest possible support.

Article 42

Military Transport Readiness Check

1. Member States shall conduct a Military Transport Readiness Check once a year to assess their preparedness to execute military transports. The Military Transport Readiness Check shall be comprised of information on all of the following:

   (a) the necessary measures taken at national level to ensure the implementation of EMERS;

   (b) the measures taken at national level to ensure the whole-of-government approach when dealing with military transport;

   (c) whether measures and necessary traffic arrangements for planned cross-border military transport operations have been taken;

   (d) whether Host-Nation-Support measures to accommodate for planned cross-border military transport on their territory have been taken;

   (e) whether military transport permission requests have been submitted to and received by other Member States in accordance with Articles 5 and 6;

   (f) where a Solidarity Pool is operationalised in accordance with Article 35, whether support requests from the Solidarity Pool have been submitted.

2. The National Coordinator for Cross-Border Military Transport of each Member State shall share the results of their Military Transport Readiness Check with the Military Mobility Transport Group.

Article 43

Stress tests

1. The Commission may conduct stress tests, in collaboration with Member States and relevant Union bodies, to test and evaluate the Union's preparedness to facilitate military transport. Such tests shall:

   (a) prepare for the activation of EMERS;

   (b) test the effectiveness of the whole-of-government approach in implementing this Regulation’s objectives, including the coordination and cooperation among relevant bodies, authorities and stakeholders;

   (c) test the implementation of the provisions of this Regulation in a specific geographical area, such as a specific military mobility corridor, in border regions of a Member State with a third country, or in a specific sectorial area, including customs.

2. Member States may request the Commission to conduct the stress tests referred to in paragraph 1.

3. The Commission shall communicate the results of the stress tests conducted pursuant to this Article to participating Member States and the Military Mobility Transport Group.

4. The Commission may also participate in stress tests or exercises, at the request of a Member State or based on any relevant invitation, with the objective to test and evaluate the Union’s preparedness to facilitate military transport.

Article 44

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Articles 5 and 8 shall be conferred on the Commission for an indeterminate period of time from [DATE OF ENTRY INTO FORCE].

3. The delegation of power referred to in Articles 5 and 8 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Articles 5 and 8 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 45

Committee procedure

1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. The European External Action Service shall be invited to assist in the committee.

3. The European Defence Agency, the European Union Agency for Railways, the European Union Aviation Safety Agency, the European Maritime Safety Agency, the Network Manager (defined in point (49) of Article 2 of Regulation (EU) 2024/2803) and the European Network and Information Security Agency shall be invited to provide their views and expertise to the committee as observers.

4. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Chapter VI
Amendments to other Union acts

Article 46

Amendment to Regulation (EU) 2016/796

Regulation (EU) 2016/796 is amended as follows:

1. In paragraph 3 of Article 1, the following point is added: ‘(d) preparedness of the Union rail system provided for in Regulation (EU) 202X/XXX’.

2. In Article 2, the last sentence is replaced by ‘In pursuing those objectives, the Agency shall take full account of the process of enlargement of the Union and of the specific constraints relating to rail links with third countries and assist in ensuring the resilience and security responsiveness of the Union rail system.

3. In paragraph 1 of Article 19, the following point is added: ‘(m) The agency shall assist the Commission in establishing military mobility technical specifications for the identification of vehicles suitable for use as part of a military transport pursuant to Article 37 of Regulation (EU) 202X/XXX’

4. In Article 20, the following subparagraph is added: ‘The Agency shall assign a European vehicle number (EVN) in accordance with Article 46(1) of Directive (EU) 2016/797’.

5. In paragraph 2 of Article 80, the following point is added: ‘(e) the registration of vehicles in the European vehicle register pursuant to Article 22 of Directive (EU) 2016/797’.

Article 47

Amendments to Directive (EU) 2016/797

Directive (EU) 2016/797 is amended as follows:

1. in Article 21, the following paragraph is added:

   ‘18. In cases where the area of use is limited to one or more networks within a Member State, Member States may agree with the Agency to delegate their power to authorise railway vehicles that can be used for military transports as defined in Article 37 of Regulation (EU) 202X/XXXX to the Agency. The details of such delegation shall be agreed in cooperation agreements pursuant to Article 76 of Regulation (EU) 2016/796, and the Agency shall share the delegations it has received from Member State via the one-stop-shop established under Article 12 of Regulation (EU) 2016/796.’;

2. in Article 22, paragraph 3 is replaced by the following:

   ‘3. When the area of use of the vehicle covers the territory of more than one Member State, it shall be registered either in one of the Member States concerned or by the Agency.’;

3. in Article 46, paragraph 1 is replaced by the following:

   ‘1. Upon registration in accordance with Article 22, each vehicle shall be assigned a European vehicle number (EVN) by the competent authority. Each vehicle shall be marked with an assigned EVN.’.

Article 48

Amendments to Regulation (EU) 2024/2803

Regulation (EU) 2024/2803 is amended as follows:

1. in Article 9(1), the following subparagraph is inserted after the first subparagraph:

‘By way of derogation [from the first subparagraph], air navigation service providers may, until 31 December 2030, avail themselves of the communication services of other service providers that are not certified or that did not declare their capability in accordance with Article 41 of Regulation (EU) 2018/1139, on the condition that those providers provided communication services in the Union prior to the entry into force of this Regulation.’;

2. in Article 11(6), the following subparagraphs are added:

‘By way of derogation from this paragraph, a provider of communication services that has been providing such services in the Union prior to the entry into force of this Regulation may, until 31 December 2030, be selected to provide the same services in the Union even if it does not comply with the condition set out in point (a).

By way of derogation from this paragraph, a provider of communication services that has been providing such services in the Union prior to the entry into force of this Regulation may, until 31 December 2033, be selected to provide the same services in the Union even if it does not comply with the conditions set out in points (b) and (c).’.

Article 49

Amendments to Regulation (EU) 2018/1139

Regulation (EU) 2018/1139 is amended as follows:

1. in Article 3, the following point is added:

‘(35) ‘regulatory sandbox’ means a temporary and controlled framework, established by a Member State or the Agency, to enable the design, development, testing, and demonstration of innovative, including dual-use, products and services, in a real-world environment, subject to predefined conditions and timelines, with the aim of fostering innovation and military mobility, and under the supervision of a competent authority.’;

2. in Article 71, paragraph 1 is replaced by the following:

‘1. Member States may grant exemptions to any natural or legal person subject to this Regulation from the requirements applicable to that person pursuant to Chapter III, other than the essential requirements laid down in that Chapter, or to the delegated or implementing acts adopted on basis of that Chapter, in the following circumstances:

(a) in the event of urgent unforeseeable circumstances affecting those persons or urgent operational needs of those persons;

(b) when those requirements prevent the certification, use or operation of innovative technologies, products, equipment, systems, components, operational concepts or business models.’.

The exemptions referred to in the first subparagraph may be granted where all of the following conditions have been met:

(a) it is not possible to adequately address those circumstances or needs in compliance with the applicable requirements;

(b) safety, environmental protection and compliance with the applicable essential requirements are ensured, where necessary through the application of mitigation measures;

(c) the Member State has mitigated any possible distortion of market conditions as a consequence of the granting of the exemption as far as possible; and

(d) the exemption is limited in scope and duration to the extent strictly necessary and it is applied in a non-discriminatory manner.

In such a case, the Member State concerned shall immediately notify the Commission, the Agency and the other Member States, through the repository established under Article 74, of the exemption granted, its duration, the reason for granting it and, where applicable, the necessary mitigation measures applied.';

3. in Article 74(1), second subparagraph, the following point is added:

'(s) notifications of decisions by Members States or by the Agency regarding the establishment, the suspension, and the termination of regulatory sandboxes pursuant to Article 86a, and the corresponding joint report.';

4. in Article 75(2) the following point is added:

' (k) cooperate with national military authorities, relevant Union and international bodies to enable dual-use air transport solutions as well as their safe integration into civil air traffic.';

5. the following new Article 86a is inserted:

'Article 86a

Regulatory sandboxes

1. Regulatory sandboxes may be established by a Member State or the Agency, at their own initiative or upon request from an organisation, to contribute to the following objectives:

(a) promoting innovation and competitiveness in the aviation sector;

(b) enabling the timely and safe introduction of innovations into the Union aviation market;

(c) improving legal certainty and facilitating compliance with this Regulation and with the delegated and implementing acts adopted on the basis thereof and, where relevant, other applicable Union and national law; supporting evidence-based regulatory learning and the development of performance-based requirements.

2. A regulatory sandbox may be established when the following criteria are met:

(a) the technologies, products, equipment, systems, components, operational concepts or business models to be tested represent a genuine innovation and are expected to deliver consumer or wider societal benefits;

(b) the innovation is sufficiently mature to be tested in a real-world controlled environment, and relevant legislative barriers or gaps have been identified;

(c) safety and environmental protection are ensured, and compliance with applicable essential requirements is achieved, where necessary through the application of mitigation measures.

3. A regulatory sandbox shall be subject to clearly set out:

(a) objectives;

(b) scope and duration, which shall be limited to the extent strictly necessary to achieve the proposed objectives;

(c) governance structure, including the roles and responsibilities of all participating authorities and entities, which shall:

(i) include the designation of a competent authority responsible for the supervisions and oversight of the sandbox;

(ii) ensure that all Member States and authorities affected by the objectives and scope of the sandbox are adequately involved in its establishment and implementation;

(iii) ensure that the Agency is involved, particularly in the development of the safety case and of the expected regulatory learning;

(d) monitoring and evaluation criteria;

(e) eligibility criteria and admission procedures, which are transparent and non-discriminatory;

(f) reporting obligations, which support an adequate follow-up of activities.

4. An organisation applying for participation in a sandbox shall demonstrate that the technologies, products, equipment, systems, components, operational concepts or business models to be tested fulfil the criteria in paragraph 2. To do that, the organisation shall:

(a) specify the objectives of the innovative project or solution;

(b) identify the concrete regulatory barriers or gaps to be addressed;

(c) develop a safety case outlining the mitigation measures to be implemented to ensure an adequate level of safety and environmental protection and, as far as possible, compliance with the applicable essential requirements.

5. Upon receiving a request or application from an organisation, the Member State or the Agency shall assess whether the proposed mitigation measures are appropriate and sufficient to ensure an adequate level of safety and propose any additional measures it considers necessary. It shall also specify the expected regulatory learning from the sandbox.

6. A Member State or the Agency establishing a regulatory sandbox shall immediately notify the other Member States and the Agency of the creation of the sandbox. The notification shall include all the elements referred to in paragraph 3.

7. The establishment of a regulatory sandbox shall not affect the oversight or corrective powers of the competent authorities supervising the sandbox. National competent authorities and the Agency shall have the power to suspend or terminate the testing process or the participation in the sandbox if no effective mitigation is possible. They shall inform the Agency and the Member States of such decisions through the repository established under Article 74.

8. Upon conclusion of the regulatory sandbox, a joint report shall be prepared by the organisation and the relevant Member State or the Agency. The report shall detail the activities carried out, the results achieved and the regulatory learning outcomes. Organisations may use that report to support a demonstration of compliance with this Regulation and the delegated and implementing acts adopted on the basis thereof. The Agency shall include that report in the repository established under Article 74.

9. Member States and the Agency shall coordinate their regulatory sandbox activities and exchange best practices.

10. Organisations participating in a regulatory sandbox shall remain liable under applicable Union and national law for any damage inflicted on third parties as a result of the experimentation taking place in the sandbox. However, provided that the organisation complies with the sandbox plan, its terms and conditions, and follows the guidance provided by the Member Sate or the Agency in good faith, no administrative fines shall be imposed, and no action shall be taken against existing certificates for infringements of this Regulation and the delegated and implementing acts adopted on the basis thereof.

11. To support the implementation of this Article, the Agency shall, in accordance with Article 115, adopt guidance on the establishment and operation of regulatory sandboxes. The guidance shall include, at a minimum, common principles and procedures on the following issues:

(a) the eligibility and selection criteria for participation in regulatory sandboxes;

(b) the application, participation, monitoring, exiting from, and termination of regulatory sandboxes, including the sandbox plan and the joint report;

(c) the terms and conditions applicable to the participants.';

6. in Article 126(1), first subparagraph, the following point is added:

'(d) the establishment, operation, and oversight of regulatory sandboxes referred to in Article 86a.'.

Chapter VII
Final provisions

Article 50

Confidentiality and security rules on the protection of the information received

1. Information received as a result of the application of this Regulation shall be used only for the purpose for which it was requested.

2. Member States and the Commission shall ensure the appropriate protection of trade and business secrets and other sensitive and confidential information acquired and generated in application of this Regulation in accordance with Union and national law.

3. The Commission shall not share any information that it has received under this Regulation in a way that can lead to the identification of an individual economic operator where the sharing of the information would result in potential commercial or reputational damage to that economic operator or in the divulgence of trade secrets.

4. Member States and the Commission shall ensure that classified information provided or exchanged under this Regulation is not downgraded or declassified without the prior written consent of the originator of that information.

Article 51

Personal data protection

1. This Regulation shall be without prejudice to the obligations of Member States relating to their processing of personal data, in particular under Regulation (EU) 2016/679 and Directive 2002/58/EC, or the obligations of the Commission and, where appropriate, other Union institutions, bodies, offices and agencies relating to their processing of personal data, in particular under Regulation (EU) 2018/1725, when fulfilling their responsibilities.

2. The Member States, the Commission and, where appropriate, other Union institutions, bodies, offices and agencies may process personal data where necessary to comply with obligations in this Regulation or where necessary for the exercise of official authority or for tasks in the public interest entrusted to them in this Regulation.

Article 52

Evaluation

The Commission shall evaluate and present to the European Parliament and the Council a report on the application of this Regulation by [3 years after the entry into force of this Regulation]. The evaluation report shall build on consultations of the Member States and key stakeholders.

Article 53

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the European Parliament	*For the Council*
The President	*The President*
[...]	*[...]*

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1. FRAMEWORK OF THE PROPOSAL/INITIATIVE

1.1. Title of the proposal/initiative

Proposal for a Regulation of the European Parliament and the Council on establishing a framework of measures related to Military Mobility to facilitate the transport of military equipment, goods and personnel across the Union

1.2. Policy area(s) concerned

Union's Defence Industrial Policy

Union's Transport Policy

Union's Customs and Taxation Policy

Union's Food Safety Policy

1.3. Objective(s)

1.3.1. General objective(s)

The overarching objective of the Regulation on Military Mobility is to establish a coherent and harmonised EU-level framework that enables, facilitates, and accelerates the transport of military personnel, material, and equipment across the territory of the European Union.

The objective of the Regulation is to reflect military transport needs and requirements in EU legislation and programmes through amendments to existing legislation and new self-standing provisions as needed

1.3.2. Specific objective(s)

Streamlining cross-border military transport (establishing a uniform framework for permission procedures and ensuring uninterrupted and safe military transport) including by simplifying customs formalities applicable to such transport at the Union's external borders

Enhancing emergency response (creating an efficient, coordinated, and effective framework to facilitate military transport in response to temporary, extraordinary, and urgent situations)

Improving infrastructure readiness and protection (setting out rules to enhance the readiness and safe deployment of dual-use transport infrastructure and better protect strategic dual-use infrastructure against all hazards and threats, including threats to radio frequency spectrum supporting transportation), including threats)

Fostering solidarity and capability sharing (encouraging the sharing and pooling of transport and logistics capabilities through a Solidarity Pool, and increasing visibility of existing transport capabilities for military transport).

1.3.3. Expected result(s) and impact

Specify the effects which the proposal/initiative should have on the beneficiaries / groups targeted.

General:

The Regulation strikes a careful balance between facilitating military transport operations and mitigating their impact on civilians. By aiming to clarify the regulatory framework for operators and distinguishing between normal military transport rules and the emergency measures entailed under EMERS, the Regulation adopts a graduated and progressive approach. This targeted, proportional approach minimises the impact on the civilian sector, limiting it to what is strictly necessary to accommodate increased military transport operations in the Union. Furthermore, the measures enhance predictability for civilian activities and provide opportunities for the civilian sector to contribute actively to improving military mobility in the Union, fostering a collaborative and mutually beneficial environment.

(d) Strengthened ability to organise military transport, during peacetime, much quicker than currently and with much reduced administrative burden

(e) Availability of transport operators, to be contracted for military mobility purposes: availability of sufficient, specialised moveable assets to carry out transports; ability to use them across Europe in case of emergencies, reduction of administrative burden

(f) Operators and infrastructure managers: prepared for extraordinary operational circumstances and large-scale military movements (resilience and security)

(g) Enhanced resilience and protection of strategic dual-use infrastructure

Related to Military Mobility Transport Group:

(h) Better co-ordination among MS through establishment of a relevant Military Mobility Transport Group, with ability to oversee implementation of this Regulation

Related to Solidarity Pool:

(i) Improved availability and access to military mobility capabilities (transport assets and logistic equipment) through pooling and sharing between MS

Related to ERA:

(j) Streamlined applications for vehicle authorisation such as military adjustments or retrofits of railway vehicles;

(k) requirements; Identification of military needs to be turned into technical specifications for TSIs;

(l) Identification of national requirements and harmonisation of requirements regarding the exceptional “overweight/oversized transport to meet the 24 hours (currently up to 80 days) turnaround time for MM movement permissions and transport arrangements, similar to road; (subsidy-funded FTEs)

(m) Identification- identification and digitizing using RINF of suitable routes lines for rendering exceptional transports requests more predicable; (subsidy-funded FTEs)

(n) Collaboration with commercially oriented stakeholder on the identification of rolling stock within the existing fleet with potential to be used also for military purposes;

(o) Additional- collaboration with commercially oriented stakeholder on the identification of rolling stock within the existing fleet with potential to be used also for military purposes (subsidy-funded FTEs)

(p) - additional vehicle authorisations to extend the area of use for identified existing vehicles that may be used within military transports outside their commercially viable area of operation; (fee-funded FTEs)

(q) Register- to speed up processes, ERA to register rolling stock, similar to Member States, a completely new task that requires private law knowledge on top of technical understanding (key delivery to speed effectiveness of MM vehicle authorization, but in the longer run benefitting all authorizations;) (fee-funded FTEs); (fee-funded FTEs)

(r) Harmonisation- harmonization of the degraded and resilient mode of control, command and signalling of trains; (subsidy-funded FTEs)

(s) Development- development and implementation of changes in ERA registers to link the management of vehicle registration in EVR with the authorisation process and possibly OSS related to the vehicle registration by ERA; (subsidy-funded FTEs)

(t) Organizing- organizing and chairing of fora bringing together railway experts with military experts to solve technical issues (JNS military); (subsidy-funded FTEs)

(u) Organizing- organizing and chairing of fora bringing together railway experts with military experts to solve technical issues (JNS military); (subsidy-funded FTEs)

(v) Revision and harmonising existing military standards;

(w) Revision- revision and harmonising existing military standards; (subsidy-funded FTEs)

(x) Adaptation- adaptation of impacted TSIs, CSMs, practical arrangements for vehicle authorization and further impacted documents.

(y)

Related to EASA:

(z) Accelerating the rule development for Unmanned Aircraft Systems (UAS) in the certified category supporting dual-use of UAS. Contributing to the rule development for civil UAS operations in the certified category will accelerate the European development as well of UAS for dual-use and their integration in the European Airspace. It should be prioritised the development of a regulation on certified category drones by EASA in association with military authorities.

(aa) Accelerating the delivery of new military mobility capabilities by facilitation of innovative dual drones, manned aircraft and Counter-UAS (C-UAS) systems tests and demonstration, through the establishment of a network of civil-military tests centres and a harmonised framework for regulatory sandboxes.

(bb) Harmonised technical rules and guidance for Counter-UAS systems to strengthen infrastructure resilience as well as mitigate their on aviation safety.

(cc) Harmonised technical rules and guidance to facilitate air military mobility and interoperability with civil aviation while ensuring the appropriate level of safety in the domains of (i) operation of military aircraft or use of equipment at dual-use aerodromes, (ii) dual-use transport aircraft of Solidarity Pool, (iii) EU-NATO common use of technical standards (particularly for drones, with AI-based functions), (iv) methodology for drones AI-based functions trustworthiness assessment, and (v) Air traffic integration in low altitude airspaces and U-space.

(dd) Developing proposed amendments to include the protection of essential Communication, Navigation and Surveillance infrastructure and the spectrum in use by those systems in the list of essential services to be protected under Directive (EU) 2022/2557 on the resilience of critical entities and Commission Delegated Regulation (EU) 2023/2450 establishing a list of essential services.

(ee) Developing guidance for enhanced monitoring of radio frequency interference and enhanced coordination with local spectrum and law enforcement authorities to prevent, and respond to, interference of CNS infrastructure

(ff)

1.3.4. Indicators of performance

Specify the indicators for monitoring progress and achievements

General:

Taking into account the general objective of the Military Mobility Regulation, its results and impacts will be assessed through a retrospective evaluation following the implementation period. The Commission will ensure that appropriate performance indicators are established and monitored. These indicators may include:

– Reduction in average processing time for cross-border military movement authorisations

– Number of dual-use transport assets and service providers registered in the Solidarity Pool

– Increase in availability and interoperability of dual-use infrastructure identified as strategic for military mobility– Number of Member States participating in or benefiting from the Solidarity Pool. Number of meetings of the Military Mobility Group and relevant secretariat assistance provided by the Commission to organisation– Number of exercises, stress tests, or contingency simulations conducted under the preparedness and resilience frameworks

– Reduction of reported procedural or infrastructural bottlenecks affecting military mobility across the Union.

Related to ERA:

- Number of dual-use vehicles identified in ERA registers (EVR, ERATV) and number authorised by ERA following delegation by MS NSA;

- reduction of length of authorisation process of these vehicles

- Number of technical and operational rules recommended for modification to facilitate military transports

- Number of ERA registry parameters added to facilitate exceptional transports.

Related to EASA:

- Number of applications for certification of dual-use aircraft or modification (UAS included) in accordance with common rules developed by EASA

- Number of regulatory sandboxes established for innovative technologies on dual-use aircraft

- Number of technical and operational rules adopted or modified to facilitate military transports or strengthen resilience of critical infrastructure.

1.4. The proposal/initiative relates to:

☑ a new action

☐ a new action following a pilot project / preparatory action[8]

☐ the extension of an existing action

☐ a merger or redirection of one or more actions towards another/a new action

1.5. Grounds for the proposal/initiative

1.5.1. Requirement(s) to be met in the short or long term including a detailed timeline for roll-out of the implementation of the initiative

General:

The Regulation establishes a harmonised legal framework enabling the rapid, safe, and predictable transport of military personnel and equipment across the Union. This framework will be binding from the date of entry into force of the Regulation. In the short term, implementation will focus on adopting the necessary implementing acts. Immediately after entry into force of the Regulation, to be expected still under this MFF 2021-27, concrete steps will be taken towards establishment of the Solidarity Pool and gaining visibility on available dual-use transport assets. These will include setting up a secure IT module with capacity of registering military mobility capabilities within the pool and handling assistance requests. This is estimated to require IT resources (2 FTEs) in 2027.

Additionally, immediately after entry into force of the Regulation, for ensuring secretariat of the Military Mobility Transport Group and overseeing the process to set up the Solidarity Pool, the Commission will require 2 FTE within DG DEFIS for 2027.

Under the MFF 2028-34, operational administration and management of the pool (actual registration of capacities, handling requests and deployments) is estimated as requiring 30 FTEs per year under the next MFF 2028-34. The European Competitiveness Fund foresees eligible actions to support the expenditures related to set up and operations of the Solidarity Pool in the next MFF.

[8] As referred to in Article 58(2), point (a) or (b) of the Financial Regulation.

The support for the Military Mobility Transport Group secretariat and oversee set up and steering the Solidarity Pool will continue to require 2 FTE within DG DEFIS annually.

Additionally, as of the entry into force of the Regulation and under the next MFF 2028 - 2034, [5] FTEs (AD) will be needed within DG MOVE. Firstly, additional human resources will be needed for the coordination of the four military mobility corridors as the Regulation imposes new obligations on Member States and creates new tasks and responsibilities for the Commission. As the upgrading of the four corridors to military infrastructure standards becomes mandatory, DG MOVE will need to analyse the compliance of the corridors with these standards. It will need to steer new processes and exercise additional coordination tasks related to the alignment of investment needs and implementation deadlines along the corridors, the coherence of investment planning and the coordination between Member States' Ministries of Defence and Transport. DG MOVE will also need to support Member States with their new coordination obligations as set out in Article 32, including on the designation of routes, transport nodes and facilities on the corridors and comprehensive risk assessment. To ensure the Commission's new responsibility under the Regulation to support Member States in the identification and coherent implementation of "hotspot" investments along the corridors (Article 32), additional significant coordination work is needed. Secondly, additional resources will be required in DG MOVE to meet the Commission's new responsibility to regularly assess Member States' submitted lists of strategic dual-use infrastructure and to define basic and enhanced protection and resilience measures for this exercise (Articles 33 and 34). Lastly, the upcoming revision of the EU military requirements for infrastructure will require additional tasks and resource needs for DG MOVE.

In the medium term, an operational use of harmonised procedures, national points of contact, and digital platform for movement permissions. Longer-term objectives include the integration of resilience measures for strategic dual-use infrastructure and converging towards greater interoperability with NATO and other partners. The Regulation is thus designed for progressive roll-out, with early functionality envisaged and full maturity being possible within the subsequent Multiannual Financial Framework period.

On DG TAXUD side, one additional FTE will be required for the simplification of customs formalities and the digitalisation of the EU Form 302, which includes the analytical and preparatory work to ensure the establishment of the framework for the customs aspect and the specific requirements as well as to follow up the correct implementation of these customs aspects in the potential future IT tool.

Related to ERA:

- adapt TSIs and CSMs in line with military mobility package

- harmonisation of military mobility technical requirements

- adapt ERA registers and tools]

Related to EASA:

EASA should first accelerate the rule development for Unmanned Aircraft Systems (UAS) in the certified category, integration in the general air traffic particularly and promote regulatory sandboxes accordingly. Following a first experimentation, conducted under the initiative of several EU Member States, EASA should continue developing guidance for assessing new risks linked with operation of military aircraft

or installation of equipment at civil aerodromes. This will require the reinforcement of EASA by 2 additional FTEs very early in the process.

Perform the priority activities linked with Counter-UAS or harmonised rules, guidance and standards. The tasks and objectives listed under §1.3.3 are currently not part of EASA's mandate, which is focussed on the civil domain. Delivering on these objectives requires additional resources, estimated at 6 FTEs. Some of the corresponding activities will be funded through fees and charges (3 FTEs in total), while other objectives and tasks are of pure regulatory nature and aim at establishing and maintaining over time new rules to complement the current EU regulatory framework and enable harmonized, seamless and safe dual air operations. They cannot be funded through fees and charges and therefore require additional subsidy funding (3 FTEs). EASA lacks expertise to cover the proposed activities, internal redeployment of resources was assessed but deemed not appropriate (lack of expertise) or possible, without endangering the ongoing activities mandated to EASA by the Basic Regulation.

1.5.2. *Added value of EU involvement (it may result from different factors, e.g. coordination gains, legal certainty, greater effectiveness or complementarities). For the purposes of this section 'added value of EU involvement' is the value resulting from EU action that is additional to the value that would have been otherwise created by Member States alone.*

Reasons for action at EU level (ex-ante)

EU involvement provides clear added value by ensuring coherence, interoperability, and legal certainty across Member States in the area of military mobility (objectives that cannot be achieved through national action alone). The Regulation creates a framework for cross-border transport procedures, foresees measures to increase infrastructure resilience, and capability pooling, thereby eliminating fragmentation, reducing administrative burden, and enabling a coordinated Union-wide response in emergency situations. It ensures complementarity with NATO planning processes and maximises efficiency through the creation of the digital tool, and its focus on interoperability. The subsidiarity principle is respected and the EU added value confirmed

Expected generated EU added value (ex-post)

There will be coordination gains from harmonising rules relevant to military mobility at EU level.

For the Solidarity Pool:

- increase of availability of military mobility capabilities;

- increase of the effective use of available capabilities;

- improved coordination to fill capabilities gaps at EU level.

For Military Mobility Transport Group:

- improved coordination on military mobility between Member States;

- improved cost-effectiveness of Member States actions;

- providing a forum for peer review, assessment of progress and strategic decision making on solidarity pool.

For ERA:

- Greater effectiveness through the use of existing processes for harmonising technical and operational rules in rail.

For EASA:

- The EU Military Aviation Authorities acknowledged that harmonisation brings effectiveness. They developed common requirements in the context of the Military Airworthiness Authorities (MAWA) Forum led by EDA, but their implementation at national level has limited this effectiveness. EASA's technical expertise and regulatory framework brings greater effectiveness and cost-efficiency thanks to the synergies with the existing civil aviation environment.

- Greater harmonisation, where relevant, will also result in better interoperability and should be extended to new types of aircraft like dual-use drones and other domains of aviation like aerodromes, air traffic management and air navigation services.

- Maintaining level of aviation safety in the context of civil and military operations increase.

1.5.3. Lessons learned from similar experiences in the past

Experience from the implementation of the previous Military Mobility Action Plans and related EU funding instruments has demonstrated the need for stronger coordination, clearer governance structures, and legally binding procedures to ensure uniform implementation across Member States. Even if substantial progress has been achieved, past initiatives have led to uneven progress, fragmented investments, and limited interoperability gains.

The European Court of Auditors, in its Special Report 04/2025, highlighted areas for improvement in strategic prioritisation, monitoring, and project selection. These lessons have informed the design of the present Regulation, which introduces binding procedures to ensure consistency, efficiency, and accountability in future implementation.

The resources allocated to ERA under the 4th Railway Package (2016) proved to be insufficient to complete the tasks set out in implementing and delegated acts in the timeline foreseen.

EASA's mandate as per Founding Regulation EU 2018/1039 does not cover State and Military aircraft. However, some specific projects for large military cargo aircraft and some military civil derivative helicopters have demonstrated the added-value of dual-use certification activities. There are many benefits in effectiveness, cost-efficiency and interoperability in extending these success stories to other domains of aviation. Since activities for the benefit of the military are not in the mandate of EASA, the resources currently allocated to the agency are insufficient to allow it to support the Commission in the area of military air mobility, notably in the priority fields of dual-use drones and counter-drones, dual-use aerodromes, strategic airlift reserve, dual-use research and innovation support.

Facilitating military mobility is an urgency. Therefore, ERA and EASA should be sufficiently resourced to carry out the additional tasks related to military mobility they are to accomplish.

1.5.4. Compatibility with the multiannual financial framework and possible synergies with other appropriate instruments

The initiative is fully consistent with the current MFF and complements existing Union instruments supporting security, defence, and transport. It builds on progress achieved on digitalisation of cross-border movements in the European Defence Fund. Additional complementarities are foreseen with the Union Civil Protection Mechanism (rescEU) and ERCC where the Solidarity Pool could rely on existing experiences and, if possible, structures. The proposed European Competitiveness Fund under the next MFF foresees possible eligible actions to support digitalisation and solidarity mechanism as well as procurement of military mobility capabilities meant to be registered in the pool.

Synergies will be achieved through the use of established processes, tools and expertise at ERA and EASA to implement military mobility tasks.

1.5.5. Assessment of the different available financing options, including scope for redeployment

The budgetary implications of this proposal are dealt with under this legislative financial statement.

In terms of expenditures, the specific budgetary impact of this initiative is limited to appropriations for human resources (to ensure secretariat of the Military Mobility Transport Group, oversee set up and steering the Solidarity Pool, to meet the new tasks and responsibilities of the Commission in relation to the military mobility corridors, hotspot projects and the identification and protection of strategic dual-use infrastructure as outlined in section 1.5.) and financial and human resources to ensure IT development of the Solidarity Pool in a secure environment during the set up phase after the entry into force of this Regulation. Continuation under the next MFF will depend on the outcome of the negotiations. The exploratory work on the development of the digital tool will also be covered.

The importance of human and financial resources under this MFF stem from the fact that the time before the next MFF should be used effectively to build the Solidarity Pool structure to enable swift and efficient progress towards registering assets, to swiftly proceed with the identification of protection measures for strategic dual-use infrastructure to support Member States with their new obligations, to support the revision of the EU military requirements for infrastructure, as well as to meet the Commission's new responsibilities regarding the military mobility corridors and "hotspot" projects.

In terms of expenditures, the specific budgetary impact of this initiative is limited to appropriations for human resources to carry out the tasks and objectives listed above and the necessary IT system developments to support databases development and maintenance. These constitute an expansion and increase of ERA and EASA tasks specifically related to military mobility and will be permanent, while existing tasks will not decrease. Therefore, the resources for the periods under the current MFF will be covered by an offsetting reduction of the programme Connecting Europe Facility (CEF), the continuation of funding from 2028 onwards, must be offset from a relevant programme of the next MFF, without prejudice to the future MFF Agreement.

1.6. Duration of the proposal/initiative and of its financial impact

☐ **limited duration**

– ☐ in effect from [DD/MM]YYYY to [DD/MM]YYYY

– ☐ financial impact from YYYY to YYYY for commitment appropriations and from YYYY to YYYY for payment appropriations.

☑ **unlimited duration**

– Implementation with a start-up period from 2027 to YYYY,

– followed by full-scale operation.

1.7. Method(s) of budget implementation planned

☒ **Direct management** by the Commission

– ☒ by its departments, including by its staff in the Union delegations;

– ☐ by the executive agencies

☐ **Shared management** with the Member States

☑ **Indirect management** by entrusting budget implementation tasks to:

– ☐ third countries or the bodies they have designated

– ☐ international organisations and their agencies (to be specified)

– ☐ the European Investment Bank and the European Investment Fund

– ☑ bodies referred to in Articles 70 and 71 of the Financial Regulation

– ☐ public law bodies

– ☐ bodies governed by private law with a public service mission to the extent that they are provided with adequate financial guarantees

– ☐ bodies governed by the private law of a Member State that are entrusted with the implementation of a public-private partnership and that are provided with adequate financial guarantees

– ☐ bodies or persons entrusted with the implementation of specific actions in the common foreign and security policy pursuant to Title V of the Treaty on European Union, and identified in the relevant basic act

– ☐·bodies established in a Member State, governed by the private law of a Member State or Union law and eligible to be entrusted, in accordance with sector-specific rules, with the implementation of Union funds or budgetary guarantees, to the extent that such bodies are controlled by public law bodies or by bodies governed by private law with a public service mission, and are provided with adequate financial guarantees in the form of joint and several liability by the controlling bodies or equivalent financial guarantees and which may be, for each action, limited to the maximum amount of the Union support.

Comments

2. MANAGEMENT MEASURES

2.1. Monitoring and reporting rules

The Commission will be overall accountable for implementing the proposed Regulation as well as for reporting to the European Parliament and the Council on implementation and compliance.

Commission will report to the Military Mobility Transport Group on the implementation of the Solidarity Pool.

ERA will report on a regular basis on the implementation of the contribution agreements (MFF 2021-2027), subsidy (MFF 2028-2034) and of the related actions.

EASA will report on the implementation of contribution agreements, subsidy and of related actions to the budgetary authority as part of the annual discharge.

Data collection is required from different sources, including from Member States authorities. The coordination of the data collection activities is performed by each decentralised agency.

For the digital aspects in relation to the potential Military Mobility Digital Information System, see also explanations provided under section 4 of this LFDS.

The Commission services will monitor the implementation and effectiveness of this initiative through a number of actions and a set of core indicators that will measure progress towards achieving the objectives. Three years after the implementation date of the legislation, the Commission services should carry out an evaluation to verify to what extent the objectives of the initiative have been reached.

2.2. Management and control system(s)

2.2.1. Justification of the budget implementation method(s), the funding implementation mechanism(s), the payment modalities and the control strategy proposed

The Commission will be assisted by the ERA in implementing the provisions of the Regulation related to rail, notably (i) additional authorisation tasks related to dual-use vehicles, including as Registration Entity, (ii) the harmonisation of existing military mobility standards and integrating them into the technical specifications for interoperability (to make them enforceable, as appropriate), and (iii) harmonisation of operational (safety) and technical rules for military mobility, adaptation of registers and tools, and cleaning up existing national rules made redundant by such new harmonised rules.

ERA is best placed to carry out these tasks at EU level, as they require strong expertise in the harmonisation of railway rules, and an in-depth understanding of complex technical matters related to both interoperability and safety, which justifies the indirect management mode.

The Commission will be assisted by EASA in implementing the provisions of the Regulation related to aviation. EASA is best placed to carry out these tasks at EU level, as they require strong expertise in the certification of aviation products and aerodromes/ATM domains, and an in-depth understanding of complex technical matters related to both dual-use and safety, which justifies the indirect management mode.

DG MOVE, in the context of its supervision of decentralised entities, and ERA and EASA will apply their respective control strategies to this expenditure.

2.2.2. Information concerning the risks identified and the internal control system(s) set up to mitigate them

The main risks identified relate to (i) potential delays in the establishment Solidarity Pool (secure IT system).

Risks associated are of insufficient budgetary volume compared to actual needs. Financial risks are assessed as low, given the limited budgetary exposure and reliance on existing EU programmes with established control structures.

While the Commission will be overall accountable for implementing the proposed Regulation as well as for reporting to the European Parliament and the Council on the implementation and compliance, the ERA and EASA will be responsible for the performance of the identified tasks and operation and for the implementation of its internal control framework. ERA will be required to develop existing IT tools and modules.

ERA and EASA, autonomous EU Bodies, have the responsibility to set up the appropriate control systems to ensure compliance with the 5 internal control objectives, namely legality and regularity, performance of its operations, prevention of fraud, safeguarding of assets and true and fair reporting. The risk of errors related, at agency level, to the implementation of EU contributions is expected to be well under the 2% materiality threshold. The additional resources put at the disposal of ERA and EASA will therefore be covered by the agencies' internal control and risk management system that is aligned with the relevant international standards and includes specific controls to prevent conflict of interests and ensure the protection of whistle-blowers.

At Commission level, DG MOVE will apply the controls related to its supervision of ERA and EASA as decentralised agencies. Contributions made to EU Agencies are considered as free from risk of error at payment and closure. No additional specific risks are identified in relation with the implementation of the additional budget to be provided to ERA and EASA.

2.2.3. Estimation and justification of the cost-effectiveness of the controls (ratio between the control costs and the value of the related funds managed), and assessment of the expected levels of risk of error (at payment & at closure)

ERA and EASA have full responsibility over the implementation of their budget, while DG MOVE is responsible for the regular payment of the contributions established by the Budgetary Authority during MFF 2021-2027 and of the increased subsidy established by the Budgetary Authority starting with MFF 2028-2034. The additional tasks resulting from the proposed Regulation are not expected to generate significant additional controls. Therefore, the cost of control (measured against the value of funds managed) for DG MOVE is expected to remain stable.

On the basis of experience with comparable instruments, the residual risk of error at payment is expected to remain low (<2 %). Overall, the control framework is considered proportionate to the scale and risk profile of the expenditure foreseen under the initiative.

2.3. Measures to prevent fraud and irregularities

In addition to the controls stemming from the control strategy listed above, the action is subject to scrutiny of the Internal Audit Service, in its capacity of internal auditor of the Commission and of the decentralised agencies, and of the European Court of Auditors, in its capacity of external auditor of the EU Institutions.

The European Anti-Fraud Office (OLAF) is competent to carry out investigations on operations supported under this initiative. Actions resulting from this Regulation, shall provide for supervision and financial control by the Commission, or any representative authorised by it, and audits by the European Court of Auditors, the European Public Prosecutor's Office (EPPO) or OLAF, if necessary on-the spot.

The contribution agreements between the Commission and the ERA and EASA will include specific provisions to ensure that auditors and, if necessary, investigative authorities (EPPO, OLAF) have unrestrained access to the necessary information. They will also include the necessary provisions to ensure that the Commission is timely informed of any issue that may impair the implementation of the actions.

The Commission maintains robust antifraud strategy, DG MOVE complements this by local antifraud strategies that cover the activities falling under their respective remit.

ERA and EASA, autonomous EU Bodies, have the responsibility to maintain an Antifraud Strategy and to ensure the protection of the EU Interests.

3. ESTIMATED FINANCIAL IMPACT OF THE PROPOSAL/INITIATIVE

3.1. Heading(s) of the multiannual financial framework and expenditure budget line(s) affected

- Existing budget lines

In order of multiannual financial framework headings and budget lines.

Heading of multiannual financial framework	Budget line	Type of expenditure	Contribution			
	Number	Diff./Non-diff.	from EFTA countries	from candidate countries and potential candidates	From other third countries	other assigned revenue
1	02.10.03 – European Union Agency for Railways (ERA)	Diff.	YES	NO	NO	NO
1	02.10.1 – European Union Aviation Safety Agency (EASA)	Diff.	YES	NO	NO	NO
1	02.03.01 – Connecting Europe Facility - Transport	Diff.	NO	NO	NO	NO
5	13.08.01 – European Defence Industry Programme (EDIP)	Diff	YES	NO	NO	NO

3.2. Estimated financial impact of the proposal on appropriations

3.2.1. Summary of estimated impact on operational appropriations

– ☐ The proposal/initiative does not require the use of operational appropriations

– ☑ The proposal/initiative requires the use of operational appropriations, as explained below

Amounts post-2027 are indicative and do not prejudge the outcome of the ongoing negotiations on the next MFF.

3.2.1.1. Appropriations from voted budget

EUR million (to three decimal places)

Heading of multiannual financial framework	1	Single Market, Innovation and digital

DG			Year 2024	Year 2025	Year 2026	Year 2027	**TOTAL MFF 2021-2027**
Operational appropriations							
Budget line	Commitments	(1a)			0	0	**0**
	Payments	(2a)			0	0	**0**
Budget line	Commitments	(1b)					
	Payments	(2b)					
Appropriations of an administrative nature financed from the envelope of specific programmes							
Budget line		(3)					
TOTAL appropriations	Commitments	=1a+1b+3					
	Payments	=2a+2b+3					

EUR million (to three decimal places)

European Union Agency for Railways (ERA)	Year **2025**	Year **2026**	Year **2027**	**TOTAL MFF 2021-2027**	**TOTAL MFF 2028-2034**
Budget line: 02 10 03 – European Union Agency for Railways (ERA) / EU Budget contribution to the agency			2.064	**2.064**	**11.124**

The appropriations / EU budget contribution to the agency will be compensated by a reduction of the envelope of the following programme CEF-Transport / budget line: 02.0301 / in the year(s): 2027. Without prejudice to the negotiations on the next MFF, the appropriations allocated to the agency from 2028 onwards will be compensated by a reduction of the envelope of one of the programmes related to this initiative under the same MFF heading as the subsidy of the agency.

European Union Aviation Safety Agency (EASA)	Year **2025**	Year **2026**	Year **2027**	**TOTAL MFF 2021-2027**	**TOTAL MFF 2028-2034**
Budget line: 02 10 01 – European Union Aviation Safety Agency / EU Budget contribution to the agency			0. 498	**0. 498**	**3.771**

The appropriations / EU budget contribution to the agency will be compensated by a reduction of the envelope of the following programme CEF-Transport / budget line: 02.0301 / in the year(s) : 2027. Without prejudice to the negotiations on the next MFF, the appropriations allocated to the agency from 2028 onwards will be compensated by a reduction of the envelope of one of the programmes related to this initiative under the same MFF heading as the subsidy of the agency.

			Year **2025**	Year **2026**	Year **2027**	**TOTAL MFF 2021-2027**	**TOTAL MFF 2028-2034**
TOTAL operational appropriations	Commitments	(4)	0.000	0.000	2.562	**2.562**	**14.894**
	Payments	(5)	0.000	0.000	2.562	**2.562**	**14.894**

TOTAL appropriations of an administrative nature financed from the envelope for specific programmes		(6)	0.000	0.000	0.000	**0.000**	**0.000**
TOTAL appropriations under HEADING 1 of the multiannual financial framework	Commitments	=4+6	**0.000**	**0.000**	**2.562**	**2.562**	**14.894**
	Payments	=5+6	**0.000**	**0.000**	**2.562**	**2.562**	**14.894**

EUR million (to three decimal places)

Heading of multiannual financial framework	5	Security and Defence

DG DEFIS			Year 2024	Year 2025	Year 2026	Year 2027	**TOTAL MFF 2021-2027**
Operational appropriations							
Budget line 13.08.01 EDIP	Commitments	(1a)			0	2.500	**2.500**
	Payments	(2a)			0	2.500	**2.500**
Budget line	Commitments	(1b)					
	Payments	(2b)					
Appropriations of an administrative nature financed from the envelope of specific programmes							
Budget line		(3)					
TOTAL appropriations for DG	Commitments	=1a+1b+3				**2.500**	**2.500**
	Payments	=2a+2b+3				**2.500**	**2.500**

The appropriations of EDIP will be used to finance the IT tool to manage the future Solidarity Pool.

			Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027	TOTAL MFF 2028-2034
• TOTAL operational appropriations (all operational headings)	Commitments	(4)	0.000	0.000	5.062	**5.062**	**14.894**
	Payments	(5)	0.000	0.000	5.062	**5.062**	**14.894**
• TOTAL appropriations of an administrative nature financed from the envelope for specific programmes (all operational headings)		(6)	0.000	0.000	0.000	**0.000**	**0.000**
TOTAL appropriations under Headings 1 to 6 of the multiannual financial framework (Reference amount)	Commitments	=4+6	**0.000**	**0.000**	**5.062**	**5.062**	**14.894**
	Payments	=5+6	**0.000**	**0.000**	**5.062**	**5.062**	**14.894**

Heading of multiannual financial framework	**7**	'Administrative expenditure'

DG: DEFIS		Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027	TOTAL MFF 2028-2034
• Human resources		0.000	0.000	0.000	0.376	**0.376**	**2.632**
• Other administrative expenditure		0.000	0.000	0.000	0.000	**0.000**	**0.000**
TOTAL DG DEFIS	Appropriations	**0.000**	**0.000**	**0.000**	**0.376**	**0.376**	**2.632**

DG ECHO		Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027	TOTAL MFF 2028-2034
• Human resources		0.000	0.000	1.504	1.504	**3.008**	**39.480**
• Other administrative expenditure		0.000	0.000	0.000	0.000	**0.000**	**0.000**
TOTAL DG ECHO	Appropriations	**0.000**	**0.000**	**1.504**	**1.504**	**3.008**	**39.480**

DG TAXUD		Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027	TOTAL MFF 2028-2034
• Human resources		0.000	0.000	0.000	0.101	**0.101**	**0.303**
• Other administrative expenditure		0.000	0.000	0.000	0.000	**0.000**	**0.00**
TOTAL DG TAXUD	Appropriations	**0.000**	**0.000**	**0.000**	**0.101**	**0.101**	**0.303**

EUR million (to three decimal places)

DG MOVE		Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027	TOTAL MFF 2028-2034
• Human resources		0.000	0.000	0.000	0.940	**0.940**	**6.580**
• Other administrative expenditure		0.000	0.000	0.000	0.030	**0.030**	**0.210**
TOTAL DG MOVE	Appropriations	**0.000**	**0.000**	**0.000**	**0.970**	**0.970**	**6.790**

TOTAL appropriations under HEADING 7 of the multiannual financial framework	(Total commitments = Total payments)	**0.000**	**0.000**	**1.504**	**2.951**	**4.455**	**49.205**

EUR million (to three decimal places)

		Year 2024	Year 2025	Year 2026	Year 2027	TOTAL MFF 2021-2027	TOTAL MFF 2028-2034
TOTAL appropriations under HEADINGS 1 to 7	Commitments	**0.000**	**0.000**	**1.504**	**8.013**	**9.517**	**64.099**
of the multiannual financial framework	Payments	**0.000**	**0.000**	**1.504**	**8.013**	**9.517**	**64.099**

3.2.2. Estimated output funded from operational appropriations

Commitment appropriations in EUR million (to three decimal places)

Indicate objectives and outputs ⇩			Year **2024**		Year **2025**		Year **2026**		Year **2027**		Enter as many years as necessary to show the duration of the impact (see Section 1.6)						**TOTAL**	
	OUTPUTS																	
	Type[9]	Average cost	No	Cost	No	Cost	No	Cost	No	Cost	No	Cost	No	Cost	No	Cost	Total No	Total cost
SPECIFIC OBJECTIVE No 1[10]…																		
- Output																		
- Output																		
- Output																		
Subtotal for specific objective No 1																		
SPECIFIC OBJECTIVE No 2 ...																		
- Output																		
Subtotal for specific objective No 2																		
TOTALS																		

9 Outputs are products and services to be supplied (e.g.: number of student exchanges financed, number of km of roads built, etc.).

10 As described in Section 1.3.2. 'Specific objective(s)'

3.2.3. *Summary of estimated impact on administrative appropriations*

– ☐ The proposal/initiative does not require the use of appropriations of an administrative nature

– ☒ The proposal/initiative requires the use of appropriations of an administrative nature, as explained below

3.2.3.1. Appropriations from voted budget

VOTED APPROPRIATIONS	Year 2024	Year 2025	Year 2026	Year 2027	TOTAL 2021 - 2027	TOTAL 2028-2034
HEADING 7						
Human resources	0.000	0.000	1.504	2.921	**4.425**	**48.995**
Other administrative expenditure	0.000	0.000	0.000	0.030	**0.030**	**0.210**
Subtotal HEADING 7	**0.000**	**0.000**	**1.504**	**2.951**	**4.455**	**49.205**
Outside HEADING 7						
Human resources	0.000	0.000	0.000	0.000	**0.000**	
Other expenditure of an administrative nature	0.000	0.000	0.000	0.000	**0.000**	
Subtotal outside HEADING 7	**0.000**	**0.000**	**0.000**	**0.000**	**0.000**	
TOTAL	**0.000**	**0.000**	**1.504**	**2.951**	**4.455**	**49.205**

3.2.3.3. Total appropriations

TOTAL VOTED APPROPRIATIONS + EXTERNAL ASSIGNED REVENUES	Year 2024	Year 2025	Year 2026	Year 2027	TOTAL 2021 - 2027	TOTAL 2028-2034
HEADING 7						
Human resources	0.000	0.000	1.504	2.921	**4.425**	**48.995**
Other administrative expenditure	0.000	0.000	0.000	0.030	**0.030**	**0.210**
Subtotal HEADING 7	**0.000**	**0.000**	**1.504**	**2.951**	**4.455**	**49.205**
Outside HEADING 7						
Human resources	0.000	0.000	0.000	0.000	**0.000**	
Other expenditure of an administrative nature	0.000	0.000	0.000	0.000	**0.000**	
Subtotal outside HEADING 7	**0.000**	**0.000**	**0.000**	**0.000**	**0.000**	
TOTAL	**0.000**	**0.000**	**1.504**	**2.951**	**4.455**	**49.205**

The appropriations required for human resources and other expenditure of an administrative nature will be met by appropriations from the DG that are already assigned to management of the action and/or have been redeployed within the DG, together, if necessary, with any additional allocation which may be granted to the managing DG under the annual allocation procedure and in the light of budgetary constraints.

3.2.4. *Estimated requirements of human resources*

– The proposal/initiative does not require the use of human resources

– ☒ The proposal/initiative requires the use of human resources, as explained below

3.2.4.1. *Financed from voted budget*

Estimate to be expressed in full-time equivalent units (FTEs)

VOTED APPROPRIATIONS		Year **2024**	Year **2025**	Year **2026**	Year **2027**
• Establishment plan posts (officials and temporary staff)					
20 01 02 01 (Headquarters and Commission's Representation Offices)		0	0	8	15
20 01 02 03 (EU Delegations)		0	0	0	0
01 01 01 01 (Indirect research)		0	0	0	0
01 01 01 11 (Direct research)		0	0	0	0
Other budget lines (specify)		0	0	0	0
• External staff (in FTEs)					
20 02 01 (AC, END from the 'global envelope')		0	0	0	1
20 02 03 (AC, AL, END and JPD in the EU Delegations)		0	0	0	0
Admin. Support line [XX.01.YY.YY]	- at Headquarters	0	0	0	0
	- in EU Delegations	0	0	0	0
01 01 01 02 (AC, END - Indirect research)		0	0	0	0
01 01 01 12 (AC, END - Direct research)		0	0	0	0
Other budget lines (specify) - Heading 7		0	0	0	0
Other budget lines (specify) - Outside Heading 7		0	0	0	0
TOTAL		**0**	**0**	**8**	**16**

The staff required to implement the proposal (in FTEs):

2026	**Current staff available in the Commission services**	**Additional staff***		
		To be financed under Heading 7 / Research	**To be financed from BA line**	**To be financed from fees**
Establishment plan posts	8			
External staff (CA, SNEs, INT)				

2027	Current staff available in the Commission services	Additional staff*		
		To be financed under Heading 7 / Research	To be financed from BA line	To be financed from fees
Establishment plan posts	15			
External staff (CA, SNEs, INT)	1			

2028-2034	Current staff available in the Commission services	Additional staff*		
		To be financed under Heading 7 / Research	To be financed from BA line	To be financed from fees
Establishment plan posts	37			
External staff (CA, SNEs, INT)	1			

The human resources required will be met by staff from the DG who are already assigned to management of the action and/or have been redeployed within the DG. together if necessary with any additional allocation which may be granted to the managing DG under the annual allocation procedure and in the light of budgetary constraints. Figures post-2027 are indicative and do not prejudge the outcome of the ongoing negotiations on the next MFF.

Description of tasks to be carried out by:

Officials and temporary staff	In 2026 : 8 FTEs for DG ECHO: 4 FTEs (IT staff AD) to oversee building of the secure module of the IT tool to manage future Solidarity Pool + 4 FTEs (AD staff) to strengthen the Emergency Response Coordination Centre to prepare for new functionalities In 2027: 2 FTEs (AD) for DEFIS to ensure secretariat of the Military Mobility Transport Group and oversee set up and steering the Solidarity Pool 8 FTEs for DG ECHO: 4 FTEs (IT staff AD) to oversee building of the secure module of the IT tool to manage future Solidarity Pool + 4 FTEs (AD staff) to strengthen the Emergency Response Coordination Centre to prepare for new functionalities. 5 FTEs (AD) for DG MOVE to meet the Commission's new responsibilities on the coordination of the four military mobility corridors and implementation "hotspot" projects (as described in section 1.5.1), to

	define basic and enhanced protection and resilience measures for strategic dual-use infrastructure and assess Member States' submitted lists of such infrastructure and to support the revision of the EU military requirements for infrastructure. In 2028-2034: 2 FTEs (AD) for DEFIS to ensure secretariat of the Military Mobility Transport Group and oversee set up and steering the Solidarity Pool 30 FTEs for DG ECHO for operational and administrative management of the Solidarity Pool. These figures originate from DG ECHO to manage the Military Mobility Solidarity Pool. The 5 FTEs (AD) requested for DG MOVE for 2027 would continue on the next MFF to regularly assess Member States' submitted lists of strategic dual-use infrastructure and where relevant update the basic and enhanced protection and resilience measures needed for this exercise, ensure the Commission's additional coordination responsibilities under the Regulation related to the military mobility corridors and identification of "hotspot" projects to support Member States with their new obligations.
External staff	1 FTE (CA FGIV) for DG TAXUD for 2027 and until 2030 for the digitalisation of the EU Form 302, which includes the analytical and preparatory work to set up the customs framework and define specific requirements, as well as oversight of the correct implementation of customs dimension in the future IT tool.

3.2.5. Overview of estimated impact on digital technology-related investments

TOTAL Digital and IT appropriations	Year **2024**	Year **2025**	Year **2026**	Year **2027**	**TOTAL MFF 2021 - 2027**
HEADING 7					
IT expenditure (corporate)	0.000	0.000	0.000	0.000	**0.000**
Subtotal HEADING 7	**0.000**	**0.000**	**0.000**	**0.000**	**0.000**
Outside HEADING 7					
Policy IT expenditure on operational programmes	0.000	0.000	0.000	2.500	**2.500**
Subtotal outside HEADING 7	**0.000**	**0.000**	**0.000**	**2.500**	**2.500**
TOTAL	**0.000**	**0.000**	**0.000**	**2.500**	**2.500**

3.2.6. Compatibility with the current multiannual financial framework

The proposal/initiative:

– ☑ can be fully financed through redeployment within the relevant heading of the multiannual financial framework (MFF)

Current programmes budget will be used to finance the operational costs impact

– ☐ requires use of the unallocated margin under the relevant heading of the MFF and/or use of the special instruments as defined in the MFF Regulation

– ☐ requires a revision of the MFF

3.2.7. Third-party contributions

The proposal/initiative:

– ☒ does not provide for co-financing by third parties

– ☐ provides for the co-financing by third parties estimated below:

Appropriations in EUR million (to three decimal places)

	Year **2024**	Year **2025**	Year **2026**	Year **2027**	Total
Specify the co-financing body					
TOTAL appropriations co-financed					

3.2.8. Estimated human resources and the use of appropriations required in a decentralised agency

Staff requirements (fulll-time equivalent units)

Agency: European Union Agency for Railways (ERA)	Year **2025**	Year **2026**	Year **2027**	**MFF 2028-2034**
Temporary agents (AD Grades)			9[11]	9
Temporary agents (AST grades)				
Temporary agents (AD+AST) subtotal	***0***		***9***	***9***
Contract agents			3[12]	3
Seconded national experts				
Contract agents and seconded national experts subtotal	***0***	***0***	***3***	***3***
TOTAL staff	**0**	**0**	**12**	**12**

In the context of its core task in the technical harmonisation of the EU rail system, and from the angle of the dual-use of infrastructure, ERA has undertaken preliminary tasks in the field of military mobility. To do this, ERA has internally redeployed FTEs to the support of other organisations and EU agencies (such as NATO and the EDA), and to provide pre-support to suppliers on the production of military escort coaches. In addition, the number of applications for vehicle authorisation has reached unprecedent heights and ERA's workload has increase exponentially making the Agency unable to redeploy further FTEs for the tasks allocated under this proposal.

The additional tasks allocated to the Agency under this proposal include, but are not limited to, identifying military needs and translating them into technical specifications for TSIs, harmonizing national requirements to expedite permissions for transporting oversized military goods, and extending vehicle authorizations for military use beyond commercial areas, with funding varied between subsidies and fees. Additionally, there's a requirement to establish a rolling stock registry akin to Member States to enhance vehicle authorization efficiency, necessitating both technical and legal expertise. Another task is the harmonization of control, command, and signalling standards, along with existing military standards, which is essential to ensure resilient and consistent operations, funded through subsidies.

[11] 3 temporary agents (AD grades) from 2027 onwards are financed by appropriations covered by fees.

[12] 3 contract agents (FGIV) from 2027 onwards are financed by appropriations covered by fees.

ERA will need 6 FTEs (TA AD grades) funded by subsidy and 6 FTEs (3 CA FG IV and 3 TA AD grades) funded by F&C to perform the additional tasks allocated to it.

Agency: European Union Aviation Safety Agency (EASA)	Year **2025**	Year **2026**	Year **2027**	**MFF 2028-2034**
Temporary agents (AD Grades)			4[13]	4
Temporary agents (AST grades)				
Temporary agents (AD+AST) subtotal	***0***	***0***	*4*	***4***
Contract agents			2[14]	2
Seconded national experts				
Contract agents and seconded national experts subtotal	***0***	***0***	***2***	***2***
TOTAL staff	**0**	**0**	**6**	**6**

The tasks and objectives listed under §1.3.3 are currently not part of EASA's mandate, which focuses on the civil domain. Delivering on these objectives requires additional resources, estimated at 6 FTEs. Some of the corresponding activities will be funded through fees and charges (3 FTEs in total). Other objectives and tasks are of pure regulatory nature. They aim at establishing and maintaining over time new rules to complement the current EU regulatory framework and enable harmonised, seamless and safe dual air operations. They cannot be funded through fees and charges and therefore require additional subsidy funding (3 FTEs).

These needs cannot be met by internal redeployment due to unavailability of resources with specific expertise and the need . Internal redeployment and the risk of EASA lacks specific expertise on full allocation of existing resources the proposed activities, which makes internal redeployment of resources not possible, without endangering the ongoing activities mandated to EASA by the Basic Regulation.

DG DEFIS	Year **2025**	Year **2026**	Year **2027**	**MFF 2028-2034**
Temporary agents (AD Grades)			2	14 (2 FTEs x 7 years)
Temporary agents (AST grades)				
Temporary agents (AD+AST) subtotal	***0***	***0***	*2*	***14 (2 FTEs x 7 years)***

[13] 2 temporary agents (AD grades) from 2027 onwards are financed by appropriations covered by fees.
[14] 1 contract agents (FGIV) from 2027 onwards are financed by appropriations covered by fees.

Contract agents				
Seconded national experts				
Contract agents and seconded national experts subtotal	***0***	*0*	*0*	***0***
TOTAL staff	**0**	**0**	**2**	**14 (2 FTEs x 7 years)**

DG MOVE	Year **2025**	Year **2026**	Year **2027**	**TOTAL MFF 2028-2034**
Temporary agents (AD Grades)			5	5 (annually)
Temporary agents (AST grades)				
Temporary agents (AD+AST) subtotal	***0***	***0***	*5*	***5 (annually)***
Contract agents				
Seconded national experts				
Contract agents and seconded national experts subtotal	***0***	*0*	*0*	***0***
TOTAL staff	**0**	**0**	**5**	**5 (annually)**

DG ECHO	Year **2025**	Year **2026**	Year **2027**	**MFF 2028-2034**
Temporary agents (AD Grades)		8	8	210 (30 FTEs x 7 years)
Temporary agents (AST grades)				
Temporary agents (AD+AST) subtotal	***0***	***8***	*8*	***210 (30 FTEs x 7 years)***
Contract agents				
Seconded national experts				
Contract agents and seconded national experts subtotal	***0***	*0*	*0*	***0***
TOTAL staff	**0**	**8**	**8**	**210 (30 FTEs x 7 years)**

Appropriations covered by the EU budget contribution in EUR million (to three decimal places)

Agency: ERA	Year **2025**	Year **2026**	Year **2027**	**TOTAL 2021 - 2027**	**TOTAL 2028-2034**[15]
Title 1: Staff expenditure			1.314	**1.314**	**9.964**
Title 2: Infrastructure and operating expenditure				**0.000**	**0.000**
Title 3: Operational expenditure			0.750	**0.750**	**1.160**
TOTAL of appropriations covered by the EU budget	**0.000**	**0.000**	**2.064**	**2.064**	**11.124**

Agency: EASA	Year **2025**	Year **2026**	Year **2027**	**TOTAL 2021 - 2027**	**TOTAL 2028-2034**[16]
Title 1: Staff expenditure			0.498	**0.498**	**3.771**
Title 2: Infrastructure and operating expenditure				**0.000**	
Title 3: Operational expenditure				**0.000**	
TOTAL of appropriations covered by the EU budget	**0.000**	**0.000**	**0.498**	**0.498**	**3.771**

Appropriations covered by fees, if applicable, in EUR million (to three decimal places)

Agency: ERA	Year **2025**	Year **2026**	Year **2027**	**TOTAL 2021 - 2027**	**TOTAL 2028-2034**[17]
Title 1: Staff expenditure			1.010	**1.010**	**7.658**
Title 2: Infrastructure and operating expenditure				**0.000**	
Title 3: Operational expenditure				**0.000**	
TOTAL of appropriations covered by fees	**0.000**	**0.000**	**1.010**	**1.010**	**7.658**

[15] Figures under this column take into account total salary expenditure covered by the EU budget contribution for MFF 2028-2034 and EUR 150 000 annually for IT maintenance, without prejudice to the negotiations of MFF 2028-2034.

[16] Figures under this column take into account total salary expenditure covered by the EU budget contribution for MFF 2028-2034, without prejudice to the negotiations of MFF 2028-2034.

[17] Figures under this column take into account total salary expenditure covered by fees for MFF 2028-2034, without prejudice to the negotiations of MFF 2028-2034.

Agency: EASA	Year **2025**	Year **2026**	Year **2027**	**TOTAL 2021 - 2027**	**TOTAL 2028-2034**[18]
Title 1: Staff expenditure			0.498	**0.498**	**3.771**
Title 2: Infrastructure and operating expenditure				**0.000**	
Title 3: Operational expenditure				**0.000**	
TOTAL of appropriations covered by fees	**0.000**	**0.000**	**0.498**	**0.498**	**3.771**

Overview/summary of human resources and appropriations (in EUR million) required by the proposal/initiative in a decentralised agency

Agency: ERA	Year **2025**	Year **2026**	Year **2027**	**TOTAL 2021 - 2027**	**TOTAL MFF 2028-2034**
Temporary agents (AD+AST)	0	0	9	**9**	**9**
Contract agents	0	0	3	**3**	**3**
Seconded national experts	0	0	0	**0**	**0**
Total staff	**0**	**0**	**12**	**12**	**12**
Appropriations covered by the EU budget	0.000	0.000	2.064	**2.064**	**11.124**
Appropriations covered by fees (if applicable)	0.000	0.000	1.010	**1.010**	**7.658**
Appropriations co-financed (if applicable)	0.000	0.000	0.000	**0.000**	**0.000**
TOTAL appropriations	**0.000**	**0.000**	**3.074**	**3.074**	**18.782**

Agency: EASA	Year **2025**	Year **2026**	Year **2027**	**TOTAL 2021 - 2027**	**TOTAL MFF 2028-2034**
Temporary agents (AD+AST)	0	0	4	**4**	**4**

[18] Figures under this column take into account total salary expenditure covered by fees for MFF 2028-2034, without prejudice to the negotiations of MFF 2028-2034.

Contract agents	0	0	2	**2**	**2**
Seconded national experts	0	0	0	**0**	**0**
Total staff	**0**	**0**	**6**	**6**	**6**
Appropriations covered by the EU budget	0.000	0.000	0.498	**0.498**	**3.771**
Appropriations covered by fees (if applicable)	0.000	0.000	0.498	**0.498**	**3.771**
Appropriations co-financed (if applicable)	0.000	0.000	0.000	**0.000**	**0.000**
TOTAL appropriations	**0.000**	**0.000**	**0.996**	**0.996**	**7.541**

3.3. Estimated impact on revenue

– ☒ The proposal/initiative has no financial impact on revenue.

– ☐ The proposal/initiative has the following financial impact:

  – ☐ on own resources

  – ☐ on other revenue

  – ☐ please indicate, if the revenue is assigned to expenditure lines

EUR million (to three decimal places)

Budget revenue line:	Appropriations available for the current financial year	Impact of the proposal/initiative[19]			
		Year **2024**	Year **2025**	Year **2026**	Year **2027**
Article …….					

For assigned revenue, specify the budget expenditure line(s) affected.

[…]

Other remarks (e.g. method/formula used for calculating the impact on revenue or any other information).

[…]

4. DIGITAL DIMENSIONS

The work to be carried out by ERA will lead to the modification of existing ERA IT tools and registers and therefore has a digital dimensions. The details of this are not known at this stage.

[19] As regards traditional own resources (customs duties, sugar levies), the amounts indicated must be net amounts, i.e. gross amounts after deduction of 20 % for collection costs.

4.1. Requirements of digital relevance

Article 14 of this Regulation proposal stipulates that the Commission may establish, via the adoption of a Commission implementing act, a secure ad restricted Military Mobility Digital Information System to be deployed by 2030. The latter will help to significantly streamline and automatize military transport processes, in particular for the cross-border military transport operations. For instance, this digital system would include notably the customs aspects for EU form 302 pursuant to Regulation (EU) 202X/XXXX [customs reform]. [This new digital solution shall be operated and maintained by the Commission] and once operational, Member States shall make use of it for all procedures covered by this Chapter and for customs formalities related to EU form 302 referred to in this Regulation.

Article 16 stipulates that customs authorities of the Member States and the EU Customs Authority shall use the Military Mobility Digital Information system referred to in Article 14, once operational, for the purpose of the exchange and storage of information related to EU form 302, based on common data requirements defined according to Article 33 of Regulation (EU) 202X/XXXX [customs reform]. Customs authorities of the Member States and the EU Customs Authority shall have access to this system to perform their customs obligations in the context of military mobility.

To facilitate interoperability and data exchange between systems, the use of standardised formats (i.e. JSON, JSON-LD, RDF, and XML) shall be prioritised for the digitalisation of the form. Furthermore, an effective data governance framework shall be established to ensure data quality management and standardisation, thereby guaranteeing accuracy, reliability, and consistency across different systems and entities.

Article 35 also entails the possibility for the Commission to set up a Solidarity Pool to facilitate the execution of military transport operations. This solidarity pool could require the development of a secure digital tool to manage the Solidarity Pool, building on the existing tool used by DG ECHO under the European Response Coordination Centre.

Reference to the requirement	***Requirement description***	***Actors affected or concerned by the requirement***	***High-level Processes***	***Categories***
Article 14	Establishing Military Mobility Digital Information System data - *subject to the adoption of the implementing act*	The Commission, MS, MS customs authorities, Military authorities, European Union Customs Authority	Establishing of the digital public service	Data Digital solution Digital public service
Article 16	Digitalisation of EU Form 302 - *subject to the adoption of the implementing*	MS customs authorities, European Union Customs Authority.	Information exchange and storage	Data Digital solution Digital public service

	act on establishing Military Mobility Digital Information system and subject to the adoption of the Regulation (EU) 202X/XXXX establishing the Union Customs Code and the European Union Customs Authority, and repealing Regulation (EU) No 952/2013. and the implementing/delegated act establishing the EU Customs Data Model.			
Article 35	Establishing a Solidarity Pool (voluntarily registered transport capabilities of Member States and of Union transport capabilities to facilitate the execution of military transport operations) - *subject to the adoption of the implementing act*	The Commission, MS	Establishing of the digital public service	Data Digital solution Digital public service

4.2. Data

Any public and military authorities utilising the possible Military Mobility Digital Information System for the collection, processing, generation, exchange, or sharing of data related to military transport operations shall do so in strict compliance with applicable laws, regulations, and specific rules governing the handling of sensitive and classified information. The same would go for the collection, processing, generation, exchange, or sharing of data related to the secure digital tool that could be created to manage the possible solidarity pool.

The digitalisation of the EU Form 302 will be in compliance with the EU Customs Data Model established in the framework of the Customs Reform.

Type of data	***Reference to the requirement(s)***	***Standard and/or specification (if applicable)***
Military Mobility Digital Information System data - *subject to the adoption of the implementing act establishing the system*	Article 14	
Digitalised EU Form 302 - *subject to the adoption of the implementing act on establishing Military Mobility Digital Information system and subject to the adoption of the Regulation (EU) 202X/XXXX establishing the Union Customs Code and the European Union Customs Authority, and repealing Regulation (EU) No 952/2013 and the delegated and implementing acts establishing the EU Customs Data Model.*	Article 16	Based on common data requirements defined according to Article 36 of Regulation (EU) 202X/XXXX [customs reform]
Solidarity Pool register – *subject to the adoption of the implementing act establishing the register*	Article 35	//

4.3. Digital solutions

The technical specifications and modules of the possible Military Mobility Digital Information System will have to be defined on the basis of the advice of the Military Mobility Transport Group. For the customs aspects related to the digitalisation of EU Form 302, the tool will be developed based on applicable EU customs legislation and upon the advice of EU customs authorities and the European Union Customs Authority in cooperation with the

Commission. Given the sensitive nature of the data processed through the possible Military Mobility Digital Information System, this digital solution will be designed and implemented with the utmost emphasis on cybersecurity, adhering to the most stringent and up-to-date standards, best practices. The same approach would be applied for the secure digital tool that could be created to manage the possible solidarity pool.

Alignment with the European Data Strategy

Any public authorities utilising the possible Military Mobility Digital Information System for the collection, processing, generation, exchange, or sharing of data related to military transport operations shall do so in strict compliance with applicable laws, regulations, and specific rules governing the handling of sensitive and classified information. The same would go for the collection, processing, generation, exchange, or sharing of data related to the secure digital tool that could be created to manage the possible solidarity pool.

4.4. Interoperability assessment

The possible Military Mobility Digital Information System may require interaction across Member State borders, among EU entities or between EU entities and public sector bodies, such as customs authorities. The possible Military Mobility Digital Information System may have an effect on 'cross-border interoperability'. The related implications will depend on the technical specifications and modules that the possible Military Mobility Digital Information System may entail.

Interoperability of the possible Mobility Digital Information System with other relevant tools and bodies of the NATO framework should also be envisaged, without prejudice to the related provisions in the EU customs legislation.

Similar approach would be applied for the secure digital tool that could be created to manage the possible solidarity pool.

4.5. Measures to support digital implementation

The Commission may adopt an implementing act to establish the Military Mobility Digital Information System. On the basis of the advice of the Military Mobility Transport Group, without prejudice to the related provisions in EU customs legislation and possible advice from customs authorities , the Commission's implementing act should entail specifications and modules of this. Possible funding from the future European Competitiveness Fund, under the next MFF 2028-2034 should support the development, deployment and operation of this potential digital solution.

The secure digital tool that could be created to manage the possible solidarity pool, could be supported with funding from the European Defence Industry Programme.

High-level description of digital solutions

Digital solution	Reference(s) to the requirement(s	Main mandated functionalities	Responsible body	How is accessibility catered for?	How is reusability considered?	Use of AI technologies (if applicable)

	)					
Military Mobility Digital Information System - *subject to the adoption of the implementing act establishing the system*	Article 14	*Subject to the implementing act establishing Military Mobility Digital Information System* MS to use it for all procedures related to the uniform framework for military mobility under Chapter I exchange and storage of information related to EU form 302	The Commission	//	//	//
Solidarity Pool register and secure managing tool– *subject to the adoption of the implementing act establishing the register*	Article 35	*Subject to the implementing act stablishing the register* register transport capabilities of MS and of the Union 24/7 operational capacity	The Commission	//	//	//

For each digital solution, explanation of how the digital solution complies with applicable digital policies and legislative enactments

Digital solution #1

Digital and/or sectorial policy	**Explanation on how it aligns**

(when these are applicable)	
AI Act	//
EU Cybersecurity framework	Any public authorities utilising the possible Mobility Digital Information System for the collection, processing, generation, exchange, or sharing of data related to military transport operations shall do so in strict compliance with applicable laws, regulations, and specific rules governing the handling of sensitive and classified information.
eIDAS	//
Single Digital Gateway and IMI	//
Others	//

Digital solution #2

Digital and/or sectorial policy (when these are applicable)	**Explanation on how it aligns**
AI Act	//
EU Cybersecurity framework	The collection, processing, generation, exchange, or sharing of data related to the Solidarity Pool shall be done in strict compliance with applicable laws, regulations, and specific rules governing the handling of sensitive and classified information.
eIDAS	//
Single Digital Gateway and IMI	//
Others	//

4.4. Interoperability assessment

High-level description of the digital public service(s) affected by the requirements

Digital public service or category of digital public services	**Description**	**Reference(s) to the requirement(s)**	**Interoperable Europe Solution(s)** **(NOT APPLICABLE)**	**Other interoperability solution(s)**
Digital public	//	//	//	//

service #1				
Category of digital public services according to COFOG #1	//	//	//	//

Impact of the requirement(s) as per digital public service on cross-border interoperability

Digital public service #1

Assessment	**Measure(s)**	**Potential remaining barriers (if applicable)**
Alignment with existing digital and sectorial policies **Please list the applicable digital and sectorial policies identified**	//	//
Organisational measures for a smooth cross-border digital public services delivery **Please list the governance measures foreseen**	//	//
Measures taken to ensure a shared understanding of the data **Please list such measures**	//	//
Use of commonly agreed open technical specifications and standards **Please list such measures**	//	//

4.5. Measures to support digital implementation

High-level description of measures supporting digital implementation

Description of the measure	**Reference(s) to the requirement(s)**	**Commission role** (if applicable)	**Actors to be involved** (if applicable)	**Expected timeline** (if applicable)
Implementing act to establishing a secure and restricted Military Mobility Digital Information System The technical specifications and modules of the possible Mobility	Article 14	May adopt the act	//	//

Digital Information System will have to be defined on the basis of the advice of the Military Mobility Transport Group. Given the sensitive nature of the data processed through the possible Mobility Digital Information System, this digital solution will be designed and implemented with the utmost emphasis on cybersecurity, adhering to the most stringent and up-to-date standards, best practices. Interoperability**.** The possible Mobility Digital Information System may require interaction across Member State borders, among EU entities or between EU entities and public sector bodies, such as customs authorities. The possible Mobility Digital Information System may have an effect on 'cross-border interoperability'. The related implications will depend on the technical specifications and modules that the possible Mobility Digital Information System may entail. On the basis of the advice of the Military Mobility Transport Group, the Commission's implementing act should entail the different technical specifications and modules. Possible funding from the future European Competitiveness Fund, under the next MFF 2028-2034 should support the development, deployment and operation of this potential digital solution.				
Implementing act, in accordance with the examination procedure referred to in Article 45(3), establishing a Solidarity Pool to facilitate the execution of military transport operations. Given the sensitive nature of the data the this digital solution will be designed and implemented with the utmost emphasis on cybersecurity, adhering to the most stringent and up-	38(1)	May adopt the act	//	//

to-date standards, best practices. Interoperability of the register/secure tool with other relevant tools and bodies of the NATO framework should also be envisaged and ensured. The secure digital tool that could be created to manage the possible solidarity pool, could be supported with funding from the European Defence Industry Programme.				
Guidelines defining the types and specifying the number of key transport capabilities required for the Solidarity Pool	Article 35(2)	May adopt guidelines	//	//