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HIGH REPRESENTATIVE
OF THE UNION FOR
FOREIGN AFFAIRS AND
SECURITY POLICY

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JOINT REPORT TO THE EUROPEAN PARLIAMENT AND THE COUNCIL
on the implementation of the Action Plan on Military Mobility from October 2020 to
September 2021

I. INTRODUCTION

1. Since the launch of the Military Mobility initiative in 2017¹, the EU Action Plan on Military Mobility (hereafter “Action Plan”) of 28 March 2018² has provided a coherent framework for ongoing and future programmes, projects, initiatives and activities as part of a coordinated EU approach. The Union institutions, bodies and agencies as well as the respective national authorities of the EU Member States continue implementing the Action Plan at a steady pace in all three main areas – transport infrastructure; regulatory and procedural issues; and other cross-cutting topics. All EU stakeholders have maintained their cooperation in full respect of national sovereignty and the relevant competences.
2. As called for in the Action Plan, the High Representative and the Commission present periodic progress reports³. The first Joint Report on the implementation of the Action Plan on Military Mobility was presented on 3 June 2019⁴ and the second Joint Report – on 19 October 2020⁵. This Report is presented in complementarity with the European Defence Agency’s Annual Progress Report on Military Mobility⁶, which covered activities solely under the Agency’s remit during the period from March 2020 to March 2021.
3. The implementation of the Action Plan continues in coherence with the relevant project undertaken by Member States in the framework of the Permanent Structured Cooperation, which addresses national measures including those agreed upon by the EU Member States on 25 June 2018⁷. The relevant EU institutions, bodies and agencies continue to participate in the proceedings of the PESCO project Military Mobility, which will soon become the first PESCO project with the participation of third States – the United States of America, Canada and Norway – in accordance with the Council decisions adopted on 6 May 2021⁸.
4. Moreover, military mobility remains a “flagship” area for enhanced cooperation between the EU and NATO, with efficient interaction between the staffs within the Structured Dialogue on Military Mobility. The concrete deliverables achieved over the past year have been reflected in further detail in the sixth progress report on EU-NATO cooperation⁹.

¹ Joint Communication to the European Parliament and the Council on Improving Military Mobility in the European Union {JOIN(2017) 41 final}.

² Joint Communication to the European Parliament and the Council on the Action Plan on Military Mobility {JOIN(2018)05 final}.

³ Joint Communication to the European Parliament and the Council on the Action Plan on Military Mobility, 28 March 2018 {JOIN(2018)05 final}, p. 10.

⁴ Joint Report to the European Parliament and the Council on the implementation of the Action Plan on Military Mobility {JOIN(2019) 11 final}.

⁵ Joint Report to the European Parliament and the Council on the implementation of the Action Plan on Military Mobility from June 2019 to September 2020 {JOIN(2020) 16 final}.

⁶ Annex to Document SB 2021/035, 26 May 2021.

⁷ Council conclusions on Security and Defence in the context of the EU Global Strategy, 25 June 2018, paragraph 18, <http://data.consilium.europa.eu/doc/document/ST-10246-2018-INIT/en/pdf>

⁸ Council Decision (CFSP) 2021/748 on the participation of Canada in the PESCO project Military Mobility; Council Decision (CFSP) 2021/749 on the participation of the Kingdom of Norway in the PESCO project Military Mobility; and Council Decision (CFSP) 2021/750 on the participation of the United States of America in the PESCO project Military Mobility.

⁹ Sixth progress report on the implementation of the common set of proposals endorsed by EU and NATO Councils on 6 December 2016 and 5 December 2017, 3 June 2021, <https://www.consilium.europa.eu/en/press/press-releases/2021/06/03/eu-nato-cooperation-sixth-progress-report/>

5. The Council welcomed in its conclusions on security and defence of May 2021¹⁰ the progress on military mobility in the context of the Permanent Structured Cooperation, within the European Defence Agency, as well as nationally. Moreover, it called for further reflection on possible actions, relevant actors and new deliverables to improve Military Mobility within and beyond the EU, including by identifying potential areas for such actions. In addition, the Strategic Compass, expected to be adopted by the Council in March 2022, should provide further guidance and set concrete objectives for the Military Mobility initiative.

II. MILITARY REQUIREMENTS FOR MILITARY MOBILITY WITHIN AND BEYOND THE EU

6. Following their approval by the Council, the Military Requirements for Military Mobility within and beyond the EU¹¹ (hereafter “Military Requirements”) have been used as a reference point for the implementation of the Action Plan. In particular, they served to define the dual-use requirements and to support the work undertaken by the EU Member States to prepare their dual-use transport infrastructure project pipelines (see points 9-11 and point 15 below). Moreover, the addition of the military layer of the EU military transport network data onto the interactive TENtec map viewer enables the EU Member States to more easily identify the bottlenecks and vulnerable areas on the trans-European transport network (see points 17-18 below).
7. Furthermore, as a next step after the foreseen revision of the trans-European transport network Regulation, the European External Action Service/EU Military Staff envisages an update of the Military Requirements, which, among other purposes, would enable further alignment of the trans-European transport network and the EU military transport network maps and standards (see point 16 below).

III. TRANSPORT INFRASTRUCTURE

8. Given that the EU Member States use the same transport infrastructure for both civilian and military movements and transportation, increasing the synergies between existing Union policies, notably the trans-European transport network and the military needs, remains an essential pillar of the Action Plan.

A. Dual-use transport infrastructure funding

9. The Multiannual Financial Framework¹² for the years 2021 to 2027 applies from 1 January 2021. It contains expenditures on security and defence for the first time, including a 1.5 billion EUR allocation for military mobility through the Connecting Europe Facility 2021-2027¹³ (amounting to 1.69 billion EUR in *current prices*).
10. Subsequently, the Connecting Europe Facility 2021-2027 Regulation entered into force on 14 July 2021¹⁴. An Implementing Regulation on dual-use requirements¹⁵ defines transport

¹⁰ Council conclusions on Security and Defence of 10 May 2021, <https://data.consilium.europa.eu/doc/document/ST-8396-2021-INIT/en/pdf>

¹¹ Military Requirements for Military Mobility within and beyond the EU, update (ST 10921/19), 4 July 2019, approved by the Council on 15 July and consolidated with the remaining part on 19 July (ST 11373/19).

¹² Council Regulation (EU, Euratom) 2020/2093 of 17 December 2020 laying down the multiannual financial framework for the years 2021 to 2027, *OJ L 433I*, 22.12.2020, p. 11.

¹³ Special meeting of the European Council (17, 18, 19, 20 and 21 July 2020) – Conclusions, <https://www.consilium.europa.eu/media/45109/210720-euco-final-conclusions-en.pdf>, p. 53.

infrastructure requirements that are necessary for both civilian and military mobility. The Implementing Regulation establishes eligibility standards for transport infrastructure projects applying for co-funding from the Connecting Europe Facility military mobility budget. In addition, the standards defined in the Implementing Regulation can be used as a reference for future infrastructure planning by the EU Member States.

11. To be eligible for EU co-funding, transport infrastructure projects must meet the dual-use infrastructure requirements set out in the Implementing Regulation. Projects surpassing the dual-use requirements will be eligible for co-funding, but co-funding will only be possible for eligible costs that correspond to the standards set in the dual-use requirements. Projects relating to all transport modes are eligible to apply.
12. The Connecting Europe Facility is implemented through Work Programmes which define in particular the prospective timetables and budgets for calls for proposals, their objectives as well as selection and award criteria. The first multiannual Connecting Europe Facility Work Programme was adopted on 5 August 2021¹⁶. It specifies that between 2021-2023, there will be yearly calls for dual-use transport infrastructure project proposals under the Connecting Europe Facility military mobility budget. The amount dedicated to dual-use project co-funding will be 330 million EUR in current prices for each of these three years.
13. The first call for dual-use project proposals was launched by the European Climate, Infrastructure and Environment Executive Agency (CINEA) on 16 September 2021¹⁷. The call is open for all transport modes, and EU Member States wishing to receive co-funding have to submit their proposals no later than 19 January 2022. After the application deadline, independent experts and DG MOVE internal panel will assess the eligible proposals. As part of this process, the European External Action Service/EU Military Staff will assess the extent to which the eligible proposals contribute to improving military mobility within and beyond the EU.

Recovery and Resilience Facility

14. Along with the 2021-2027 long-term EU budget, the EU adopted the recovery instrument NextGenerationEU¹⁸ which provides the financing to the Recovery and Resilience Facility. The Recovery and Resilience Facility will make 672.5 billion EUR in loans and grants available to support reforms and investments undertaken at a national level. The Member States can use their Recovery and Resilience Facility allocations to invest also in transport, including dual-use, infrastructure.

Dual-use project pipeline

15. The Commission services held meetings with representatives from the EU Member States' Transport and Defence Ministries to identify their priority dual-use projects over 2020 and early 2021. More than half of the EU Member States presented their projects to the Commission services and the European External Action Service/EU Military Staff. These presentations have helped to better understand the future projects to be put forward by the EU

¹⁵ Commission Implementing Regulation (EU) 2021/1328 of 10 August 2021 specifying the infrastructure requirements applicable to certain categories of dual-use infrastructure actions pursuant to Regulation (EU) 2021/1153 of the European Parliament and of the Council, *C/2021/5859, OJL 288, 11.8.2021, p. 37*.

¹⁶ Commission Implementing Decision on the financing of the Connecting Europe Facility - Transport sector and the adoption of the work programme for 2021-2027, *C(2021) 5763 final*.

¹⁷ https://cinea.ec.europa.eu/calls-proposals/2021-cef-transport-call-proposals_en

¹⁸ Council Regulation (EU) 2020/2094 of 14 December 2020 establishing a European Union Recovery Instrument to support the recovery in the aftermath of the COVID-19 crisis, *OJL 433I, 22.12.2020, p. 23*.

Member States to address national infrastructure gaps and bottlenecks undermining military movements.

B. Revision of the trans-European transport network Regulation

16. The Commission is preparing a proposal for a revised trans-European transport network Regulation¹⁹. For the first time, military mobility will be reflected in the trans-European transport network. The Commission, in cooperation with the European External Action Service/EU Military Staff, will assess the need to include certain dual-use infrastructure requirements in the revised Regulation as well as propose to add to the trans-European transport network those parts of the EU military transport network which are currently not in it. The additions will be proposed in instances where substantial civilian flows can be observed. The Commission aims to present the proposal for a revised Regulation in December 2021.

C. TENtec Information System

17. After the Military Requirements were approved by the Council in November 2018, the Commission services, in cooperation with the European External Action Service/EU Military Staff, overlaid the EU military transport network data onto the interactive TENtec map viewer²⁰, thus allowing to visualise the EU military transport network. The Commission services updated the interactive military transport network maps following the update of the Military Requirements in July 2019²¹ and the withdrawal of the United Kingdom from the EU in January 2020. The TENtec information system remains the primary means for EU institutions' and national administrations' officials to access and analyse the EU military transport network.
18. In parallel to the map updates, the Commission services are preparing a significant upgrade to the TENtec information system which will consolidate the different viewers as well as provide additional functionalities, improved user experience and new analytical tools. The upgrade should be rolled out by mid-2022. As part of the effort, the Commission services, together with the EU Member States and other stakeholders, are preparing automated data exchange solutions which will lead to significant improvements concerning data quality and timeliness.
19. Finally, concerning the potential interlinking of military and civilian databases as identified in the Action Plan, consultations with the relevant parties are expected to begin in the second semester of 2021.

IV. TRANSPORT OF DANGEROUS GOODS

20. Following the conclusion of the survey on existing rules and regulations applicable to the transport of dangerous goods, its findings have been addressed within the remit of the European Defence Agency Programme on "Optimising Cross-Border Movement Permission procedures in Europe". The Programme is developing two Technical Arrangements (see

¹⁹ Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU, *OJ L 348, 20.12.2013, p.1*.

²⁰ Access to the interactive viewer is provided to EU Institutions' and EU Member States' national administrations' staff on a need-to-know basis upon contacting move-tentec@ec.europa.eu

²¹ Military Requirements for Military Mobility within and beyond the EU, update (ST 10921/19), 4 July 2019, approved by the Council on 15 July and consolidated with the remaining part on 19 July (ST 11373/19).

points 27 to 29 below), which also address the issue of transport of dangerous goods in the military domain. Once signed, they will establish a reference framework of applicable recommendations, under which the contributing Member States would comply with international agreements applicable to civilian transport on the transport of dangerous goods. For movements not governed by the civilian rules, the contributing Member States would apply the relevant NATO Standardisation Agreement.

21. In parallel, the Commission services, in close cooperation with European External Action Service/ EU Military Staff and the European Defence Agency, assessed the feasibility and need for further action at EU level in this domain and concluded that it was not necessary at that time. The implementation of the two Technical Arrangements, once they are signed, is expected to provide adequate and effective solutions for the transport of dangerous goods in the military domain. The Commission services and the Member States' experts on the transport of dangerous goods will continue to exchange knowledge, notably within the European Defence Agency Project Team Movement and Transport or via staff-to-staff contacts.

V. CUSTOMS AND VALUE-ADDED TAX

A. Customs

22. The specific actions identified in the Action Plan aiming to streamline and simplify customs formalities for cross-border military movements while ensuring synergies with NATO included amendments to two Commission Regulations linked to the Union Customs Code, as well as guidelines to ensure correct and uniform implementation of customs legislation on matters related to military activities.
23. Following the amendments to the two Commission Regulations that took place in 2020²² and in order to further ensure uniform treatment, the Commission services, in consultation with the European External Action Service, including the EU Military Staff, prepared a guidance document on the use of the EU form 302 on 16 February 2021²³. It is available in other EU official languages²⁴ and builds on an initial draft guidance document prepared by the European Defence Agency.
24. The above-mentioned establishment of the EU form 302 in July 2020²⁵ allows for assessing the need for its digitalisation, as suggested in the Action Plan to the EU Member States. In

²² The Delegated Regulation (EU) 2015/2446 was amended by Commission Delegated Regulation (EU) 2020/877 of 3.4.2020, which was published in the Official Journal of the European Union on 26 June 2020 and entered into force on 16 July 2020. On 29 June 2020 the Commission adopted an amendment to the Implementing Regulation (EU) 2015/2447, namely Commission Implementing Regulation (EU) 893/2020 of 29.6.2020, which was published in the Official Journal of the European Union on 30 June 2020 and entered into force on 20 July 2020.

²³ Guidance document on customs formalities in the EU for military goods to be moved or used in the context of military activities (use of the form 302), https://ec.europa.eu/taxation_customs/system/files/2021-02/guidance_document_on_customs_formalities_in_the_eu_for_military_goods.pdf

²⁴ https://ec.europa.eu/taxation_customs/customs-4/union-customs-code/ucc-guidance-documents_en

²⁵ Commission Delegated Regulation (EU) 2020/877 of 3.4.2020 amending and correcting Commission Delegated Regulation 2015/2446 supplementing Regulation (EU) No 952/2013, and amending Delegated Regulation (EU) 2016/341 supplementing Regulation (EU) No 952/2013, laying down the Union Customs Code, *OJ L 203*, 26.6.2020, p.1; Commission Implementing Regulation (EU) 893/2020 of 29.6.2020 amending Implementing Regulation (EU) 2015/2447 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, *OJ L 206*, 30.6.2020, p. 8.

May 2021, 23 EU Member States and Norway signed the European Defence Agency Programme Arrangement of the Category A Programme “Harmonising Military Requirements Related to Customs” which will consider possibilities to digitalise military-related customs activities.

25. The Programme identifies three main objectives: i) assessment of military needs in the customs fields; ii) provision of a study to detail the specifications and requirements according to the assessment; and iii) development of a military customs system based on the results of the study. Each of these objectives will be implemented in separate steps conditional to a positive outcome of the previous one.

B. Value-added tax

26. Directive (EU) 2019/2235²⁶ adopted in December 2019²⁷ ensures equal treatment of defence efforts under NATO and under the EU framework from the fiscal perspective. The actions undertaken by the Commission on value-added tax as identified in the Action Plan are hence completed, and it is up to the EU Member States to adopt the laws, regulations and administrative provisions necessary to comply with this Directive. Directive 2019/2235 is to be transposed by 1 July 2022 at the latest so that the measures identified in the Directive (EU) 2019/2235 can apply from that date onwards. During the reporting period for this Report, five Member States have notified the Commission of steps having been taken to transpose that Directive into their national legislation.

VI. CROSS-BORDER MOVEMENT PERMISSION

27. In the remit of the ongoing European Defence Agency Programme on “Optimising Cross-Border Movement Permission procedures in Europe”, twenty-five participating Member States, as well as Norway under its administrative arrangement with the European Defence Agency, have joined the Programme. The activities undertaken as part of the Programme have led to harmonisation of the data needed for cross-border movement. The Programme is currently developing two Technical Arrangements, one for the surface and one for the air domain (see also point 20).
28. The Technical Arrangement for surface movement aims to enhance the military mobility for road, rail and inland waterways by harmonising and simplifying administrative procedures and fostering movement permissions. The Technical Arrangement for Air Movement encompasses a wider range of missions, complementary to the existing Diplomatic Clearance Technical Arrangement, and will include air-to-air refuelling, Remotely Piloted Aircraft System platforms, training missions, fighter jets and rotary wings.
29. National staffing of the two Technical Arrangements was initiated in spring 2021 to enable their signature by the end of 2021. The contributing Member States are considering the possibility for the two Technical Arrangements to be used by their National Points of Contact for Military Mobility.

VII. OTHER ISSUES

²⁶ Council Directive (EU) 2019/2235 of 16 December 2019 amending Directive 2006/112/EC on the common system of value added tax and Directive 2008/118/EC concerning the general arrangements for excise duty as regards defence efforts within the Union framework, ST/14126/2019/INIT, *OJ L 336, 30.12.2019, p. 10*.

²⁷ See more in the first Joint Report to the European Parliament and the Council on the implementation of the Action Plan on Military Mobility {JOIN(2019) 11final}, p. 7.

30. A few cross-cutting issues, such as disinformation, cybersecurity and critical infrastructure protection, have been considered as relevant to military mobility. These issues are part of the 22 Actions of the 2016 Joint Framework on Countering Hybrid Threats²⁸. The Fifth Progress Report on the implementation of the 2016 Joint Framework on countering hybrid threats and the 2018 Joint Communication on increasing resilience and bolstering capabilities to address hybrid threats was published on 23 June 2021²⁹.
31. Military mobility is also a topic of the 2021 annual work programme of the European Defence Fund³⁰. On 30 June 2021, the Commission called upon consortia of legal entities to submit proposals for the cooperative development of a digital system for the secure and quick exchange of information related to military mobility³¹. It is one of the topics under a call worth 50 million EUR. Project proposals can be submitted until 9 December 2021.
32. A scenario-based discussion on military mobility was held in January 2021 as a side event to the EU Crisis Management Exercise Integrated Resolve 2020. The event brought together participants from the EU Member States, the European External Action Service including the EU Military Staff, the Commission services, the European Defence Agency, as well as key EU partners – NATO staff and three NATO Allies – the United States of America, Canada and Norway.
33. The first Coordinated Annual Review on Defence Report was approved in November 2020 by the European Defence Agency Steering Board in Ministers of Defence composition. The Report recommends six focus areas of collaborative opportunities in capability development, based on the 2018 EU Capability Development Priorities³². One of the focus areas is “Enhanced Military Mobility”, which encompasses the need for improved resilience, lift capabilities and logistics, while taking into account hybrid threats to military movements and putting forward suggestions how to address such threats in a holistic manner. In particular, the ongoing work strand on digitalisation has potential for cross-cutting impact on all “Enhanced Military Mobility” activities. In this context, the European Defence Agency has presented and discussed with the participating Member States an initial concept paper³³ for this focus area.
34. Further activities over the reporting period include the second edition of the high-level symposium on “Military Mobility – Transforming Ambition into Reality”, which was held on 6 May 2021 with the participation of the Ministers of Defence of the Netherlands, Germany,

²⁸ Joint Communication to the European Parliament and the Council Joint Framework on countering hybrid threats – a European Union response {JOIN/2016/018 final}.

²⁹ Joint Staff Working Document Fifth Progress Report on the implementation of the 2016 Joint Framework on countering hybrid threats and the 2018 Joint Communication on increasing resilience and bolstering capabilities to address hybrid threats { SWD(2021) 729 final}.

³⁰ Commission Implementing Decision C(2021) 4910 final of 30.6.2021 on the financing of the European Defence Fund established by Regulation (EU) No 2021/697 of the European Parliament and the Council and the adoption of the work programme for 2021.

³¹ <https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/opportunities/topic-details/edf-2021-protmob-d-dmm;callCode=EDF-2021-PROTMOB-freeTextSearchKeyword=;matchWholeText=true;typeCodes=1;statusCodes=31094501,31094502,31094503;programmePeriod=null;programCcm2Id=null;programDivisionCode=null;focusAreaCode=null;destination=null;mission=null;geographicalZonesCode=null;programmeDivisionProspect=null;startDateLte=null;startDateGte=null;crossCuttingPriorityCode=null;cpvCode=null;performanceOfDelivery=null;sortQuery=sortStatus;orderBy=asc;onlyTenders=false;topicListKey=callTopicSearchTableState>

³² The Capability Development Plan revision approval and implementation, EDA Steering Board Document 2018/15, 28 June 2018.

³³ Initial Concept Paper for the Focus Area Enhanced Military Mobility, ANNEX 7 TO EDA Chief Executive Communication ref: EDA202102120, 5 March 2021.

Portugal and Slovenia, as well as NATO Deputy Secretary General and the United States' Acting Deputy Under-Secretary of Defence for Acquisition and Sustainment³⁴.

VIII. CONCLUSIONS AND WAY FORWARD

35. This Joint Report outlines the very good progress achieved since October 2020 in the implementation of the Action Plan with concrete results such as the adoption of the dual-use transport infrastructure requirements, the call for project proposals of 16 September 2021 to co-fund dual-use projects as well as the forthcoming revision of the trans-European transport network Regulation. Further work within the European Defence Agency framework will continue fostering activities to improve military mobility by implementing the two Cross-Border Movement Permission Technical Arrangements as well as pursuing the objectives of the Customs Category A Programme on digitalisation of the EU form 302, among other activities.
36. As called for by the Council in its conclusions on security and defence of May 2021, further reflection is needed among the relevant actors on possible new actions and deliverables to improve military mobility within and beyond the EU. The Strategic Compass on security and defence, to be adopted by the Council in March 2022, is also expected to provide guidance on Military Mobility. The Commission and the High Representative stand ready to work with the EU Member States in an inclusive and effective manner to coherently develop and implement the Military Mobility initiative further.
37. The work on Military Mobility leads to deeper cooperation amongst all EU stakeholders and with key partners and will deliver further concrete results in the years to come. In order for the Action Plan to remain a coherent and relevant framework for the ongoing and future programmes, projects, initiatives and activities related to Military Mobility, possible revisions and updates should not be excluded in the future. Hence, the next Progress Report, to be presented by the High Representative and the Commission by the end of summer 2022, could consider additional measures to the Action Plan.

³⁴ The conference was co-organised by the Presidency of the Council of the EU and the European Defence Agency with virtual attendees from the EU Member States, EU institutions, bodies and agencies, NATO, third States, industry, academia and think tanks. More information here: <https://eda.europa.eu/news-and-events/news/2021/05/07/high-level-military-mobility-symposium-discussed-way-ahead>