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**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**

## I. INTRODUCTION

1. The Military Mobility initiative is a key enabler for rapid and seamless movements of military personnel, materiel and equipment for routine activities and during crises and conflict within and beyond the EU. It is also relevant under the COVID-19 crisis circumstances as it reinforces the Union's overall preparedness and resilience. In addition, it has the potential to contribute to the economic recovery of the EU's critical sectors, such as defence and transport, in the post-pandemic situation, in particular through public investments.
2. The Military Mobility initiative was launched on 10 November 2017<sup>1</sup> and further elaborated in the EU Action Plan on Military Mobility (hereafter "Action Plan") of 28 March 2018<sup>2</sup>. It addresses three main areas – transport infrastructure, regulatory and procedural issues, and other cross-cutting topics by fostering civilian-military synergies and leveraging existing policies and instruments. It focuses on the Union's added value in enabling the EU Member States to act faster and more effectively in the context of the Common Security and Defence Policy, national and multinational activities.
3. President von der Leyen has emphasised the necessity for the EU to establish a genuine European Defence Union<sup>3</sup>. The Action Plan presented by the High Representative and the Commission is one of its possible building blocks. Furthermore, it contributes to the fulfilment of the level of ambition in security and defence as agreed by the Council on 14 November 2016<sup>4</sup>, following the presentation of the Global Strategy for the EU Foreign and Security Policy in June 2016<sup>5</sup>.
4. The Action Plan is being implemented in coherence with the Permanent Structured Cooperation, including at the project level, and is also consistent with the concrete measures agreed upon by the EU Member States on 25 June 2018<sup>6</sup>. Being a "flagship" of EU-NATO cooperation, effective interactions between the EU and NATO staffs continue on military mobility with concrete deliverables, building on the previously achieved results, notably coherence between the respective sets of military requirements underpinning the work undertaken in both organisations in this domain. This cooperation is ongoing in the framework of the implementation of the Warsaw and Brussels Joint Declarations<sup>7</sup>, the related

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

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

<sup>3</sup> E.g.: A Union that strives for more, My agenda for Europe: political guidelines for the next European Commission 2019-2024, U. von der Leyen, 10 September 2019, <https://op.europa.eu/en/publication-detail/-/publication/43a17056-ebf1-11e9-9c4e-01aa75ed71a1>; Keynote speech by President von der Leyen at the World Economic Forum, 22 January 2020, [https://ec.europa.eu/commission/presscorner/detail/en/SPEECH\\_20\\_102](https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_20_102)

<sup>4</sup> Council conclusions on implementing the EU Global Strategy in the area of Security and Defence, 14 November 2016, <https://www.consilium.europa.eu/media/22459/eugs-conclusions-st14149en16.pdf>

<sup>5</sup> Shared Vision, Common Action: A Stronger Europe, A Global Strategy for the European Union's Foreign And Security Policy, June 2016, [http://eeas.europa.eu/archives/docs/top\\_stories/pdf/eugs\\_review\\_web.pdf](http://eeas.europa.eu/archives/docs/top_stories/pdf/eugs_review_web.pdf)

<sup>6</sup> 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>

<sup>7</sup> Joint Declaration by the President of the European Council, the President of the European Commission, and the Secretary General of the North Atlantic Treaty Organization, 8 July 2016, <https://www.consilium.europa.eu/media/21481/nato-eu-declaration-8-july-en-final.pdf>; Joint Declaration on EU-NATO Cooperation by the President of the European Council, the President of the European Commission, and the Secretary General of the North Atlantic Treaty Organization, 10 July 2018, [https://www.consilium.europa.eu/media/36096/nato\\_eu\\_final\\_eng.pdf](https://www.consilium.europa.eu/media/36096/nato_eu_final_eng.pdf)

common set of proposals<sup>8</sup> and the ensuing established Structured Dialogue on Military Mobility at staff level. The Structured Dialogue on Military Mobility is covered in more detail in the latest, 5<sup>th</sup> progress report on EU-NATO cooperation<sup>9</sup>.

5. The implementation of the Action Plan has continued progressing well owing to close and continuous cooperation between the Commission services, the European External Action Service including the EU Military Staff, and the European Defence Agency, as well as full involvement of the EU Member States in a whole-of-government approach while respecting their national sovereignty and decision-making.
6. The Action Plan requests the High Representative and the Commission to present periodic progress reports<sup>10</sup>. The first Joint Progress Report on the implementation of the Action Plan on Military Mobility (hereafter “Report”) was presented on 3 June 2019<sup>11</sup>. It concluded that substantial and tangible progress had been achieved in all areas and specified that a new Progress Report would be presented by the end of the summer 2020. The Council welcomed the Report and the fact that good progress and tangible results were achieved in key areas<sup>12</sup>.
7. This second Report is presented in complementarity with the European Defence Agency’s second Annual Report on Military Mobility<sup>13</sup>, which was welcomed by the Steering Board of the Agency on 25 May 2020.

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

### **A. Update of the Military Requirements**

8. On 8 May 2019, the Political and Security Committee invited the European External Action Service/EU Military Staff to provide an update of the transport infrastructure parameters and the geographical data of the Military Requirements for Military Mobility within and beyond the EU<sup>14</sup> (hereafter “Military Requirements”). On 15 July 2019, the Council approved the updated Military Requirements as prepared by the EU Military Staff in close cooperation with the Commission services, the European Defence Agency and the EU Member States. The update of the geographical data provided the opportunity for the EU Member States to review and adjust information relating to certain parts of the military transport network (e.g. missing links and cross-border elements), as well as to further consider the technical requirements,

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<sup>8</sup> Council Conclusions on the Implementation of the Joint Declaration by the President of the European Council, the President of the European Commission and the Secretary General of the North Atlantic Treaty Organization, 6 December 2016, <http://data.consilium.europa.eu/doc/document/ST-15283-2016-INIT/en/pdf>; Council conclusions on the Implementation of the Joint Declaration by the President of the European Council, the President of the European Commission and the Secretary General of the North Atlantic Treaty Organization, 5 December 2017, <https://www.consilium.europa.eu/media/31947/st14802en17.pdf>

<sup>9</sup> Fifth 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, 16 June 2020, <https://www.consilium.europa.eu/media/44451/200616-progress-report-nr5-eu-nato-eng.pdf>

<sup>10</sup> 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.

<sup>11</sup> Progress Report to the European Parliament and the Council on the implementation of the Action Plan on Military Mobility {JOIN(2019)11final}.

<sup>12</sup> Council conclusions on Security and Defence in the context of the EU Global Strategy, 17 June 2019, paragraph 52, <https://www.consilium.europa.eu/media/39786/st10048-en19.pdf>

<sup>13</sup> Annex to Document SB 2020/023, 25 May 2020.

<sup>14</sup> Military Requirements for Military Mobility within and beyond the EU (ST 14770/18), 28 November 2018.

following a whole-of-government approach involving relevant competent national authorities beyond the Ministries of Defence. The overall work was informed by and delivered in coordination with NATO as appropriate at staff-to-staff level<sup>15</sup>.

9. The update of the Military Requirements has provided a firm basis for the next steps in the implementation of the Action Plan in the area of infrastructure, notably the update of the gap analysis and the dual-use requirements applicable for dual-use transport infrastructure funding from the Connecting Europe Facility 2021-2027 (see points 14 to 20 below).

### **III. TRANSPORT INFRASTRUCTURE**

10. Given that the military depends on the civilian transport infrastructure for its movements, increasing synergies between the trans-European transport network and the military needs is an essential pillar of the Action Plan.

#### **A. Dual-use transport infrastructure funding**

11. By spring 2019, the co-legislators had reached a common understanding and had endorsed the proposed Connecting Europe Facility 2021-2027 Regulation text which included the necessary provisions to fund dual-use transport infrastructure projects (both upgrades of existing and construction of new infrastructure)<sup>16</sup>. The financial allocations for the Connecting Europe Facility 2021-2027 were left to be finalised as part of the Multiannual Financial Framework 2021-2027 negotiations.
12. On 21 July 2020, the European Council reached an agreement on the new long term EU budget. It allocates 1.5 billion EUR (1.69 billion EUR in current prices) for military mobility within the Connecting Europe Facility 2021-2027<sup>17</sup>. As of September 2020, the agreement is pending European Parliament's approval.

#### Update of the Military Requirements

13. The initial gap analysis between the military requirements and the trans-European transport network requirements identified gaps in civilian and military sets of infrastructure requirements as well as missing links in the military transport network<sup>18</sup>. The conclusions of the initial gap analysis led to a decision to update the Military Requirements. The updated Military Requirements document, approved by the Council on 15 July 2019<sup>19</sup>, contains revisions of the generic infrastructure requirements and the strategic geographical data (see points 8 to 9 above).

#### Updated gap analysis

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<sup>15</sup> 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).

<sup>16</sup> Proposal for a Regulation of the European Parliament and of the Council establishing the Connecting Europe Facility and repealing Regulations (EU) No 1316/2013 and (EU) No 283/2014 - Progress report, Council of the European Union, 2018/0228(COD), 13 March 2019, <https://www.consilium.europa.eu/media/38507/st07207-re01-en19.pdf>

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

<sup>18</sup> Joint Staff Working Document Military requirements and trans-European transport network: gap analysis, 3 May 2019, {SWD(2019) 175 final}.

<sup>19</sup> 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).

14. Following the update of the Military Requirements and further to the United Kingdom's withdrawal from the EU on 31 January 2020, the Commission services and the EEAS submitted to the Council an updated gap analysis between the military requirements and the trans-European transport network requirements on 17 July 2020<sup>20</sup>.
15. The updated gap analysis concludes that the update of the Military Requirements has brought positive implications for military mobility within and beyond the EU. Firstly, there are now fewer gaps between civilian and military sets of technical infrastructure requirements, and where gaps remain, they are in some instances narrower. Consequently, fewer mitigation measures for military movements are now necessary. Secondly, the total length and the number of nodes of the military transport network have increased. Some of these additions to the military transport network have helped to reduce the number of missing cross-border links. Although the overlap between the military transport network and the trans-European transport network has marginally decreased from 94% to 93%, it remains very high.
16. In addition, a greater number of transport infrastructure projects would now potentially be eligible for funding from future Connecting Europe Facility Military Mobility calls for proposals, owing to the expansion of the total military transport network.

#### Dual-use requirements

17. The Connecting Europe Facility 2021-2027 Regulation text, as endorsed by the co-legislators, stipulates that the Commission will adopt an Implementing Regulation specifying the infrastructure requirements applicable to dual-use infrastructure actions. Although the Connecting Europe Facility 2021-2027 Regulation has not yet been adopted, the Commission services have started the process of drafting the dual-use requirements Implementing Regulation in order to be able to begin funding projects as early as possible from 2021 onwards.
18. From mid-April to the end of the summer of 2019, the Commission services consulted the relevant associations of all transport modes to determine the upper limits of infrastructure requirements that would be useful for civilian purposes. After receiving contributions from the transport associations, the Commission services, in close coordination with the European External Action Service, including the EU Military Staff, and in consultation with the EU Aviation Safety Agency, the European Defence Agency as well as the Innovation and Networks Executive Agency, prepared the first draft of the dual-use requirements. It was based on the overlap between the infrastructure parameters specified in the Military Requirements and the input from the transport associations.
19. The draft dual-use requirements have been further improved over three meetings attended by the members of the trans-European transport network Committee and experts from the EU Member States' Ministries of Defence, which took place between September 2019 and January 2020. The final meeting produced a draft that was informally agreed upon by the EU Member States. On 17 July 2020, the Commission services sent a draft Implementing Regulation to the EU Member States for comments to be in a position to have it adopted as soon as the Connecting Europe Facility 2021-2027 enters into force.
20. The dual-use requirements will become the reference point for future infrastructure planning for the EU Member States wishing to take advantage of synergies between civilian and military mobility.

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<sup>20</sup> Joint Staff Working Document on the updated Gap Analysis between the military requirements and the trans-European transport network requirements, 17 July 2020, {SWD(2020) 144 final}.

### Dual-use project pipeline

21. The Commission services had invited the EU Member States to identify their priority dual-use projects and to present them over the first semester of 2020 so that the Commission services could, in close consultation with the European External Action Service, including the EU Military Staff, prepare a project pipeline corresponding to dual-use needs at the European level.
22. While very positive momentum was achieved in 2019, including the informal finalisation of the dual-use requirements in January 2020, the project pipeline preparation process in 2020 has slowed down following the COVID-19 outbreak. Nonetheless, work is ongoing to ensure the Commission services finalise the project pipeline by the end of 2020 as planned. Several meetings have been held so far, and the early trends demonstrate a high interest from the EU Member States.
23. As already mentioned, the European Council has agreed a budget for dual-use transport infrastructure funding amounting to 1.69 billion EUR<sup>21</sup>. Given the high interest and readiness to invest by the Member States, the budget will help to stimulate the economy, thus also contributing to the recovery from the COVID-19 crisis, especially if funding for projects could be frontloaded.

### **B. Revision of the trans-European transport network Regulation<sup>22</sup>**

24. The Commission services are working to conclude the review process of the trans-European transport network Regulation by November 2020. As indicated in the Action Plan<sup>23</sup>, they will assess the need to include certain dual-use requirements in the revised Regulation as well as to add certain parts of the military transport network to the trans-European transport network in instances where substantial civilian flows can be observed.

### **C. TENtec Information System**

25. After the initial iteration of the Military Requirements was approved by the Council in November 2018, the Commission services overlaid the military transport network data onto the interactive TENtec map viewer<sup>24</sup>, thus allowing to conveniently visualise the EU military transport network. Once the Military Requirements were updated in July 2019, the Commission services also updated the interactive military transport network viewer. The Commission services performed another update to the viewer after the United Kingdom left the EU in January 2020. The Commission services continue looking for ways to improve it further.
26. The TENtec viewer has received positive feedback and remains the primary means for EU institutions' staff and EU Member States' representatives to access and analyse the EU military transport network.

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<sup>21</sup> Cf. footnote 17 above.

<sup>22</sup> 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*.

<sup>23</sup> Joint Communication to the European Parliament and the Council on the Action Plan on Military Mobility {JOIN(2018)05 final}, p. 5.

<sup>24</sup> Access to the interactive viewer is provided on the need-to-know basis upon contacting [move-tentec@ec.europa.eu](mailto:move-tentec@ec.europa.eu)

27. Finally, with regards to the potential interlinking of military and civilian databases as referenced in the Action Plan, consultations with the relevant parties are expected to begin in the second semester of 2020.

#### **IV. TRANSPORT OF DANGEROUS GOODS**

28. The military domain would benefit if further harmonisation in the area of transport of dangerous goods was achieved at the EU level. In 2019, the European Defence Agency presented the results of its survey addressing the existing rules and regulations applicable to transport of dangerous goods in the military sector, which mapped national legislative frameworks with a focus on obstacles and restrictions to movement of dangerous goods. While relevant conclusions are being tackled at the national level, it was decided to address the findings of the survey in the remit of the ongoing European Defence Agency Programme on “Optimising Cross-Border Movement Permission procedures in Europe”.
29. The Commission services and the European Defence Agency have established a platform for the exchange of knowledge between civilian and military experts on the transport of dangerous goods. Such exchange has taken place through participation in meetings of the respective communities and via staff-to-staff contacts. The experts continue to cooperate closely, notably regarding the Technical Arrangements for the surface and air domain, currently under discussion in the framework of the Cross-Border Movement Permission Programme. In addition, a dedicated workshop on transport of dangerous goods was organised in February 2020 to foster common understanding among all participating members of the Programme on “Optimising Cross-Border Movement Permission procedures in Europe”.
30. The Commission services have continued supporting the European External Action Service (in particular the EU Military Staff) and the European Defence Agency in establishing coherent voluntary practices at the Member States’ level based on civilian rules applicable to the transport of dangerous goods. In this respect, within the framework of the EU-NATO Structured Dialogue on Military Mobility, the EU institutions and bodies have continued assessing the possibility of referring to NATO Standardisation Agreement AMovP6 as the reference set of rules for the transport of dangerous goods in the military domain in order to benefit from its declassification in 2019.
31. The work carried out by the European Defence Agency in the framework of the Technical Arrangement on Cross-Border Movement Permission (CBMP TA) for surface clearly shows that enhanced cooperation and mutual trust between the EU Member States in the military sector would benefit the efforts to address diverging national approaches. A measure combining the application of civilian rules as the default approach and, where necessary, supplemented with the provisions of NATO Standardisation Agreement AMovP6, should, in principle, be sufficient to allow for speedy and fluid international transport of dangerous goods for military purposes within the EU.
32. In the context of assessing the feasibility and the need for further action at the EU level, the Commission services have analysed several options in order to establish a reference framework for the rules to be applied on the transport of dangerous goods in the military domain. The legal basis for any further action remains to be determined in close consultation between the Commission services and the European External Action Service, also associating the European Defence Agency.

## V. CUSTOMS AND VALUE-ADDED TAX

### A. Customs

33. The specific actions identified in the Action Plan in order to streamline and simplify customs formalities for cross-border military movements, while ensuring synergies with NATO, include in particular amendments to two Commission Regulations<sup>25</sup> linked to the Union Customs legislation.
34. On 3 April 2020, the Commission adopted an amendment to the Delegated Regulation (EU) 2015/2446, which entered into force on 16 July 2020<sup>26</sup>. This amendment defines the concept of goods moved or used in the context of military activities and establishes an EU form 302 as a customs document to be used by the EU Member States, including in the context of military activities pertaining to the Common Security and Defence Policy of the Union. It allows for the use of the EU form 302, alongside the existing NATO form 302, as a customs declaration for various cross-border movements.
35. The template of the EU form 302 was developed together with the EU Member States in the framework of the European Defence Agency Programme on Customs. Following the agreement by its Steering Board in August 2019, the Agency provided the template for the EU form 302 to the Commission in September 2019, with a view for it to be incorporated in the review of the Union Customs legislation.
36. In parallel with the work on the Delegated Regulation, on 29 June 2020, the Commission adopted an amendment to the Implementing Regulation (EU) 2015/2447, which entered into force on 20 July 2020<sup>27</sup>. The amendments to the Implementing Regulation include in particular procedural rules for the use of the EU and the NATO forms 302.
37. The above-mentioned amendments, which are expected to be effectively applied after summer 2020, will substantially contribute to achieving the objectives set out in the Action Plan in respect of simplifying and streamlining the related customs processes throughout the EU, and of ensuring uniform treatment of cross-border military movements by customs in all EU Member States. In order to further ensure uniform treatment, the Commission services are in the process of preparing specific guidance for military users and customs on the use of the EU form 302. For this purpose, they will further elaborate on the guidance drafted by the European Defence Agency, and will also consult with the European External Action Service. The first version of this guidance is expected to be available by the end of 2020.

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<sup>25</sup> 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; Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 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 343*, 29.12.2015, p. 558.

<sup>26</sup> 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.

<sup>27</sup> 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.



38. The EU form 302 was elaborated in full transparency and dialogue vis-à-vis NATO. A full alignment between the templates for the EU- and NATO form 302 would require adaptation from the NATO side. In order to simplify the customs process, the preferred end-state for the military users remains that the EU and NATO would use identical 302 templates, while both retain their distinct legal bases.
39. As regards the possible use of the EU form 302 in a digital format, the European Defence Agency has drafted, together with contributing Member States, a Programme Arrangement. The first step is an assessment of the need to digitalise the form 302 and the potential risks and gains such action would entail. Depending on the outcome of this assessment, a study to define the technical specifications of an appropriate military customs system is expected to set the framework for future steps in digitalisation. Signing of the Programme Arrangement is expected by the end of 2020.

## **B. Value-added tax**

40. Another important deliverable achieved since last year's Report is the adoption of the Council Directive (EU) 2019/2235<sup>28</sup> on 16 December 2019. This Directive ensures equal treatment of defence efforts under NATO and under the EU framework from the fiscal perspective by exempting supplies to armed forces from value added tax and excise duties when these forces are deployed outside the sending Member State and take part in a defence effort under the Common Security and Defence Policy. Such an exemption already exists for supplies to armed forces participating in a NATO defence effort while outside their country. By aligning the indirect tax treatment of both defence efforts, this amendment acknowledges the growing importance of the Common Security and Defence Policy and military mobility.
41. The EU Member States have to adopt the laws, regulations and administrative provisions necessary to comply with this Directive, so that those measures can apply from 1 July 2022.

## **VI. CROSS-BORDER MOVEMENT PERMISSION**

42. Activities in this area were further developed within the European Defence Agency in the framework of the Programme on "Optimising Cross-Border Movement Permission procedures in Europe", which has been joined by 25 participating Member States, as well as Norway, under its administrative arrangement with the European Defence Agency. The objective of the Programme on "Optimising Cross-Border Movement Permission procedures in Europe" is to serve as an umbrella programme to develop two Technical Arrangements, one for surface and another for the air domain. The Programme is progressing very well owing to active participation by all relevant stakeholders in numerous Ad Hoc Working Groups supported by the Commission services and the European External Action Service, including the EU Military Staff. The contributing Member States have already developed a first draft of both Technical Arrangements that will be further developed by experts from all contributing Member States with a view to lift existing restrictions in national legislation. Maintaining the strong commitment from the EU Member States to the objective of the Programme is fundamental to establish a harmonised movement approval process within Europe.

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<sup>28</sup> 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.

43. The Programme on “Optimising Cross-Border Movement Permission procedures in Europe” is also building on pre-existing EDA projects and activities. One of these projects is the Technical Arrangement on European Military Border Crossing and Transit for Surface movement in the context of the European Defence Agency Project EU Multimodal Transport Hub, which has been joined by 17 EU Member States. A second example is the incorporation of the lessons identified in the context of the Diplomatic Clearances Technical Arrangement, established in 2012 and signed by 20 EU Member States. The Technical Arrangement allows participants to overfly and/or land military transport aircraft in each other’s territories.

## **VII. OTHER ISSUES**

44. As outlined in the Action Plan, a few cross-cutting issues, such as disinformation, cybersecurity and critical infrastructure protection, have been considered as relevant to military mobility. These areas are part of the 22 Actions of the 2016 Joint Framework on Countering Hybrid Threats<sup>29</sup> and their implementation is ongoing. The 4<sup>th</sup> 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 24 July 2020<sup>30</sup>.

## **VIII. CONCLUSIONS AND WAY FORWARD**

45. Since the first Progress Report, the implementation of the Action Plan continues with concrete and tangible results, namely the update of the Military Requirements, the update of the gap analysis, the agreement of the dual-use requirements as well as the adoption of the EU form 302 and the Directive ensuring equal treatment of defence efforts under NATO and under the EU framework from the fiscal perspective.
46. In addition, the Commission services, the European External Action Service and the European Defence Agency will continue to implement the Action Plan and assess its progress. This will be pursued in a coordinated manner at the EU level in close consultation with the EU Member States and in full respect of their national sovereignty and decision-making, as well as in cooperation between the Commission services, the European External Action Service and the European Defence Agency. Furthermore, the activities under the lead of the EU Member States, notably in the framework of the Permanent Structured Cooperation and its relevant projects as well as the implementation of the national commitments of 2018, directly contribute to improving military mobility. The EU-NATO staff-level Structured Dialogue further enhances the cooperation in this area. The Commission and the High Representative welcome this approach and are committed to continue working in an inclusive and effective manner.
47. The next Progress Report will be presented by the High Representative and the Commission by the end of summer 2021.

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<sup>29</sup> Joint Communication to the European Parliament and the Council Joint Framework on countering hybrid threats – a European Union response {JOIN/2016/018 final}.

<sup>30</sup> Joint Staff Working Document: 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, 24 July 2020, {SWD(2020) 153 final}.

