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NOTE

From:	General Secretariat of the Council
To:	Delegations
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 - Four-column table

Delegations will find attached the four-column table that will be used in the forthcoming inter-institutional negotiations on the above-mentioned proposal.

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

2025/0847(COD)
[Version for Trilogue on July 16, 2026]
09-07-2026 at 13h53

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Formula				
1	2025/0847 (COD)	2025/0847 (COD)	2025/0847 (COD)	
Document Stage				
2	Proposal for a	Proposal for a	Proposal for a	
Document Type				
3	REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	
Document Purpose				
4	on establishing a framework of measures to facilitate the transport of military equipment, goods and personnel across the Union	on establishing a framework of measures to facilitate the transport of military equipment, goods and personnel across the Union	on establishing a framework of measures to facilitate ~~the~~**military** transport ~~of military equipment, goods and personnel~~ across the Union	
Formula				
4a			**(text with EEA relevance)**	
Formula				

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5	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	
Citation 1				
6	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 Treaty on the Functioning of the European Union, and in particular Article 91 and Article 100(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article ~~91 and~~ **91,** Article 100(2) **and Article 172** thereof,	
Citation 2				
7	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	
Citation 3				
8	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	
Citation 4				
9	Having regard to the opinion of the European Economic and Social Committee[1], 1. (1)OJ C [...], [...], p. [...].	Having regard to the opinion of the European Economic and Social Committee[1], 1. (1)OJ C [...], [...], p. [...].	Having regard to the opinion of the European Economic and Social Committee[1], 1. ~~(1)~~OJ C [...], [...], p. [...].	
Citation 5				
10	Having regard to the opinion of the Committee of the Regions[1], 1. (2)OJ C [...], [...], p. [...].	Having regard to the opinion of the Committee of the Regions[1], 1. (2)OJ C [...], [...], p. [...].	Having regard to the opinion of the Committee of the Regions[1], 1. ~~(2)~~OJ C [...], [...], p. [...].	

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Citation 6				
11	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	
Formula				
12	Whereas:	Whereas:	Whereas:	
Recital -1				
12a			**(-1) In the European Council conclusions of 6 March 2025, the Heads of State or Government identified military mobility as one of the priority areas for action at EU level in the field of capabilities.**	
Recital 1				
13	(1) The Commission and the High Representative presented a Joint White Paper for European Defence - Readiness 2030[1] 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. _____	(1) The Commission and the High Representative presented a Joint White Paper for European Defence - Readiness 2030[1] 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. _____	(1) The Commission and the High Representative presented a Joint White Paper for European Defence - Readiness 2030[1] 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. _____	

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	1. [4]JOIN(2025) 120 final - White Paper for European Defence – Readiness 2030.	1. [4]JOIN(2025) 120 final - White Paper for European Defence – Readiness 2030.	1. [4]JOIN(2025) 120 final - White Paper for European Defence – Readiness 2030.	
Recital 1a				
13a		***(1a) Russia's war of aggression against Ukraine has fundamentally reshaped the European security environment and should be fully taken into account in the planning, implementation and further development of military mobility measures under this Regulation. The experience gained from supporting Ukraine highlights the need for effective cooperation beyond the Union's borders. Where appropriate, cooperation with Ukraine should be enhanced through relevant cooperation frameworks under this Regulation and other relevant Union legislation to improve coordination, interoperability and the effectiveness of military mobility in the Union.*** AM 1		
Recital 2				
14	(2) In the European Council conclusions of 26 June 2025[1], the Heads of State or Government invited the Commission and the	(2) In the European Council conclusions of 26 June 2025[1], the Heads of State or Government invited the Commission and the	(2) In the European Council conclusions of 26 June 2025[1], the Heads of State or Government invited the Commission and the	

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	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. 1. (3)Conclusions of the European Council, EUCO 12/25, 26 June 2025.	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. 1. (3)Conclusions of the European Council, EUCO 12/25, 26 June 2025.	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. 1. (3)Conclusions of the European Council, EUCO 12/25, 26 June 2025.	
Recital 3				
15	(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.	(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***, as much as possible,*** the impact of such operations on civilian transport ***infrastructure and services, as well as on logistics supply chains***. 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. AM 2	(3) Military transport ~~operations through the dual-use of civilian infrastructure and mobile assets in~~**within** the Union and across its external borders should be facilitated, while limiting and mitigating the impact of such ~~operations~~**transport** on civilian transport. This is to be without prejudice to the Member States' **sole** responsibility for ~~safeguarding~~ national security and **the specific character of the security and** defence ~~and their power to safeguard other essential State functions, including ensuring the territorial integrity~~**policy of certain Member States. Notwithstanding the applicability** of the ~~State and maintaining law~~	

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			~~and order~~**Regulation to the aforementioned military transport within the Union, this Regulation is to be without prejudice to the special status of the Åland Islands under international law**.	
Recital 3a				
15a			**(3a) In Article 1 of the Convention on International Civil Aviation, signed in Chicago on 7 December 1944 (the 'Chicago Convention'), the Contracting States recognise that 'every State has complete and exclusive sovereignty over the airspace above its territory'. It is within the framework of such sovereignty that the Member States of the Union, subject to applicable international conventions, exercise the powers of a public authority, including over or into the airspace above their territory. This Regulation should not affect Member States rights and responsibilities under the Chicago Convention.**	
Recital 3a				
15b		***(3a) Military mobility should be implemented as part of a***		

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		"whole-of-society" approach, based on close cooperation between public authorities, the armed forces, the civilian logistics sector, and the social partners. AM 3		
Recital 3b				
15c			**(3b) This regulation is without prejudice to the position of the Kingdom of Spain in its dispute with the United Kingdom of Great Britain and Northern Ireland with regard to sovereignty and jurisdiction in relation to Gibraltar and it should not apply to the external border of the EU in respect of Gibraltar, where under Union law only the provisions of the Agreement in respect of Gibraltar between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, will be applicable as regards military transport in accordance with that Agreement. In the event that the aforementioned Agreement was terminated this Regulation**	

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			should apply to the territory under dispute when, following a settlement of the dispute with the United Kingdom, the Kingdom of Spain is in a position to ensure the application of the rules set out in this Regulation to the abovementioned territory.	
Recital 4				
16	(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 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.	(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 increasingly subcontract ***or outsource*** 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 ***or of allied countries operating within the territory of the Union***, and whether they are carried out on their behalf by civilian companies or other contractors engaged by those armed forces. ***This should be***	(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 increasingly subcontract their transports to ~~commercial carriers~~**civilian operators**. 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.	

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		done in full respect of the Member States' responsibility for national defence, including the planning, deployment and control of their armed forces. AM 4		
Recital 5				
17	(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	(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*~~***While significant progress has been made regarding the harmonisation of military customs regimes, differences in interpretation and application still result in*** delays, inefficiencies, and bottlenecks ~~*and hampers*~~***, thus***	(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. **Some of** those national requirements are stricter than those applicable to civilian transport operations. **Permission procedures and** administrative rules ~~(e.g. diplomatic clearance)~~ are often complex and/or paper-based across Member States (e.g. **diplomatic clearance,** 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	

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	transport under any circumstances, and particularly in situations necessitating the swift and large-scale transport of military persons, goods and equipment.	***hampering*** military transport. The Union lacks a uniform framework to ensure and support military transport across its territory and beyond. Such a framework***, which should be created in coordination with NATO,*** 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. AM 5	framework is critical to ensure seamless military transport under any circumstances, and particularly in situations necessitating the swift and large-scale **military** transport of ~~military~~ persons~~,~~ **and** goods ~~and equipment~~.	
Recital 6				
18	(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	(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	(6) To facilitate the **military** transport of ~~equipment,~~ goods and persons for ~~military or civil protection~~**the armed forces**, 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	

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	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.	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, ***and to have simplified, harmonised, uniform and digitalised procedures in force,*** cross-border military transport permissions should be streamlined for all transport modes (road, rail, inland waterway, air and sea) ***as well as their intermodal or combined use***. 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	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.	

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		which should be valid until revoked. ***Member States should ensure that administrative and judicial procedures relating to cross-border military transport operations are carried out under streamlined procedures, with clear, proportionate, and binding deadlines for each stage.*** AM 6		
Recital 7				
19	(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.	(7) Standing military transport permissions ***should be the standard procedure as they*** 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	(7) Standing military transport permissions should not be tied to ~~any~~**a** 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. **Member States**	

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		using the available dual-use infrastructure. AM 7	**should, where applicable, also include possible needs for transport host-nation-support in standing military transport permissions.**	
Recital 8				
20	(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[1], which emphasises 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	(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[1], which emphasises 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	(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[1], which emphasises 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~~**endeavour** to align their standing military transport permissions~~, and should be able~~ **and** to coordinate in advance those ~~pre-planned~~**traffic** 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	

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	standing military transport permissions to that Member State. 1. (7)Council Conclusions on EU Security and Defence, 27 May 2024, 9225/24.	standing military transport permissions to that Member State. 1. (7)Council Conclusions on EU Security and Defence, 27 May 2024, 9225/24.	States that granted standing military transport permissions to that Member State. 1. (7)Council Conclusions on EU Security and Defence, 27 May 2024, 9225/24.	
Recital 9				
21	(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.	(9) The scope of the standing military transport permission should ~~*be specified in order to*~~ cover ~~*at this stage only*~~***both*** simple ~~*military transport operations, while providing for the possibility to be extended in the future in order to cover*~~***and*** 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. AM 8	*deleted*	
Recital 10				
22	*(10)* Ad hoc military transport permissions are necessary to carry out military transport operations in the absence of a standing	(10) Ad hoc military transport permissions are necessary to carry out military transport operations in the absence of a standing	(10) Ad hoc military transport permissions are necessary to carry out military transport operations in the absence of a standing	

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	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.	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.	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~~.	
Recital 10a				
22a		***(10a) When issuing permits for abnormal military transport, competent authorities should take into account the trailer technologies and axle load distribution systems that reduce the negative impact on infrastructure and enhance road safety.*** AM 9		
Recital 11				
23	(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	(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	(11) ~~In addition to permissions, certain cross-border~~ Military transport operations **could** require traffic arrangements **to be determined by the receiving Member States**. Such	

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	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	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. ***To facilitate such checks the rail infrastructure manager should ensure that the data in the register of infrastructure referred to in Implementing Regulation (EU) 2019/777 are complete, accurate and up-to-date.*** Such traffic arrangements and path allocations help minimise adverse impacts on civilian transport activities. Common procedures and deadlines for requesting and granting traffic	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~~	

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	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.	arrangements, including the coordination with infrastructure managers, are needed to harmonise and streamline processes and reduce delays and disruptions. ***The Member States should therefore ensure that infrastructure managers have the necessary information to anticipate rail network capacity constraints that may affect military transport operations and, where appropriate, take the necessary measures to mitigate their effects.*** 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. AM 10	~~processes and reduce delays and disruptions. Traffic arrangements established under this Regulation~~**determined by the receiving Member States** should be ~~without prejudice to~~**in line with any** other operational procedures or requirements that may be applicable under Union or national legislation for carrying out the concerned military transport operations.	
Recital 11a				
23a			**(11a) For transport by rail, the rail infrastructure manager also needs to allocate an individual train path and give specific authorisation for exceptional transports, while railway**	

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			undertakings need to carry out route compatibility and train composition checks required for a military transport operation. Such path allocations and specific authorisations help minimise adverse impacts on civilian transport activities. Common procedures and deadlines for requesting and granting train paths, authorisations and traffic arrangements, including the coordination with infrastructure managers, are needed to harmonise and streamline processes and reduce delays and disruptions.	
Recital 12				
24	(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	(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	(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~~**forms to be** set	

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	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.	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.	out in ~~Annex II to this Regulation. All requests and notifications linked to a single military transport operation~~**an implementing act. Implementing powers** should be ~~combined into a single permission request or a single notification~~**conferred to the Commission to establish these forms**. No additional ~~forms~~**information** should be required by any Member State **other than that contained in these forms**. That should be without prejudice to the applicable Union customs rules, in particular to the EU and NATO forms 302. **To the extent possible, these forms should build upon efforts undertaken in the European Defence Agency.** Any communication between Member States linked to ~~requests~~**permissions** and notifications of military transport ~~operations~~ and **to the provision of information for** traffic arrangements **and transport host-nation-support** should be transmitted through the respective National Coordinator for ~~Cross-Border~~ Military Transport.	
Recital 12a				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
24a			**(12a) In order to facilitate the identification of civilian operators carrying out a military transport operation on behalf of the armed forces, the National Coordinator for Military Transport of the requesting Member State should issue certificates to be carried by the civilian operators during each military transport operation, based on a uniform template. Such certificates should be presented by civilian operators during controls and should serve as proof that the military transport operation is subject to the rules set out in this Regulation. These certificates should be digitalised once the System is established. Implementing powers should be conferred to the Commission to establish these certificates.**	
Recital 12b				
24b			**(12b) Transport host-nation-support is critical for military transport and includes notably access to refuelling, recharging, parking and rest facilities and medical support on the territory of a receiving Member State.**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			Rules related to the procedure and conditions for requesting and providing transport host-nation-support and for resulting costs should be established in order to facilitate the planning of military transport operators and to enhance predictability, without prejudice to existing bilateral and multilateral agreements or arrangements.	
Recital 13				
25	(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	(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*~~***by 2027. When establishing the system, the Commission should take into account, and, where possible, use as a basis, existing digital systems set up for this purpose, being used by several Member States and funded by EU funds, such as the***	*deleted* *Copy Delete: row 25*	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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.	***European Defence Fund, in order to ensure that the system becomes operational as soon as possible in all Member States, and by 2028 at the latest. The system should be equipped with appropriate cybersecurity tools***. 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. ***The system should also be compatible with NATO requirements.*** AM 11		
Recital 14				
26	*(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	(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	*deleted*	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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.	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~~***as a general rule,*** be conducted at the first planned stop after the internal border of a Member State***, without prejudice to the right of the receiving Member State to carry out controls at other locations where duly justified on grounds of national security, public safety or risk-related considerations***. AM 12		
Recital 15				
27	*(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	(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	(15) Some international agreements already apply to the transport of dangerous goods by or **on behalf of the armed forces. Whilst Directive 2008/68/EC of the European Parliament and of the Council already sets harmonised rules for the transport of dangerous goods by road, rail or inland waterways by**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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.	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. ***Liability for safeguarding the integrity of military cargo should not rest with the civilian transport personnel, without prejudice to the professional obligations of civilian operators regarding transport security.*** AM 13	**commercial contractors, including those working** for the armed forces~~. However, such~~**, the military** transport **of dangerous goods carried out directly by the armed forces or by civilian contractors under their direct and physical supervision is,**~~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 **carried out** within the Union by ~~or for~~ the **armed forces or by civilian operators acting under direct and physical responsibility or supervision of** 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~~**member** 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	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			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~~**a bilateral agreement with the receiving Member State**.	
Recital 16				
28	(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[1] is permitted, subject to the necessary traffic arrangements, if any, and provided that they carry an indivisible load. _____ 1. [(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).	(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[1] is permitted, subject to the necessary traffic arrangements, if any, and provided that they carry an indivisible load. _____ 1. [(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).	(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[1] is permitted, subject to the necessary traffic arrangements~~,~~ ~~if any,~~ and provided that they carry an indivisible load. _____ 1. [(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).	
Recital 17				
29	(17) While most Member States grant some exemptions to military transport operations from weekend and holiday travel bans, and similar	(17) While most Member States grant some exemptions to military transport operations from weekend and holiday travel bans, and similar	(17) While most Member States grant some exemptions to military transport operations **by road and rail** from weekend and holiday	

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	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 military transport operations are carried out swiftly and smoothly throughout the Union also during those periods.	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 all modes of transport (rail, road, air, inland waterways)***, in order to ensure that military transport operations are carried out swiftly and smoothly throughout the Union also during those periods. AM 17	travel bans, and similar periodic traffic restrictions, those exemptions differ significantly across the Union. There is therefore a need to introduce ~~a general~~**an** exemption from such time-based traffic restrictions, in order to ensure that military transport operations **by road and rail** are carried out swiftly and smoothly throughout the Union also during those periods**, subject to the necessary traffic arrangements**.	
Recital 18				
30	(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	(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 ***and/or by civilian operators***. 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,	(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~~**transport by road** 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~~**the fleet of** heavy military road vehicles is slower than that of the civilian fleet. For	

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	directly by the armed forces should be exempted from traffic restrictions applied on specific road sections based on the environmental performance of vehicles.	military transport carried out directly by the armed forces ***and/or civilian operators*** should be exempted from traffic restrictions applied on specific road sections based on the environmental performance of vehicles. AM 15	those reasons, military transport **by road** 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**, subject to the necessary traffic arrangements**.	
Recital 19				
31	(19) Cabotage operations by road in the Union are restricted under Regulation (EC) No 1072/2009 of the European Parliament and of the Council[1]. 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. 1. (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:	(19) Cabotage operations by road in the Union are restricted under Regulation (EC) No 1072/2009 of the European Parliament and of the Council[1]. 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*~~***justified***. 1. (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	(19) Cabotage operations by road in the Union are restricted under Regulation (EC) No 1072/2009 of the European Parliament and of the Council[1]. 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. 1. (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:	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	http://data.europa.eu/eli/reg/2009/1072/oj).	market (OJ L 300, 14.11.2009, p. 72, ELI: http://data.europa.eu/eli/reg/2009/1072/oj). AM 16	http://data.europa.eu/eli/reg/2009/1072/oj).	
Recital 19a				
31a	(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. Reference text		(~~13~~**19a**) ~~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, **a Military Mobility Digital Information System (the 'System') should be established. Once the System is operational, all Member States should make use of it for all military transport procedures, including for customs formalities for cross-border military transport related to EU form 302. 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~~**cyber-resilient** System to be ~~deployed~~**operational** by 2030~~. Once this system is deployed all Member States should make use of it for all military~~	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			~~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~~**. To the extent possible, the System should build upon existing projects and solutions developed within the Union, as well as efforts undertaken in the European Defence Agency. In addition to the System, the Commission should also establish a Classified System for the handling and storage of EU classified information related to military transport procedures**. Copy Delete: row 25	
Recital 20				
32	(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	(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	(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	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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	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*~~***use*** 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	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 **military transport** operation ~~otherwise indicate their preference for the submission of~~**decide to use** 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~~	

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	required, they should be prioritised to balance operational needs with risk management, in accordance with Union customs legislation.	required, they should be prioritised to balance operational needs with risk management, in accordance with Union customs legislation. AM 17	~~declaration~~. Where controls are required, they should be prioritised to balance operational needs with risk management, in accordance with Union customs legislation.	
Recital 21				
33	(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 to be without prejudice to the	(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~~ ***of*** NATO should treat any of the NATO Allies ***that are not Member States*** as equivalent to requesting Member States in the context of NATO operations, ***missions and exercises***, 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	(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~~**Cooperation between the Union and NATO should remain in full respect of the agreed guiding principles of transparency, reciprocity and inclusiveness as well as the decision-making autonomy and procedures of both organisations. For uniform** military transport **permission procedures** and ~~other~~ rules ~~in relation to holiday traffic bans and cabotage~~, Member States that are **NATO** members ~~to NATO~~ should treat any of the NATO ~~Allies~~**members** as equivalent to requesting Member States in the context of ~~NATO~~ operations**, missions and exercises that are**	

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	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).	is 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). AM 18	**commonly agreed within NATO**, with the exception of ~~rules and provisions related to~~**the System,** 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 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).~~	
Recital 21a				
33a			**(21a) This Regulation should be without prejudice to and should not affect the existing bilateral and multilateral agreements between Member States and third countries which entered into force prior to the entry into force of this Regulation, including the Agreement between the Parties to the North Atlantic Treaty regarding the Status of their**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			Forces (NATO SOFA), the Protocol on the Status of International Military Headquarters set up pursuant to the North Atlantic Treaty (Paris Protocol), the Agreement among the States Parties to the North Atlantic Treaty and the other States participating in the Partnership for Peace regarding the Status of their Forces (PfP SOFA) and the Further Additional Protocol to the Agreement among the States Parties to the North Atlantic Treaty and the other States participating in the Partnership for Peace regarding the Status of their Forces (Further Additional Protocol to PfP SOFA) or any additional agreements thereto. This Regulation should also be without prejudice to and should not affect future bilateral and multilateral agreements between Member States and third countries in so far that these agreements do not undermine the objectives and the application of this Regulation. In addition, this Regulation should not preclude the application of bilateral or multilateral	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			agreements or arrangements between Member States in so far as such agreements or arrangements help to simplify or facilitate further the rules and procedures for the military transport falling under the scope of this Directive.	
Recital 21b				
33b			**(21b) To ensure the harmonised application of the customs facilitations provided for the movement of goods used in the context of military activities, bilateral or multilateral agreements with third countries referred to under Article 3b of this Regulation should not contradict, restrict or in any way hinder the application of the relevant Union customs legislation.**	
Recital 22				
34	(22) As highlighted in the Action Plan on Military Mobility 2.0[1] 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	(22) As highlighted in the Action Plan on Military Mobility 2.0[1] 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	(22) As highlighted in the Action Plan on Military Mobility 2.0[1] 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	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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. _____ 1. (10)JOINT COMMUNICATION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL on the Action Plan on Military Mobility. JOIN/2018/05.	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 ***as much as possible***. _____ 1. (10)JOINT COMMUNICATION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL on the Action Plan on Military Mobility. JOIN/2018/05. AM 19	European Military Mobility Enhanced Response System ('~~EMERS~~**EMMERS**') 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. **EMMERS should be able to be activated on the territory of the Union or within a geographical area, taking into account inter alia military mobility corridors functionality within the scope of the current Regulation. The temporary measures should only apply for those military transport operations directly linked to the purpose of the activation of EMMERS.** _____ 1. ~~(10)~~JOINT COMMUNICATION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL on the Action Plan on Military Mobility. JOIN/2018/05.	
Recital 23				
35	(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	(23) EMERS should be activated ***in an emergency, in a crisis situation or in a lead-up to such a situation*** by the Council where an existing or expected	(23) ~~EMERS~~**EMMERS** should be activated by the Council where an existing or expected increase in the volume, frequency, or speed of military transport in the Union	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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.	***significant*** 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 ***sudden and profound*** 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. ***A collective industrial action that takes place in accordance with national law should not be considered a situation where EMERS may be activated. Considering the importance of military transport through EFTA states that are party to the Agreement on the European Economic Area, shared security interests should be ensured and an effective application of EMERS throughout the EEA should be facilitated.*** AM 20	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. **The Council should, in particular, take into account whether a crisis affecting the security and defence interests of the Union and its Member States has been identified within the area of CFSP, such as whether that crisis has triggered the activation of the mutual assistance clause pursuant to Article 42(7) TEU.**	
Recital 23a				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
35a			**(23a) In order to account for the exceptional nature of and potential far-reaching consequences of the activation of EMMERS and the impact of such decision on the national security and defence of the Member States as well as their territorial integrity, the implementing powers should be exceptionnally conferred on the Council. The assessment of the need to activate EMMERS for military transport operations can only be exercised by the Member States as such assessment is closely linked to choices that concern core elements of national security, such as where to deploy forces and equipment, within which time frame. Consequently, the activation of EMMERS should be conditionned to a reasonned request from at least one Member State to that effect adressed to the Commission or to the Council in view of the adoption of a Council implementing act.**	
Recital 23a				
35b		***(23a) When assessing the conditions for activating EMERS,***		

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		the Commission should, in particular, take into account whether an emergency or crisis affecting the security and defence interests of the Union and its Member States has been identified, such as whether that crisis has triggered the activation of the mutual assistance clause pursuant to Article 42(7) TEU. AM 21		
Recital 24				
36	(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.	(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*~~***When an activation request is made by one or more Member States, the Commission should submit the*** proposal to the Council for the activation of EMERS~~,~~ ***within 48 hours of receipt of the activation request.*** The Commission ~~*should use all expertise available and collect any relevant information*~~***may consult the Military Mobility Transport Group*** to assess the~~ risk of a significant~~ increase in volume, frequency or speed of military	(24) The activation of ~~EMERS~~**EMMERS** should be initiated ~~on the Commission's own initiative or upon~~**by** a reasoned request from at least one Member State. **If conditions are met, the Commission should propose the activation of EMMERS to the Council as soon as possible and no later than 48 hours after receiving the activation request.** Before submitting ~~a~~**this** proposal to the Council ~~for the activation of EMERS~~, the Commission should **consult the Military Mobility Transport Group and may** use all expertise available and collect any relevant information to	

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		transport within the Union, including through liaising with the High Representative for Foreign Affairs and Security Policy and NATO. AM 22	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. **EMMERS may also be activated by the Council without a proposal from the Commission, upon a reasoned request from at least one Member State, if conditions for the activation of EMMERS are met. The Council should be able to act based on a proposal from the Commission or on its own initiative to amend or repeal an implementing act, without awaiting a Commission proposal, upon a reasoned request from at least one Member State.**	
Recital 25				
37	(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	(25) When the Commission ~~*determines that*~~***initiates*** the activation of EMERS ~~*is justified*~~***on its own initiative, after consulting NATO if appropriate***, it should ~~*propose such activation*~~***transmit its proposal*** to the Council ***and inform, subject to confidentiality arrangements if necessary, the***	(25) ~~When the Commission determines that the activation of EMERS is justified, it should propose such activation to the Council.~~ After receiving ~~this~~**a** request **for activation**, the Council should be able to activate ~~EMERS~~**EMMERS as soon as possible and, as a rule,** no later	

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	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.	***European Parliament***. After receiving this request, the Council should be able to activate EMERS ***as soon as possible and*** 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*~~***taking into account*** relevant customs formalities. When the Council decides to extend certain provisions to ~~*Allies*~~***parties of the North Atlantic Treaty that are not Member States***, 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	than ~~48~~**72** hours after receiving the activation request, by adopting an implementing act specifying the **purpose of the activation, the geographical scope and the** duration of the application of ~~EMERS~~**EMMERS**, which should not exceed ~~12~~**6** 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~~**NATO members** to military transports by ~~parties to the North Atlantic Treaty~~**NATO members** that are not Member States, without prejudice to relevant customs formalities. When the Council decides to extend certain provisions to ~~Allies~~**NATO members**, it should take into account notably operations, missions and exercises that are commonly agreed within NATO and that relate to the causes of ~~EMERS~~**EMMERS**, 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~~	

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		and the special nature of the emergency measures to be applicable under that mechanism. ***EFTA states that are party to the Agreement on the European Economic Area should be invited to participate in the Council's deliberations, be able to express themselves and make suggestions on questions relating to an act activating EMERS.*** AM 23	~~nature of the emergency measures to be applicable under that mechanism.~~	
Recital 25a				
37a			**(25a) The activation of EMMERS could be concomitant with the activation of the EU Integrated Political Crisis Response, as referred to in Article 2(1)(b) of Council Implementing Decision (EU) 2018/1993, and should be without prejudice to it.**	
Recital 26				
38	(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,	(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 ***Member***	(26) During the period of activation of ~~EMERS, the Commission should be able to convene meetings of the extraordinary~~**EMMERS, the** Military Mobility Transport Group~~, comprising of representatives of~~	

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	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 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.	***States (representing their governments), the*** Commission, the European External Action Service ('EEAS'), including the European Union Military Staff, the EDA and ~~*the Member States (representing their governments)*~~***CINEA*** and should ensure close coordination with Member States ***and, if deemed appropriate, with NATO***. Member States should promptly inform the Commission of national measures 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] ***as well as NATO, including its Euro-Atlantic Disaster Response Coordination Centre (EADRCC), if needed***. 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	~~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 **convene for extraordinary meetings in order to** ensure close coordination ~~with Member States.~~**among** Member States ~~should promptly inform the Commission of national measures taken in response to EMERS activation, fostering operational coherence and solidarity. The EMERS~~**and with all relevant actors. The EMMERS** framework should work in synergy with the emergency frameworks established under IMERA and ~~[EDIP]~~**EDIP, where relevant**. In case of activation of ~~EMERS~~**EMMERS** due consideration should be given to the ~~[EDIP]~~**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	

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		transport operations, notably by ensuring the free-movement of workers. AM 24	workers.	
Recital 27				
39	(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	(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	(27) In order to facilitate military transport, specific rules ~~relating to transport~~ should apply during the period of activation of ~~EMERS~~**EMMERS**. **Member States should choose among two modalities to grant** military transport ~~operations~~**permissions during the period of activation of EMMERS and notify the Council of their decision before it activates EMMERS. One of these two modalities** should ~~be deemed to be automatically permitted by receiving Member States~~**consist of a general permission for all military transport permissions during the period of activation**. **Under this modality,** requesting Member States should only notify receiving Member States of a planned military transport operation as early as possible and at the latest ~~six~~**12** hours before the scheduled time of arrival at the border crossing point of the	

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	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.	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.	receiving Member State. ~~Notifications~~**The other modality** 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~~**consist of case-by-case permissions, whereby a** receiving Member State ~~requires traffic arrangements, these~~ should ~~be determined in due time to ensure that the~~**take the decision to grant or deny a military** 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~~**permission within 24 hours of receiving the request**. ~~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.~~ **should be able to change modality at any time by notifying the Council.**	
Recital 27a				

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39a			**(27a) In order to identify the military transport operations linked to the purpose of activation of EMMERS and which should, as such, be subject to specific rules and derogations, the National Coordinators for Military Transport of the requesting Member State should issue dedicated certificates. These certificates should be digitalised once the System is established. Such certicates should be presented to competent authorities and other relevant actors, including for priority access. Implementing powers should be conferred to the Commission to establish these certificates.**	
Recital 27a				
39b		***(27a) During the period of activation of the European Military Mobility Enhanced Response System (EMERS), priority access to transport infrastructure granted for overriding reasons of public security and defence preparedness may lead to unavoidable delays or cancellations of civilian transport services. In such exceptional***		

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		circumstances, railway undertakings may be required by public authorities or infrastructure managers to interrupt, postpone or cancel services for reasons beyond their control. In order to ensure legal certainty, coherence of Union law and the financial sustainability of rail services in emergency situations, railway undertakings should be compensated by Member States where such disruptions are directly caused by measures taken pursuant to this Regulation. To ensure legal certainty, coherence of Union law, and the financial sustainability of rail services in emergency situations, any contractual or statutory entitlement to compensation for customers of freight transport or under Union passenger rights legislation should be excluded in such cases. AM 25		
Recital 28				
40	(28) The Council Conclusions on EU Security and Defence[1] of 27 May 2024 pledged to ensure that, by 2026 at the latest, a priority	(28) The Council Conclusions on EU Security and Defence[1] of 27 May 2024 pledged to ensure that, by 2026 at the latest, a priority	(28) ~~The Council~~**Through its** conclusions on EU Security and Defence[1] of 27 May 2024**, the Council** pledged to ensure that, by	

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	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[2] and under Regulation (EC) No 1008/2008 of the European Parliament and of the Council[3], 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	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[2] and under Regulation (EC) No 1008/2008 of the European Parliament and of the Council[3], 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. ***Such priority access should be implemented in a manner that remains proportionate, temporary and compatible with the continuity of civilian passenger and freight transport services, in particular in highly saturated corridors and logistics nodes. The Commission may conduct an assessment of the impact of the activation of***	2026 at the latest, a ~~priority~~**prioritised** access ~~or traffic in emergency or crisis situations~~**of the armed forces to relevant transport modes, networks, and assets** may be granted ~~for rail military transport~~**, most notably in times of crisis**. 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[2] and under Regulation (EC) No 1008/2008 of the European Parliament and of the Council[3], respectively. However, more specific rules granting priority access, covering all modes of transport and better suited to ~~EMERS~~**EMMERS**, are needed. It is therefore necessary to introduce a horizontal priority access right for the armed forces **or civilian operators acting on their behalf** to transport networks and infrastructure, and related services and facilities, across all modes of transport**, during the period of activation of EMMERS**.– Due to the exceptional nature of ~~EMERS~~**EMMERS,** and in order to	

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	consequences for other transport users, priority access for the armed forces is considered justified only where EMERS is activated. _____ 1. (11)Council Conclusions on EU Security and Defence - 9225/24. 2. (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]. 3. (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).	***EMERS on the functioning of the internal market and of the possible need for mitigating measures.*** 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 ***and should be organised in a manner that does not unduly impede the efficient functioning of other critical components of the civilian transport network***. _____ 1. (11)Council Conclusions on EU Security and Defence - 9225/24. 2. (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]. 3. (13)Regulation (EC) No 1008/2008 of the European Parliament and of the Council of 24 September 2008 on common rules for	limit the financial burden on the armed forces, no compensation should be due ~~by the armed forces~~ to **passengers, undertakings hiring** transport ~~users~~**operators or to the transport operators themselves** that are affected by such priority access, for instance because their train is delayed, or **because** they cannot dock at a specific port terminal**, without prejudice to the right of Member States to establish a national compensation mechanism. In particular, under no circumstances may the infrastructure managers affected by**~~. In view of these potentially severe and costly consequences for other transport users,~~ priority access **be held liable for any financial losses resulting from the interruption, delay or cancellation of ongoing or scheduled transport operations to accommodate the request for priority access. Insofar as this concerns passengers, this limitation to the right for compensation should take precedence over the passenger rights set out in Regulation (EU) 2021/782[4], Regulation (EC)**	

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		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). AM 26	**261/2004[5], Regulation (EU) 181/2011[6] and Regulation (EU) 1177/2010[7]. Although no compensation will be due** for the ~~armed forces is considered justified only where EMERS is activated~~**delay or cancellation of a transport service or for economic losses incurred by certain persons as a result of priority access during the period of activation of EMMERS, this does not concern the possible obligation on transport service providers to reimburse amounts paid for the transport service. Moreover, the protection of fundamental rights is safeguarded, since the exceptionally necessary measures are limited to emergency or crisis situations correspond to the objectives of the Union serving the common good and security and do not constitute a disproportionate interference with regard to the purpose pursued**. 1. ~~(11)~~Council Conclusions on EU Security and Defence~~–~~**,** 9225/24. 2. ~~(12)~~Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the use of railway	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			infrastructure capacity in the single European railway area. [Rail Capacity Regulation proposal]. 3. [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). **4. Regulation (EU) 2021/782 of the European Parliament and of the Council of 29 April 2021 on rail passengers' rights and obligations (OJ L 172, 17.5.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/782/oj).** **5. Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91 (OJ L 46, 17.2.2004, p. 1, ELI: http://data.europa.eu/eli/reg/2004/261/oj).** **6. Regulation (EU) No 181/2011 of the European Parliament and of the Council of 16 February 2011 concerning the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004 (OJ L 55, 28.2.2011, p. 1, ELI: http://data.europa.eu/eli/reg/2011/181/oj).** **7. Regulation (EU) No 1177/2010 of the European Parliament and of the Council of 24 November 2010 concerning the**	

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			rights of passengers when travelling by sea and inland waterway and amending Regulation (EC) No 2006/2004 (OJ L 334, 17.12.2010, p. 1, ELI: http://data.europa.eu/eli/reg/2010/1177/oj).	
Recital 29				
41	(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.	(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.	(29) During the period of activation of ~~EMERS~~**EMMERS**, 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~~ **under certain conditions**. 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.	
Recital 30				
42	(30) In normal situations, the cargo to be transported should not exceed the maximum applicable weights and dimensions, namely	(30) In normal situations, the cargo to be transported should not exceed the maximum applicable weights and dimensions, namely	(30) In normal situations, the cargo to be transported should not exceed the maximum applicable weights and dimensions, namely	

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	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.	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.	for reasons of road safety, unless the cargo is indivisible. However, during the period of activation of ~~EMERS~~**EMMERS**, 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.	
Recital 31				
43	(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	(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	(31) During the period of activation of ~~EMERS~~**EMMERS**, Member States need to have access to necessary **dual-use** transport and ~~logistical~~**logistic** 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 **and the European Defence Agency** to assist Member States in accessing those capabilities **through service contracts** is also necessary to ensure the effective execution of military transport operations. The Military Mobility Transport Group should be able to identify specific **dual-use** transport **and logistic**	

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	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.	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.	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.	
Recital 32				
44	(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.	(32) During the period of activation of EMERS, more military transport operations involving cabotage ***or first and last road legs of combined or intermodal transport*** may be needed. Member States should therefore exempt all military transport of equipment, goods and personnel from cabotage restrictions during that period. AM 27	(32) During the period of activation of ~~EMERS~~**EMMERS**, more military transport operations involving cabotage may be needed. Member States should therefore exempt ~~all~~ military transport of ~~equipment,~~ goods and ~~personnel~~**persons** from cabotage restrictions during that period.	
Recital 32a				
44a		***(32a) When EMERS is activated, an increase of fuel supply and reserves will be necessary to meet transportation needs, including specific fuel types for military transport. Given***		

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		the current decline in the Union's refining capacities, it is of utmost importance to update fuel supply network connections and to increase national fuel stocks in order to guarantee security of fuel supply AM 28		
Recital 33				
45	(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[1] 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. 1. (35)Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of	(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[1] 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. ***These rules should be harmonised at Union level.*** _____	(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[1] 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~~**EMMERS**, 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. 1. (35)Regulation (EC) No 561/2006 of the European Parliament and of the Council of	

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	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).	1. [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). AM 29	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)~~**eu/eli/reg/2006/561/oj)**.	
Recital 33a				
45a		***(33a) In order to ensure the effective and rapid implementation of the measures provided for under the activation of EMERS, Member States should prepare in advance for the derogations and exemptions provided for in this Regulation. To this end, they should, where appropriate, consult in advance and ensure that the relevant stakeholders are adequately prepared, taking into account the health and safety of the workers concerned.*** AM 30		
Recital 34				
46	(34) Directive (EU) 2016/797 of the European Parliament and of	(34) Directive (EU) 2016/797 of the European Parliament and of	(34) Directive (EU) 2016/797 of the European Parliament and of	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	the Council[1] 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 be able to use them outside those areas, provided that safety is assured via other mechanisms. 1. (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).	the Council[1] 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 be able to use them outside those areas, provided that safety is assured via other mechanisms. 1. (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).	the Council[1]-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~~**EMMERS**, 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 be able to use them outside those areas, provided that safety is assured via other mechanisms. 1. ~~(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).	
Recital 35				
47	(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	(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	(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	

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	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.	~~*emergency cases*~~***a crisis situation or in the lead-up to such a situation,*** where a ***significantly*** 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. AM 31	~~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~~**EMMERS**, 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~~.	
Recital 36				
48	(36) Regulation (EU) 2017/625 of the European Parliament and of the Council[1] 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	(36) Regulation (EU) 2017/625 of the European Parliament and of the Council[1] 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	(36) Regulation (EU) 2017/625 of the European Parliament and of the Council[1] 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	

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	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. 1. (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).	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. 1. (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).	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. 1. ~~(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).	
Recital 37				
49	(37) Regulation (EU) 2017/625	(37) Regulation (EU) 2017/625	(37) Regulation (EU) 2017/625	

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	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.	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.	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~~**EMMERS**, 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 **for military dogs and military**~~and~~ dogs. To ensure rapid and unhindered military transport when ~~EMERS~~**EMMERS** 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. **Sanitary and phytosanitary requirements should remain fully applicable.**	
Recital 38				
50	(38) To ensure rapid and unhindered military transport within the Union in situations when EMERS is activated and to avoid bottlenecks that could	(38) To ensure rapid and unhindered military transport within the Union in situations when EMERS is activated and to avoid bottlenecks that could	(38) To ensure rapid and unhindered military transport within the Union in situations when ~~EMERS~~**EMMERS** is activated and to avoid bottlenecks	

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	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][1] . 1. [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.	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][1] . 1. [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.	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][1]-. **When EMMERS is activated, goods used for military activities should be declared using the EU or NATO Forms 302.** 1. [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.	
Recital 39				
51	(39) The EU priority military mobility corridors as set out in the Council 'Military Requirements for Military Mobility within and beyond the EU'[1] 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,	(39) The EU priority military mobility corridors as set out in the Council 'Military Requirements for Military Mobility within and beyond the EU'[1] ~~are~~***constitute*** an instrument to facilitate the coordinated implementation of the parts of the trans-European transport network that are of particular military ~~value~~***relevance***. They are intended, in particular, to	(39) The EU priority military mobility corridors as set out in the Council 'Military Requirements for Military Mobility within and beyond the EU'**(16a)** [1]-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	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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. 1. 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.	ensure the smooth movement~~,~~ ~~*across the Union and beyond,*~~ of military troops and materiel ***across the Union and beyond***. By focusing on the most urgent ***strategic*** investments in dual-use infrastructure along those corridors, and in particular on targeted short-term investments ('hotspots'), Member States ~~*can*~~***should*** upgrade ***and, where necessary, develop*** those corridors ~~*rapidly, and*~~ in a ***rapid,*** coordinated and synchronised manner. ***The upgrading of relevant infrastructure is essential to enable a swift and rapid movement of military personnel, equipment, and supplies along those military corridors and, more broadly, to achieve the objectives of this Regulation. To that end, the Commission and Member States concerned should cooperate, in accordance with the relevant legal and cooperation frameworks, with parties to the North Atlantic Treaty that are not Member States but share land borders with Member States where military mobility corridors terminate, in order to encourage, including through the relevant EU***	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. 1. ~~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~~ **(doc. 6728/25) and Annexes (doc. 6728/25 ADD1 REV1)**.	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		funding programmes, the upgrading of their related infrastructure leading to those corridors. In order to support the timely development of those corridors, Member States and the Commission should ensure the availability of adequate funding at Union and national level. _____ 1. 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. AM 32		
Recital 39a				
51a			**(39a) Upgrades of the dual-use infrastructure that are necessary to satisfy the requirements set out in Annex II to the Council Military Requirements should be carried out depending on the degree of maturity, the compliance with Union and national legal procedures and the availability of financial resources, without prejudice to the financial commitments of Member States and the Union. The strategic importance for**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			military transport of these upgrades of dual-use infrastructure should equally be taken into account.	
Recital 39a				
51b		***(39a) Whereas Commission Implementing Regulation (EU) 2021/1328 currently restricts the scope of activities eligible for funding under the CEF military mobility envelope to dual-use rail infrastructure, thereby excluding support for the deployment of ERTMS, it is essential to revise this Regulation in order to include ERTMS among eligible actions, as a key building block and enabler of effective cross-border military mobility.*** AM 33		
Recital 39b				
51c		***(39b) Counter-mobility infrastructure, including dual-use obstacles, fortifications and rapid deployment systems to reinforce border and territorial defence, also forms an important part of military mobility, in particular in the military mobility corridors, prioritising the Eastern and***		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		Northern corridors. AM 34		
Recital 40				
52	(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.	(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.	(40) In addition, those corridors provide the basis for **receiving** Member States ~~and rail infrastructure managers or national aviation authorities to pre-agree on designated~~**to pre-determine** routes ~~and supporting facilities~~**for road, rail, inland waterways, sea, or air military transport** , 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~~**. Such pre-defined** routes should be established to significantly reduce the time needed for processing traffic arrangements.	
Recital 40a				
52a		***(40a) Efficient military mobility requires not only the upgrading of transport corridors, but also the development of access points to such networks, including intermodal terminals, logistics hubs and last-mile connections.***		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		This is particularly relevant for infrastructure located in close proximity to the Union's external borders and areas affected by ongoing or potential conflicts, where it plays a key role in ensuring operational readiness, resilience and continuity of military transport. AM 35		
Recital 40b				
52b		***(40b) In the context of Russia's ongoing war of aggression against Ukraine, the EU's eastern flank remains highly exposed to cyber and hybrid threats; critical infrastructure protection and the rapid addressing of vulnerabilities across transport networks should be prioritised; the swift and efficient operation of key military mobility corridors, including in the Baltic region and the Suwałki Gap, should be ensured to enable rapid reinforcement and response*** AM 36		
Recital 40c				
52c		***(40c) In order to strengthen the resilience and continuity of military mobility in the Union, it***		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		will be necessary in the future to address structural bottlenecks in regions where they significantly limit the availability of cross-border connections. This should include the development and upgrading of alternative dual-use routes in order to increase redundancy and ensure uninterrupted military mobility in case of disruption of existing limited corridors. AM 37		
Recital 41				
53	(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.	(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.	(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.	
Recital 41a				
53a			**(41a) Large-scale dual-use cross-border rail infrastructure projects play a critical role in enabling military mobility needs**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			while simultaneously supporting civilian transport connectivity. They are of particular importance to strengthen regional and national security within the European Union and NATO. Recent increases in military transport flows and the unstable geopolitical situation demonstrate the growing operational relevance of rail infrastructure for Military Mobility needs. Ensuring sufficient capacity, resilience and protection of strategic rail infrastructure, including signalling and traffic management systems, is essential to accommodate military movements while maintaining the stability of the wider rail network.	
Recital 41a				
53b		***(41a) In order to ensure interoperability of the trans-European transport network, it is necessary to provide for its progressive development, including through migration to the European nominal standard railway gauge of 1435 mm, an***		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		axle load of at least 22.5 tonnes, the European Rail Traffic Management System (ERTMS), and the military loading gauge for tunnels. Investments in 1520 mm gauge railway infrastructure should be eligible for funding where it is located on, or directly connected to, Union priority military mobility corridors, and only where such investment is of demonstrated strategic relevance and necessary to ensure the continuity of military transport operations AM 38		
Recital 41b				
53c		***(41b) When upgrading the dual-use sections of the military mobility corridors, Member States should prioritise the resilience and strategic independence of the energy supply and storage infrastructure, including for alternative fuels, and reduce dependencies on external actors that could compromise operational continuity. Particular attention should be given to urgent strategic investments, including targeted short-term***		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		investments ('hotspots'), to identify and address gaps in storage, distribution and refining capacity that could hamper military transport operations. Adequate aviation fuel capacity should also be ensured. AM 39		
Recital 42				
54	(42) Directive (EU) 2022/2557 of the European Parliament and of the Council[1] 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	(42) Directive (EU) 2022/2557 of the European Parliament and of the Council[1] 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***, fuel, digital and space*** ~~*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	(42) Directive (EU) 2022/2557 of the European Parliament and of the Council[1] 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~~	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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. _____ 1. [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).	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 ***Military Mobility Transport Group, and with the support of the*** Commission ***, which should also identify appropriate Union financial instruments to support such development***. _____ 1. [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). AM 40	~~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.~~ _____ 1. [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).	
Recital 42a				
54a			**(42a) There may be certain dual-use transport, energy and digital infrastructure that are critical for military transport, and notably the infrastructure that is located on the military mobility network. This includes fuel transmission pipelines, fuel**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			storage facilities and electric power infrastructure. 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.	
Recital 43				
55	(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[1] should be complied with by the owners, operators and managers of SDI, irrespective of whether they fall within the scope of those Directives. _____ 1. Directive (EU) 2022/2555 of the European Parliament and of the Council of	(43) Such SDI should therefore be protected against all hazards ***and properly maintained***, to enhance their resilience and to ensure their effective operation at all times, by Member States and their owners, operators and managers alike***. These hazards could among others include cyberattacks, sabotage, espionage, drone threats, interception and manipulation of communication and other hybrid attacks such as intentional and malicious threats or structural failures, utility disruptions, environmental emergencies or operational accidents as unintentional and accidental contingencies***. As a minimum, the obligations for critical entities stemming from Directive (EU) 2022/2557 and the	(43) Such SDI should therefore be protected against ~~all~~**the most anticipated** hazards~~,~~ **and threats identified at national level** to enhance their resilience and to ensure their effective operation ~~at all times, by~~**. In order to avoid duplications in the implementation of measures,** Member States ~~and their~~**should be able to exempt** owners, **managers and** operators ~~and managers alike. As a minimum, the obligations for critical entities stemming from~~**of SDI falling under the scope of** 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[1] ~~should be complied with by the owners, operators and~~	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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).	requirements for essential and important entities stemming from Directive (EU) 2022/2555 of the European Parliament and of the Council[1] should be complied with by the owners, operators and managers of SDI, irrespective of whether they fall within the scope of those Directives. ***To reduce the risks of cyberattacks, interferences or control from a third country entity over any part of identified SDI, equipment and assets purchased or used to implement basic protection measures should be subject to strict local content requirements and should be prohibited to use, install or integrate components from high-risk suppliers within the meaning of Regulation (EU) …/…[the Regulation contained in document 2026/0011(COD) (Cybersecurity Act)]. Member States should also ensure that no dependency is created towards high-risk suppliers.*** _____ 1. 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,	~~managers of SDI, irrespective of whether they fall within the scope of those Directives.~~**from complying with some of the basic protection measures set out in this Regulation.** _____ 1. 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).	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		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). AM 41		
Recital 44				
56	(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[1] 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. _____ 1. 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).	(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 ***construction,*** 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[1] 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. ***In this context, Member States should ensure that foreign ownership is limited. In particular, ownership or control of terminals may confer effective control over port community systems, digital logistics platforms and connected operational***	(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~~**address the risks associated with foreign** 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[1] could help in preventing risks related to malicious foreign ownership or control, Member States should **be able to** also mitigate and address already existing risks of foreign ownership of control in SDI. _____ 1. 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:	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		technology, creating risks of interference, surveillance or disruption of critical infrastructure through digital or operational means. _____ 1. 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). AM 42	http://data.europa.eu/eli/reg/2019/452/oj).	
Recital 44a				
56a			**(44a) In order to prevent, mitigate and address the risks linked to the management or operation of specific equipment, systems, personnel and transport services that are part of or related to an SDI, Member States should pay particular attention to 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**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			Council, seafarers and pilots.	
Recital 45				
57	(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.	(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. ***Parties to the North Atlantic Treaty that are not Member States and close partners should also be able to register their capabilities if they deem it appropriate and on the basis of an international agreement between the Union and the respective States, defining scope, resources and procedures for registration and use of***	(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~~**These gaps** should ~~allow~~**be identified in the Council Military Requirements, taking into account the defence capability priorities commonly agreed by** Member States ~~to pool and share~~**within the framework of the common foreign and security policy (CFSP), in particular within the context of the Capability Development Plan (CDP), and with the collaborative opportunities identified in the Coordinated Annual Review on Defence (CARD). On that basis, and after consulting the Military Mobility Transport Group, the**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		capabilities in the Solidarity Pool. The Solidarity Pool could take direct inspiration from the European Civil Protection Pool and RescEU under the Union Civil Protection Mechanism. At the same time, differences in scope, resources, and procedures should be respected, reflecting the civilian or dual-use nature of each pool. AM 43	**Commission should adopt non-binding guidelines defining the types and specifying the number of key dual-use** 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~~ **required for the Solidarity Pool**.	
Recital 45a				
57a			**(45a) The Solidarity Pool should allow Member States to pool and share dual-use 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. The decision to deploy a dual-use transport and logistic capability registered in the Solidarity Pool should rest with the Member State that has registered it. The Solidarity Pool should be able to operate separately from other existing**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			mechanisms, such as the Union Civil Protection Mechanism.	
Recital 45a				
57b		***(45a) The Commission should, together with the Member States and in coordination with NATO, assess capability gaps along military mobility corridors. In order to strengthen the Union's overall resilience and to be able to respond effectively to a wide range of operational scenarios, it is essential to ensure the availability and interoperability of various capabilities as well as to pool and share, where appropriate, capabilities among Member States.*** AM 44		
Recital 46				
58	(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	(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 ***production, the*** deployment and	(46) The Commission should ensure that the Solidarity Pool is set up in a way that encourages Member States to voluntarily share their **dual-use** transport and ~~logistics~~**logistic** capabilities, including dual-use mobile assets such as vehicles and vessels, and allows for the efficient use of Union funding to support the	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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.	maintenance of those capabilities. The Solidarity Pool should also encompass Union transport and logistic capabilities, including those that are contracted with private operators***. The Solidarity Pool should remain continuously available, enabling Member States or commercial operators to draw on registered capabilities whenever they are not required for scheduled support. In cases of overlapping requests, decisions should be made promptly to ensure that resources are deployed where they are most urgently needed***. 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. ***Capabilities registered in the Solidarity Pool should be prohibited to use, install or integrate components from high-risk suppliers within the meaning of Regulation (EU) …/…[the Regulation contained in document 2026/0011(COD) (Cybersecurity Act)].***	deployment and maintenance of those capabilities. The Solidarity Pool should also encompass ~~Union~~**dual-use** transport and logistic capabilities~~, including those that are contracted with private~~ **made available by the Union through service contracts with commercial** operators. Such Union ~~transport and logistic capabilities~~**service contracting** 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~~.	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		AM 45		
Recital 46a				
58a			**(46a) A secure and cyber-resilient digital platform for the Solidarity Pool should be developed to enable communication and the sharing of information between the Commission and the National Coordinators for Military Transport. To the extent possible, the System should build upon the expertise of and the efforts undertaken in the European Defence Agency.**	
Recital 46a				
58b		***(46a) Member States should take necessary steps to clearly define private operators' legal responsibilities, contractual conditions, liability regimes, insurance requirements and employment conditions in case they are covered by the Solidarity Pool. In order to mitigate operational risks for private operators whose capabilities are registered in the Solidarity Pool, war risk insurance should be provided when they operate in***		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		conflict-affected areas. AM 46		
Recital 46b				
58c		***(46b) The Solidarity Pool should be based on a structured and coordinated identification of transport and logistics capability gaps at Union level, taking into account Union priorities for military mobility and Member State competencies. This identification should be based on the expertise of the competent bodies, in particular of the Military Mobility Transport Group, to ensure that the pooled capabilities effectively meet the operational needs of Member States, in particular in emergency situations. The identification should include specialised vehicles, such as medical units and medical transport, to ensure the appropriate treatment and evacuation of the wounded and sick.*** AM 47		
Recital 47				
59	(47) Member States should be able to access information about	(47) Member States should be able to access information about	*deleted*	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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.	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. ***However, access to registries should be limited to necessary data and subject to confidentiality safeguards and Member State competences. During the period of activation of EMERS, when potentially there could be a lack or shortage of available vehicles in the Solidarity Pool, members of the Military Mobility Transport Group should also be granted access to those national or European registers, in order to identify dual-use vehicles, vessels or aircraft available for military mobility and to be able to***		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		ensure quick and swift military movements. AM 48		
Recital 48				
60	*(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.	(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.	(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.	
Recital 48a				
60a		***(48a) To perform military transport operations by rail and deliver military supplies or ensure civilian evacuation, the dual mode***		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		(diesel and electric) locomotives and locomotives with internal combustion engines play an important role, especially in crisis situations, where they represent the only operational solution in the event of a wide-scale shortage or disruption in the supply of electricity to the traction network. Therefore, the Commission should safeguard the role of these technologies. AM 49		
Recital 49				
61	(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.	(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. ***Any temporary control or use of infrastructure, assets, or equipment that results in costs or***	*deleted*	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		damages should be duly compensated by the Member States. Where infrastructure is damaged, the possibility of financial support from relevant Union funding should be taken into account. AM 50		
Recital 50				
62	*(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	(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	*deleted*	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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.	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.		
Recital 51				
63	*(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.	(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.	(51) While ~~the European Council stressed~~ the importance of establishing framework contracts with civilian transport providers **was stressed** in the 2024 Military Mobility Pledge **approved by the Council**, any future framework ~~contracts~~**agreements** should be more transparent and flexible.	
Recital 52				
64	(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	(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	(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~~**agreements**, 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	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Member States to invite other Member States to join as contracting parties.	Member States to invite other Member States to join as contracting parties.	~~contracts~~**agreements** should allow Member States to invite other Member States to join as contracting parties.	
Recital 53				
65	(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.	(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.	(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~~**EMMERS** is activated.	
Recital 54				
66	(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,	(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,	(54) **As an entity,** 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,	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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.	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 ***public and private actors at*** national, regional, and local ~~*level actors*~~***levels who are*** involved in military transport operations**,** ***including permitting authorities for abnormal transport***. AM 51	the National Coordinator should also **coordinate traffic arrangements and transport host-nation-support, issue certificates for civilian operators and for military transport operators during the period of activation of EMMERS,** have the necessary expertise and resources to provide advice and support on customs formalities, receive and ~~reply~~**respond** to requests for priority access submitted during a period of activation of ~~EMERS~~**EMMERS** 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**, decide on deconflictions and priorisations between national and requesting Member States' transport operations on its territory, facilitate the coordination between infrastructure managers in case of transit through several Member States, inform of any incidents in relation to strategic dual-use infrastructure, register dual-use capabilities in the Solidarity Pool, coordinate**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			Military Transport Readiness Checks and collaborate with the Commission for the conduct of stress tests. To facilitate communication and allow for the sharing of best practices, a network of National Coordinators for Military Transport should be established.	
Recital 55				
67	(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,	(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***, building on the work that has so far been carried out by Union agencies and actors across the Union and in the Member States***. 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	(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~~**inter alia**, facilitate cooperation on the granting of military transport permissions and traffic arrangements – particularly among Member States situated along the same military mobility corridors, ~~fostering~~**foster** coordination and cooperation among Member States, including for the implementation of the relevant customs formalities, ~~facilitating~~**provide an advice to the Commission prior to the**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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.	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~~***a representative of NATO and representatives of the parties to the North Atlantic Treaty which are not Member States, close partners*** and European Economic Area countries ***as well as, where relevant, representatives from the transport and logistics industry*** 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	**activation of EMMERS, advise on protection measures for strategic dual-use infrastructure, support the Commission for** the identification ~~and pre-positioning~~ of key **dual-use** transport **and logistic** capabilities for the Solidarity Pool, ~~addressing~~**address** energy security challenges for military transport operations and ~~in identifying areas where~~**exchange views on needs related to the** 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, **other organisations and bodies, including NATO, as well as** 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~~	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		capabilities. ***When carrying out its tasks, the Military Mobility Transport Group should avoid creating unnecessary new layers of administrative burden.*** AM 52	~~capabilities.~~	
Recital 55a				
67a		***(55a) Cooperation between Member States in the field of military mobility, including in regional formats as well as within the framework of Priority Capability Areas, contributes to improved coordination, interoperability and the effective development of capabilities. Such cooperation should be encouraged and taken into account in the implementation of this Regulation.*** AM 53		
Recital 55b				
67b		***(55b) Accurate, secure, interoperable and up-to-date geospatial information, including digital mapping, modelling and geographic information systems, plays a key role in supporting both civilian and military transport infrastructure and is essential for***		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		route planning, cross-border coordination and the timely deployment of personnel and equipment. The use of geospatial data can facilitate traffic arrangements, enable the identification of suitable transport corridors and improve coordination between relevant authorities, while limiting disruption to civilian traffic. Where appropriate, such data and capabilities should be made available to the Military Mobility Transport Group, Member State authorities and other relevant stakeholders for the purposes of implementing this Regulation, including stress testing and contingency planning. AM 54		
Recital 55c				
67c		***(55c) Recognising that digital systems are essential to the functioning of cross-border military transport, the Regulation should ensure a high level of cybersecurity and resilience measures, aligned with Union cyber resilience policies and NATO standards, to ensure***		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		continuity of operations and protection of sensitive data AM 55		
Recital 55d				
67d		***(55d) The preparedness of transport infrastructure for military mobility relies not only on physical adaptations, such as the removal of bottlenecks and the establishment of corridors, but also on the availability of high-quality, accessible and interoperable digital data supporting the planning and execution of cross-border movements. Directive (EU) 2023/2661 on the provision of EU-wide road traffic information services highlights the importance of both static and real-time data, including information on infrastructure characteristics such as maximum authorised weights and dimensions, speed limits and other operational constraints. Ensuring that such data is made available in a machine-readable format can significantly enhance coordination, predictability and interoperability of military transport across the Union.***		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		AM 56		
Recital 56				
68	(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.	(56) To facilitate the effectiveness of military transport operations in the Union, Member States should conduct an annual Military Transport Readiness Check***, where relevant together with NATO***, 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. AM 57	(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~~**EMMERS, considering all modes of transport**. 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. **These checks could be conducted during national, bilateral and multinational exercises, whenever possible, and include consultations with managers of dual-use transport infrastructure, where necessary.**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			The results of those checks might be shared using a standardised template, without prejudice to Article 346 TFEU.	
Recital 57				
69	(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	(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***, notably the European Union Aviation Safety Agency, the European Union Agency for Railways, the European Maritime Safety Agency and the European Union Agency for Cybersecurity***, 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	(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**, upon the agreement of the concerned Member States,** to conduct stress tests, in collaboration with ~~Member States~~**them** and relevant Union bodies, to improve the preparedness of Member States and Union-level actors to implement this Regulation. **Where appropriate, other relevant organisations and bodies, including NATO, might be invited to participate.** Such tests should focus on aspects such as preparing for the activation of ~~EMERS~~**EMMERS**, assessing the effectiveness of the whole-of-	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	sectors, including customs.	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. ***The tests should also address the Member States' capacity of ensuring optimal coordination with NATO and also be aligned with the Union's Integrated Resolve exercise series.*** AM 58	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. **These tests could be conducted during national, bilateral and multinational exercises, whenever possible, and include consultations with managers of dual-use transport infrastructure, where necessary.**	
Recital 58				
70	(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	(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	~~(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~~	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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[1]. 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. 1. (19)OJ L 123, 12.5.2016, p. 1, ELI: http://data.europa.eu/eli/agree_interinstit/2016/512/oj.	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[1]. 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. 1. (19)OJ L 123, 12.5.2016, p. 1, ELI: http://data.europa.eu/eli/agree_interinstit/2016/512/oj.	~~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[1]. 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.~~ ~~1. (19)OJ L 123, 12.5.2016, p. 1, ELI: http://data.europa.eu/eli/agree_interinstit/2016/512/oj.~~	
Recital 59				
71	(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,	(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,	(59) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission to establish a **list of types of military transport operations covered by standing**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	identify basic protection 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[1]. 1. [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).	***ensuring a high level of cybersecurity and protection of sensitive information***, identify basic protection 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[1]. 1. [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).	**military transport permissions, establish forms for military transport permission requests and notifications, establish templates for military transport by civilian operators and for military transport during the period of activation of EMMERS, establish a** secure and ~~restricted~~**cyber-resilient** Military Mobility Digital Information System, identify basic protection and resilience measures and enhanced protection measures for strategic dual-use infrastructure, establish a Solidarity Pool guarantying, optimising**, accelerating** 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[1].	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		AM 59	1. [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).	
Recital 60				
72	(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	(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	(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	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	European vehicle register (''EVR') with immediate effect. Regulation (EU) 2016/796 of the European Parliament and of the Council[1] 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. 1. (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).	European vehicle register (''EVR') with immediate effect. Regulation (EU) 2016/796 of the European Parliament and of the Council[1] 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. ***ERA should coordinate to ensure continuity of operations in the event of cyberattacks or other system failures. This includes the implementation of decentralised control and backup systems for rail infrastructure, as well as coordination with Member States to guarantee rapid recovery and maintain operational readiness.*** 1. (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). AM 60	European vehicle register (''EVR') with immediate effect. Regulation (EU) 2016/796 of the European Parliament and of the Council[1] 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. 1. (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).	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Recital 61				
73	(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[1], 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	(61) A robust and continuously available ***and uninterrupted*** communication services between air and ground assets is crucial for optimising airspace utilization. ***This also includes recognising air navigation service providers as a strategic dual-use infrastructure (SDI)***. Regulation (EU) 2024/2803 of the European Parliament and of the Council[1], 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***, as well as strategic autonomy***. However, to	(61) ~~A~~ Robust and continuously available communication services between air and ground assets ~~is~~**are** crucial for optimising airspace ~~utilization~~**utilisation**. Regulation (EU) 2024/2803 of the European Parliament and of the Council[1], 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	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	relevant provisions to providers of communication services to maintain their operational readiness, _____ 1. [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).	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, _____ 1. [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). AM 61	relevant provisions to providers of ~~communication~~ services to maintain their operational readiness~~,~~**.** _____ 1. ~~(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).	
Recital 62				
74	(62) The current cooperation model between the European Aviation Safety Agency ('EASA') and national armed forces has proven effective in certifying dual-use 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)	(62) The current cooperation model between the European Aviation Safety Agency ('EASA') and national armed forces has proven effective in certifying dual-use 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)	(62) The current cooperation model between the European **Union** Aviation Safety Agency ('EASA') and national armed forces has proven effective in certifying dual-use aircraft. However, the certification of large ~~drones~~**unmanned aircraft systems (UAS)** 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	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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[1] 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. 1. [(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	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[1] 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. 1. [(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	those ~~drones~~**UAS** 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~~**UAS** 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~~**UAS**. It is necessary to amend Article 71 of Regulation (EU) 2018/1139 of the European Parliament and of the Council[1] 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~~**UAS**. 1. [(23)]Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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).	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).	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).	
Recital 63				
75	(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	(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	(63) To enhance military transport, the Union should promote innovative, dual-use air transport solutions, including ~~unmanned aerial vehicles~~**UAS**, 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	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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.	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.	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. **Relevant actors may be involved in the establishment and operation of regulatory sandboxes, including airport**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			managers where airport operations and airside safety zones are impacted.	
Recital 64				
76	(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[1], Commission Decision (EU, Euratom) 2015/444[2] 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[3]. 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. _____ 1. (24)Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in	(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[1], Commission Decision (EU, Euratom) 2015/444[2] 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[3]. 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. ***The Union and its Member States should take all necessary measures to facilitate the***	(64) Member States and the Commission should take all necessary measures to ensure the protection of ~~confidential~~**classified** information in compliance with, in particular, Commission Decision (EU, Euratom) ~~2015/443[1],~~ ~~Commission Decision (EU, Euratom) 2015/444[2]~~**2015/444[1], Council Decision 2013/488/EU** 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[32]. 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.~~ _____ 1. (24)Commission Decision (EU, Euratom)	

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	the Commission (OJ L 72, 17.3.2015, p. 41, ELI: http://data.europa.eu/eli/dec/2015/443/oj). 2. (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). 3. (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).	***information exchange with NATO on military transports and to achieve synergies in this regard in order to enhance defence efforts significantly*** 1. (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). 2. (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). 3. (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). AM 62	~~2015/443~~**2015/444** of 13 March 2015 on **the** security ~~in the Commission~~**rules for protecting EU classified information** (OJ L 72, 17.3.2015, p. ~~41~~**53**, ELI: http://data.europa.~~eu/eli/dec/2015/443/oj)~~**eu/eli/dec/2015/444/oj)**. 2. ~~(25)Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU~~**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)**~~(OJ L 72, 17.3.2015, p. 53, ELI: http://data.europa.eu/eli/dec/2015/444/oj).~~ ~~3. (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).~~	
Recital 65				
77	(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	(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	(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	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Parliament and of the Council[1] and Directive 2002/58/EC of the European Parliament and of the Council[2]. 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[3]. 1. (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). 2. (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). 3. (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:	Parliament and of the Council[1] and Directive 2002/58/EC of the European Parliament and of the Council[2]. 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[3]. 1. (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). 2. (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). 3. (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:	Parliament and of the Council[1] and Directive 2002/58/EC of the European Parliament and of the Council[2]. 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[3]. 1. ~~(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). 2. ~~(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). 3. ~~(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:	

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	http://data.europa.eu/eli/reg/2018/1725/oj).	http://data.europa.eu/eli/reg/2018/1725/oj).	http://data.europa.eu/eli/reg/2018/1725/oj).	
Recital 66				
78	(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.	(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.	(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.	
Recital 67				
79	(67) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered an	(67) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered an	(67) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered an	

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	opinion on [DD/MM/YYYY].	opinion on [DD/MM/YYYY].	opinion ~~on [DD/MM/YYYY]~~**on 12/01/2026**.	
Formula				
80	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	
Chapter I				
81	Chapter I General provisions	Chapter I General provisions	Chapter I General provisions	
Article 1				
82	Article 1 Subject matter	Article 1 Subject matter	Article 1 Subject matter	
Article 1, first paragraph				
83	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 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 ***and ensuring, where possible, its continuity, and taking into account the operational, technical and financial implications for civilian dual-use infrastructure***. AM 63	This Regulation lays down measures ~~relating to dual-use equipment, means of transport and infrastructure~~ to facilitate military transport ~~in~~**by any mode of transport within** the Union and across its external borders, while minimising and mitigating the impact of such transport on civilian transport.	
Article 1, second paragraph				

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84	This Regulation lays down in particular:	This Regulation lays down in particular:	This Regulation lays down in particular:	
Article 1, second paragraph, point (a)				
85	(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;	(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;	(a) a uniform framework for permission procedures for ~~cross-border~~ military transport and measures that ensure ~~uninterrupted~~**swift** and safe military transport, including measures that simplify customs formalities applicable to such transport at the Union's external borders;	
Article 1, second paragraph, point (b)				
86	(b) efficient, coordinated and effective measures that facilitate military transport in response to temporary, extraordinary and urgent situations;	(b) efficient, coordinated and effective measures that facilitate military transport in response to temporary, extraordinary and urgent situations;	(b) efficient, coordinated and effective measures that facilitate military transport in response to temporary, extraordinary and urgent situations;	
Article 1, second paragraph, point (c)				
87	(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;	(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 ***in order to maximize continuity and its capacity to ensure both military as civilian transport at all times***;	(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;	

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		AM 64		
Article 1, second paragraph, point (d)				
88	(d) measures to share and pool Union and Member States' transport and logistic capabilities and increase visibility of existing transport capabilities for military transport.	(d) measures to share and pool Union and Member States' transport and logistic capabilities ~~and~~, increase visibility of existing transport capabilities for military transport ***and address the Union's gaps in the area of military transport capabilities***. AM 65	(d) measures ~~to share and pool Union and~~**for the pooling and sharing of** Member States' **dual-use** transport and logistic capabilities and **to** increase visibility of existing **dual-use** transport **and logistic** capabilities for military transport.	
Article 1, third paragraph				
88a			**This Regulation shall be without prejudice to the sole responsibility of each Member State over national security and to the specific character of the security and defence policy of certain Member States.**	
Article 2				
89	Article 2 Scope	Article 2 Scope	Article 2 Scope	
Article 2, first paragraph				
90	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	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, ***including civil companies acting***	This Regulation applies to the **military** transport of ~~equipment,~~ goods ~~and personnel that is operated by, or under the responsibility~~**or persons by, or on behalf** of, the armed forces of the	

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	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.	***on their behalf*** 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. AM 66	Member States or, in the cases provided for in Articles 17 and 19 ~~of this Regulation, of Allies~~**, by members** of the North Atlantic Treaty Organisation (NATO), **and which** 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				
91	Article 3 Definitions	Article 3 Definitions	Article 3 Definitions	
Article 3, first paragraph				
92	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:	
Article 3, first paragraph, point (1)				
93	(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	(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*~~***duly mandated and acting under the authority of*** those armed forces ***and holding a valid military transport permission***, including in	(1) 'military transport' means the transport of ~~equipment,~~ goods or persons **which are primarily intended for military purposes**, undertaken directly by armed forces, as well as the transport carried out on their behalf by ~~civil companies or other contractors engaged~~**civilian operators contracted** by those armed forces**, authorised in accordance with**	

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	unmanned transport of vehicles, vessels or aircraft through their own propulsion;	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; AM 67	**Articles 5, 6 and 20, for laden or unladen journeys**, 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;	
Article 3, first paragraph, point (2)				
94	(2) 'military transport operation' means a laden or unladen journey of military transport;	(2) 'military transport operation' means a laden or unladen journey of military transport;	~~(2) 'military transport operation' means a laden or unladen journey of military transport;~~	
Article 3, first paragraph, point (3)				
95	(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;	(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;	(3) 'military transport permission' means an authorisation ~~or a~~**, including** diplomatic clearance **and any other required approval,** granted by a receiving Member State to a requesting Member State, for cross-border military transport **or for transport operations carried out within the territory of the receiving Member State, including, where applicable, traffic arrangements and transport host-nation-support**;	
Article 3, first paragraph, point (4)				
96	(4) 'requesting Member State'	(4) 'requesting Member State'	(4) 'requesting Member State'	

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	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;	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;	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~~;	
Article 3, first paragraph, point (4a)				
96a		***(4a) 'Close partners' means Ukraine and the Republic of Moldova;*** AM 68		
Article 3, first paragraph, point (5)				
97	(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;	(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;	(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;	
Article 3, first paragraph, point (6)				
98	(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	(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	(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	

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	out the military transport operation, exceed:	out the military transport operation, exceed:	out the military transport operation, exceed:	
Article 3, first paragraph, point (6)(a)				
99	(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;	(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;	(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;	
Article 3, first paragraph, point (6)(b)				
100	(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[1]; 1. (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).	(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[1]; 1. (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).	(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~~**specified** in Commission Implementing Regulation (EU) 2019/777[1]; 1. ~~(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).	
Article 3, first paragraph, point (7)				
101	(7) 'abnormal military transport' means the military	(7) 'abnormal military transport' means the military	(7) 'abnormal military transport' means the military	

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	transport of abnormal military cargo;	transport of abnormal military cargo;	transport of abnormal military cargo;	
Article 3, first paragraph, point (8)				
102	(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;	(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;	(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;	
Article 3, first paragraph, point (9)				
103	(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;	(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;	(9) '**Transport** Host-Nation-Support' means any action or assistance provided by a receiving Member State or on its behalf**, in the context of a military transport operation,** to facilitate the transit through and temporary stationing within the territory of the receiving Member State of military ~~personnel and equipment~~**persons and goods** of the requesting Member State, including access to refuelling, recharging and to parking and rest facilities, ~~in the context of a military transport operation~~**as well as medical support**;	
Article 3, first paragraph, point (10)				
104	(10) 'traffic arrangements' means operational arrangements	(10) 'traffic arrangements' means operational arrangements	(10) 'traffic arrangements' means ~~operational~~ arrangements	

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	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;	established by the receiving Member States' competent authorities ***and the infrastructure owners, managers and operators (public or private entities,*** 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***, ICT systems for transport*** 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; AM 69	established by the receiving Member States~~' competent authorities~~ specifically to ~~enable~~**facilitate the** military transport operations in their relevant territories **and for safety reasons**, 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;	
Article 3, first paragraph, point (10a)				
104a			**(10a) 'pre-defined routes' means routes for road, rail, inland waterways, sea, or air military transport pre-determined by receiving Member States in order to facilitate military transport operations;**	
Article 3, first paragraph, point (11)				
105	(11) 'escort' means a guard or	(11) 'escort' means a guard or	~~(11) 'escort' means a guard or~~	

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	police force accompanying a military transport operation;	police force accompanying a military transport operation;	~~police force accompanying a military transport operation;~~	
Article 3, first paragraph, point (12)				
106	(12) 'cabotage' means either of the following:	(12) 'cabotage' means either of the following:	(12) 'cabotage' means either of the following:	
Article 3, first paragraph, point (12)(a)				
107	(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;	(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;	(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;	
Article 3, first paragraph, point (12)(b)				
108	(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;	(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;	(b) national road passenger services for hire ~~and~~**or** reward carried out on a temporary basis in a Member State by a carrier established in another Member State;	
Article 3, first paragraph, point (13)				
109	(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	(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	(13) 'framework ~~contract~~**agreement**' means an agreement between one or more contracting authorities or entities and one or more ~~economic operators~~**service providers**, the purpose of which is to establish the terms governing contracts **for transport services,** to be awarded during a given period, in particular	

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	envisaged;	envisaged;	with regard to price and, where appropriate, the quantity envisaged;	
Article 3, first paragraph, point (14)				
110	(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;	(14) 'transport capabilities' means any equipment, transport means***, ICT systems for transport*** 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***, and of transport capabilities themselves, including and supported by digital capabilities and use of spatial data and spatial data services, as defined in Directive 2007/2/EC, and road, traffic and travel data as defined in Directive 2023/2661***; AM 70	(14) 'transport capabilities' means any ~~equipment~~**goods**, 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;	
Article 3, first paragraph, point (15)				
111	(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	(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, ***ICT systems for***	(15) 'logistic capabilities' means the personnel, equipment, and services, that can facilitate, enable, and ~~execute Host-Nation-Support activities~~**provide logistic support**, including the storage and distribution of fuel, supplies, and	

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	commodities;	***transport*** and other essential commodities***, including and supported by digital capabilities and use of spatial data and spatial data services, as defined in Directive 2007/2/EC, and road, traffic and travel data as defined in Directive (EU) 2023/2661***; AM 71	other essential commodities;	
Article 3, first paragraph, point (16)				
112	(16) 'strategic dual-use infrastructure' or 'SDI' means an infrastructure meeting the criteria set out in Article 33;	(16) 'strategic dual-use infrastructure' or 'SDI' means an infrastructure meeting the criteria set out in Article 33;	(16) 'strategic dual-use infrastructure' or 'SDI' means an infrastructure meeting the criteria set out in Article 33;	
Article 3, first paragraph, point (16a)				
112a			**(16a) 'hotspots' means targeted, short-term transport infrastructure investments that are to be implemented as a matter of priority along the military mobility corridors in order to meet the transport infrastructure requirements defined in Annex II to the Council Military Requirements;**	
Article 3, first paragraph, point (17)				
113	(17) 'owners, operators and managers of an infrastructure' means entities responsible for	(17) 'owners, operators and managers of an infrastructure' means entities responsible for	~~(17) 'owners, operators and managers of an infrastructure' means entities responsible for~~	

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	investments in, or day-to-day operation of that infrastructure;	investments in, or day-to-day ~~operation~~***operational, commercial, regulatory and public management*** of that infrastructure; AM 72	~~investments in, or day-to-day operation of that infrastructure;~~	
Article 3, first paragraph, point (17a)				
113a		***(17a) 'Hotspots' means targeted and particularly short-term investments on transport infrastructure in order to ensure quick operational improvements of the priority military mobility corridors in compliance with the military requirements for military transports;*** AM 73		
Article 3, first paragraph, point (18)				
114	(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;	(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;	(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;	
Article 3, first paragraph, point (19)				
115	(19) 'military mobility corridor' means one among the EU priority	(19) 'military mobility corridor' means one among the EU priority	(19) 'military mobility corridor' means one among the EU priority	

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	military mobility corridors set out in Annex II to the Council Military Requirements;	military mobility corridors set out in Annex II to the Council Military Requirements;	military mobility corridors set out in Annex II to the Council Military Requirements;	
Article 3, first paragraph, point (19a)				
115a			**(19a) 'military mobility network' means the network of transport infrastructure as set out in Annex II to the Council Military Requirements;**	
Article 3, first paragraph, point (20)				
116	(20) 'dual-use' means the capacity to be used for both civilian and military transport purposes;	(20) 'dual-use' means the capacity to be used for both civilian and military transport purposes;	(20) 'dual-use **transport and logistic capabilities**' means ~~the capacity to~~**capabilities that can** be used for both civilian and military transport purposes;	
Article 3, first paragraph, point (20a)				
116a			**(20a) 'dual-use transport infrastructure' means a transport infrastructure that addresses both civilian and military mobility;**	
Article 3, first paragraph, point (20a)				
116b		***(20a) 'high-risk supplier' means an entity established in a third country posing security concerns, or controlled by such third country, by an entity established in such third country, or by a national of such third country;***		

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		AM 74		
Article 3, first paragraph, point (21)				
117	(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[1]; 1. (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).	(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[1]; 1. (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).	(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[1]; 1. ~~(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).	
Article 3, first paragraph, point (21a)				
117a		***(21a) 'ICT systems for transport' means ICT systems for transport' as referred to in Article 43 of TEN-T Regulation (EU) 2024/1679 and encompasses ICT systems for various transport modes (ERTMS, RIS, ITS, VTMIS, ATM/ANS or eFTI);*** AM 75		
Article 3, first paragraph, point (22)				
118	(22) 'goods to be moved or used in the context of military	(22) 'goods to be moved or used in the context of military	(22) 'goods to be moved or used in the context of military	

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	activities' means any goods, including animals, to be moved or used in either of the following contexts:	activities' means any goods, including animals, to be moved or used in either of the following contexts:	activities' means any goods, including **equipment and** animals, to be moved or used in either of the following contexts:	
Article 3, first paragraph, point (22)(a)				
119	(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 to carry out military activities within the customs territory of the Union; or	(a) of activities arranged by or under the control of the relevant military authorities ***and of civil companies acting on their behalf,*** 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 to carry out military activities within the customs territory of the Union; or AM 76	(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 to carry out military activities within the customs territory of the Union**, including in the context of ad hoc coalitions; or** ~~; or~~	
Article 3, first paragraph, point (22)(b)				
120	(b) of any military activities undertaken on the basis of either of the following:	(b) of any military activities undertaken on the basis of either of the following:	(b) of any military activities undertaken on the basis of either of the following:	
Article 3, first paragraph, point (22)(b)(i)				
121	(i) the Common Security and Defence Policy of the European Union (CSDP);	(i) the Common Security and Defence Policy of the European Union (CSDP);	(i) the Common Security and Defence Policy of the European Union (CSDP);	
Article 3, first paragraph, point (22)(b)(ii)				
122	(ii) the North Atlantic Treaty, signed in Washington D. C. on 4	(ii) the North Atlantic Treaty, signed in Washington D. C. on 4	(ii) the North Atlantic Treaty, signed in Washington D. C. on 4	

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	April 1949.	April 1949.	April 1949.	
Article 3, first paragraph, point (22a)				
122a			**(22a) 'EU classified information' (EUCI) means any information or material designated by a EU security classification, the unauthorised disclosure of which could cause prejudice to the interests of the European Union or of one or more of the Member States.**	
Article 3, first paragraph, point (22a)				
122b		***(22a) 'counter-mobility' means any equipment, obstacle, infrastructure, or means put in place to delay or hinder an adversary's movement;*** AM 77		
Article 3a				
122c			**Article 3a** **Liability**	
Article 3a, first paragraph				
122d			**In the absence of bilateral or multilateral agreements or arrangements, requesting Member States shall, in principle, be liable for any loss or damage caused by its military**	

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			transport of goods and persons.	
Article 3b				
122e			**Article 3b** **International agreements**	
Article 3b, first paragraph				
122f			**1. This Regulation shall be without prejudice to and shall not affect the existing bilateral and multilateral agreements between Member States and third countries which entered into force prior to the entry into force of this Regulation in so far as they are compatible with Union law.**	
Article 3b, second paragraph				
122g			**2. This Regulation shall be without prejudice to and shall not affect future bilateral and multilateral agreements between Member States and third countries in so far that these agreements do not undermine the objectives and the application of this Regulation and are compatible with Union law.**	
Article 3b, third paragraph				
122h			**3. This Regulation shall not preclude the application of**	

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			bilateral or multilateral agreements or arrangements between Member States in so far as such agreements or arrangements help to simplify or facilitate further the rules and procedures for the military transport falling under the scope of this Regulation, in so far as they are compatible with Union law.	
Chapter II				
123	Chapter II Uniform framework for military mobility	Chapter II Uniform framework for military mobility	Chapter II Uniform framework for military mobility	
Section 1				
124	Section 1 Uniform military transport permission procedures and rules	Section 1 Uniform military transport permission procedures and rules	Section 1 Uniform military transport permission procedures and rules	
Article 4				
125	Article 4 Military transport permissions	Article 4 Military transport permissions	Article 4 Military transport permissions	
Article 4, first paragraph				
126	To facilitate cross-border military transport, the receiving Member State may grant to the requesting Member State any of the following:	To facilitate cross-border military transport, the receiving Member State may grant to the requesting Member State any of the following:	**1.** To facilitate ~~cross-border~~ military transport, the receiving Member State may grant to the requesting Member State any of the following:	
Article 4, first paragraph, point (a)				

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127	(a) standing military transport permissions as specified in Article 5;	(a) standing military transport permissions as specified in Article 5;	(a) standing military transport permissions as specified in Article 5;	
Article 4, first paragraph, point (b)				
128	(b) ad hoc military transport permissions as specified in Article 6.	(b) ad hoc military transport permissions as specified in Article 6.	(b) ad hoc military transport permissions as specified in Article 6.	
Article 4, first paragraph a				
128a			**2. Any communication between requesting and the receiving Member States under Articles 5 and 6 shall be transmitted through the National Coordinator for Military Transport, appointed in accordance with Article 40(1). Traffic arrangements and transport host-nation-support shall be coordinated by the National Coordinators for Military Transport of the requesting and the receiving Member States.**	
Article 5				
129	Article 5 Standing military transport permissions	Article 5 Standing military transport permissions	Article 5 Standing military transport permissions	
Article 5(1)				
130	1. A standing military	1. A standing military	1. A standing military	

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	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.	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.	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 **to be** set out in ~~Annex I~~**an implementing act**.	
Article 5(1), first subparagraph				
130a			**1. The Commission shall adopt the implementing act in accordance with the examination procedure referred to in Article 45(4).**	
Article 5(2)				
131	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.	2. The receiving Member States shall take a decision to grant or deny a standing military transport permission no later than ~~*two months*~~***one month*** after receipt of the request for a standing permission. AM 78	2. The receiving Member States shall take a decision to grant or deny a standing military transport permission no later than ~~two months~~**one month** after receipt of the request for a standing permission.	
Article 5(3)				
132	3. The receiving and requesting Member States shall inasmuch as possible agree, in the	3. The receiving and requesting Member States shall inasmuch as possible agree, in the	3. The receiving ~~and requesting~~ Member ~~States~~**State** shall inasmuch as possible	

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	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.	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 ***after consultation, where relevant, with the competent infrastructure managers, port authorities, airport managers, railway infrastructure managers and other operators concerned***. AM 79	~~agree~~**determine**, 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. **Where applicable, the standing permission shall also specify the transport host-nation-support to be provided.**	
Article 5(3a)				
132a		***3a. When pre-defined routes are established, the receiving Member State shall ensure the mandatory involvement of the competent infrastructure managers and, where relevant, operators of related services or facilities, in order to take account of local technical constraints, existing passenger and freight traffic and infrastructure availability*** AM 80		
Article 5(3b)				

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132b		***3b. Such arrangements shall be carefully designed and implemented so that civilian transport and the usual working conditions of transport workers are disrupted only where, and to the extent that, this is necessary and proportionate.*** AM 81		
Article 5(4)				
133	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.	4. Member States, notably those situated along the same military mobility corridor, ~~may~~***shall*** align their standing military transport permissions and coordinate in advance, in particular to ensure coherence of traffic arrangements and pre-defined routes. AM 82	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.	
Article 5(5)				
134	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,	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,	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,~~	

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	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.	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*~~***inform*** the requesting Member State ~~*as early as possible*~~***and the Commission without undue delay, including the reasons therefore***. AM 83	~~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~~**without undue delay**.	
Article 5(6)				
135	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.	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.	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~~**five calendar** days' notice.	
Article 5(7)				
136	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	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	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**, if required by the receiving Member State, including the necessary information for traffic arrangements**. Where the	

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	notification.	notification.	requesting Member State seeks ~~Host Nation Support or other traffic arrangements~~**transport host-nation-support**, such request shall be included in the notification. **In case the requesting Member State has specific needs related to transport host-nation-support which are not specified in the standing permission, it shall request them in the notification, without prejudice to the possibility for the receiving Member State to deny them.**	
Article 5(8)				
137	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	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 ***and requesting*** Member States shall coordinate and process these	8. The notification referred to in paragraph 7 shall be sent at the latest ~~72 hours~~**three calendar days** 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~~	

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	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.	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. AM 84	~~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. **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. Receiving Member States shall coordinate among them to ensure coherent traffic arrangements.**	
Article 5(9)				
138	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	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*~~***for reasons of*** transport ~~*of abnormal military cargo or dangerous goods in accordance with Articles 10 and 11*~~***safety,***	9. Upon receipt of a notification as referred to in paragraph 7, the ~~receiving Member State may determine specific~~**determination of the** traffic arrangements for the military transport operation in question ~~or impose conditions on that military transport operation~~**remains at the full discretion of the receiving Member State**, including the use of **pre-defined or** specific routes, in particular where that is	

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	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.	***infrastructure capacity, critical infrastructure protection, public order or national security***. 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. ***For the purpose of abnormal military cargo inspection in relation to the standing military transport permission, consignments should be categorized based on their size data, if possible. When determining such arrangements, the receiving Member State shall take into account the requirements related to the transition from the trans-European transport network to local infrastructure at the extremities of military mobility corridors (the 'last mile'), as referred to in Article 29, in particular where such operations involve heavy military equipment exceeding standard civilian load classes, including Military Load Class (MLC) 80.*** AM 85	necessary for the safe transport of abnormal military cargo or dangerous goods in accordance with Articles 10 and 11. In such cases, ~~it~~**the receiving Member State** shall coordinate the ~~necessary~~**traffic** arrangements **and transport host-nation-support** with the requesting Member State without undue delay, in order to make sure that the military transport operation can take place as scheduled.	
Article 5(10)				

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139	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.	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.	*deleted*	
Article 6				
140	Article 6 Ad hoc military transport permissions	Article 6 Ad hoc military transport permissions	Article 6 Ad hoc military transport permissions	
Article 6(1)				
141	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 hoc military transport permission.	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 hoc military transport permission ***or in case there is no standing military transport permission in force between the requesting and the receiving Member States***. AM 86	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 **transport** permission. It shall be valid only for the duration specified in the ad hoc military transport permission.	
Article 6(2)				

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142	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.	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 ***and requesting*** Member States shall then coordinate and process the requests simultaneously to ensure coherent traffic arrangements for the military transport. AM 87	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~~**has specific needs related to transport host-nation-support, these** shall be included in the request for the ad hoc military transport permission**, without prejudice to the possibility for the receiving Member State to deny them. The request shall also include all necessary information for traffic arrangements**. 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.~~	
Article 6(3)				

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143	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.	3. The receiving Member State shall take a decision to grant or deny the ad hoc permission ***as soon as possible and*** no later than ~~*three*~~***two*** 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 ***for reasons of transport safety, infrastructure capacity, critical infrastructure protection, public order or national security*** 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. AM 88	3. The receiving Member State shall take a decision to grant or deny the ad hoc permission no later than ~~three working~~**five calendar** 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~~**shall** determine specific traffic arrangements for the military transport operation in question or impose conditions on that military transport operation, including the use of **pre-defined or** specific routes, ~~in particular where that is necessary~~**including** 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. **In case of denial of the permission, the decision shall be communicated.**	
Article 6(3a)				

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143a		***3a. Such arrangements shall be carefully designed and implemented so that civilian transport and the usual working conditions of transport workers are disrupted only where, and to the extent that, this is necessary and proportionate.*** AM 89		
Article 6(4)				
144	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.	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.	4. The receiving Member State may **suspend or** 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 **suspending or** revoking the permission shall notify the requesting Member State as early as possible~~ and duly justify it~~.	
Article 6(5)				
145	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.	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.	5. The receiving Member State may modify the ~~issued~~**granted** ad hoc military transport permission~~ only in duly justified cases~~. It shall notify the requesting Member State about the modifications as early as possible.	

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Article 6(6)				
146	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.	6. The requesting Member State may modify a previously submitted request for an ad hoc military transport permission. It shall do so ***as soon as possible and*** no later than ~~*three*~~***two*** 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. AM 90	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~~**five calendar** days prior to the originally scheduled date of arrival at the border crossing point. The receiving Member State shall ~~reply~~**respond** to modification requests without undue delay. **This also applies to permissions already granted.**	
Article 6(7)				
147	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.	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.	7. **Where the planned modifications concern the transport of dangerous goods or abnormal military cargo, significant modifications to the transport host-nation-support or a modification of dates that cannot be processed in due time,** 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-~~	

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			~~Support or a modification of dates~~**in coordination with the receiving Member State**.	
Article 7				
148	Article 7 Individual train paths for military transport by rail	Article 7 Individual train paths for military transport by rail	Article 7 Individual train paths for military transport by rail	
Article 7(1)				
149	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[1]. _____ 1. [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).	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[1]***, taking into account the available rail capacity and the need to ensure the continuity of existing passenger and freight transport services***. _____ 1. [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:	1. Before carrying out a military transport operation by rail, the requesting Member State, ~~directly or~~ through ~~a~~ railway ~~undertaking~~**undertakings** 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[1]. **When allocating the individual rail paths, infrastructure managers shall take into account any requirements of the National Coordinator for Military Transport of the receiving Member State.** _____ 1. ~~[32]~~Directive 2012/34/EU of the	

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		http://data.europa.eu/eli/dir/2012/34/oj). AM 91	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).	
Article 7(2)				
150	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.	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. ***The infrastructure manager shall ensure the coordination of abnormal military cargo, if requested.*** AM 92	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~~**By derogation of** Article ~~23~~**23(2)** of Directive (EU) 2016/797, ~~the~~**for military transport operations by rail,** infrastructure ~~manager~~**managers, in consultation with the applicant,** shall ~~provide the necessary information to the rail undertaking and facilitate any required testing~~, as soon as possible **and at the latest within one month of the request, make every effort to ensure that any tests to be carried out by the railway undertaking take place**.	
Article 7(3)				
151	3. Where the rail vehicles, in particular when carrying abnormal	3. Where the rail vehicles, in particular when carrying abnormal	3. **In accordance with Article 23(1)(b) of Directive (EU)**	

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	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.	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.	**2016/797, before a railway undertaking uses a vehicle specified in its authorisation for placing on the market, it shall check that the vehicle is compatible with the route on the basis of the infrastructure register, the relevant TSIs or any relevant information to be provided by the infrastructure manager free of charge and within a reasonable period of time, where such a register does not exist or is incomplete.** 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~~**managers, in close collaboration with the railway undertakings,** shall determine as soon as possible whether those vehicles could operate safely under particular operating conditions**, taking into account, where relevant, the operational principles applicable to exceptional transports under the**	

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			Commission Implementing Regulation (EU) 2019/773. Infrastructure managers shall inform the relevant national safety authorities.	
Article 7(4)				
152	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.	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.	*deleted*	
Article 7(5)				
153	*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.	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.	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. **National Coordinators for Military Transport shall facilitate this coordination where required.**	
Article 8				
154	Article 8 Practical arrangements for military transport permission procedures	Article 8 Practical arrangements for military transport permission procedures	Article 8 ~~Practical arrangements~~**Forms** for military transport permission **requests and notifications**	

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			~~procedures~~	
Article 8(1)				
155	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.	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.	1. **For** requests ~~for~~**of standing or ad hoc** military transport permissions~~,~~ **and for** notifications under ~~such permissions, and requests for traffic arrangements provided for in this Chapter, including for the~~**a standing** military transport ~~of dangerous goods and abnormal military cargo,~~**permission, Member States** shall ~~be made using the template~~**use the forms to be** set out in ~~Annex II. Requests and notifications~~**an implementing act and** shall ~~be combined into a single permission request, a single notification or a single request for traffic arrangements for the same military transport.~~**not require any additional information than that contained in those forms,** without prejudice to the applicable Union customs rules, including the NATO and EU forms 302 referred in Article 15**. These forms shall cover all modes of transport and contain all the necessary information for traffic arrangements, including for the military transport of dangerous**	

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			goods and abnormal military cargo where necessary, and for transport host-nation-support. These forms shall also contain in annex information on the intended route, timeline of the transport and, where applicable, the need for priority access and the civilian operator carrying out the transport. Different~~, no additional~~ forms shall be ~~required by any Member State~~**established for land, air and sea transport. For military transport by rail, forms shall also be accompanied by a copy of the individual train path request where appropriate**.	
Article 8(2)				
156	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.	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.	2. The Commission ~~is empowered to~~**shall** adopt ~~delegated acts~~**the implementing act referred to in paragraph 1,** in accordance with **the examination procedure referred to in** Article ~~44 to amend Annex II, by updating the content of the template, in order to take account of technical or operational developments~~**45(4)**.	
Article 8(3)				
157	3. Any communication between requesting and the	3. Any communication between requesting and the	~~3. Any communication between requesting and the~~	

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	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).	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).	~~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 8a				
157a			**Article 8a** **Certificate of military transport operations for civilian operators**	
Article 8a(1)				
157b			**1. Civilian operators carrying out a military transport operation on behalf of the armed forces shall carry a certificate attesting to the military nature of the transport operation. The certificate shall be issued by the National Coordinator for Military Transport of the requesting Member State and shall serve as proof that the military transport operation is subject to the rules set out in this Section. Once the System referred to in Article 14 is established and becomes operational, the certificate shall be digitalised.**	
Article 8a(2)				

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157c			**2. The Commission shall adopt an implementing act to establish a uniform template for the certificate. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 45(4).**	
Article 8b				
157d			**Article 8b Transport Host-Nation-Support**	
Article 8b, first paragraph				
157e			**1. The receiving Member State shall determine conditions for providing transport host-nation-support in response to a request for military transport permission or a notification from the requesting Member State.**	
Article 8b, second paragraph				
157f			**2. In the absence of bilateral or multilateral agreements or arrangements, the cost of transport host-nation-support shall be covered by the requesting Member State.**	
Article 9				
158	Article 9 Uninterrupted military transport	Article 9 Uninterrupted military transport	~~Article 9~~	

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			deleted	
Article 9, first paragraph				
159	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.	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. ***Additional control measures may be carried out only in exceptional situations when they are strictly required due to immediate and serious public security or safety concerns and shall not unduly delay the transport.*** AM 93	*deleted*	
Article 10				
160	Article 10 Military transport of dangerous goods	Article 10 Military transport of dangerous goods	Article 10 Military transport of dangerous goods	
Article 10(1)				
161	1. Military transport of dangerous goods shall be	1. Military transport of dangerous goods shall be	1. **Without prejudice to Directive 2008/68/EC,** military	

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	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:	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:	transport of dangerous goods **carried out directly by the armed forces or under the direct and physical responsibility or supervision of the armed forces** 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:	
Article 10(1), point (a)				
162	(a) Agreement concerning the International Carriage of Dangerous Goods by Road, concluded at Geneva on 30 September 1957 (ADR);	(a) Agreement concerning the International Carriage of Dangerous Goods by Road, concluded at Geneva on 30 September 1957 (ADR);	(a) Agreement concerning the International Carriage of Dangerous Goods by Road, concluded at Geneva on 30 September 1957 (ADR);	
Article 10(1), point (b)				
163	(b) European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways, concluded at Geneva on 26 May 2000 (ADN);	(b) European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways, concluded at Geneva on 26 May 2000 (ADN);	(b) European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways, concluded at Geneva on 26 May 2000 (ADN);	
Article 10(1), point (c)				
164	(c) Regulations concerning the International Carriage of Dangerous Goods by Rail, appearing as Appendix C to the Convention concerning International Carriage by Rail	(c) Regulations concerning the International Carriage of Dangerous Goods by Rail, appearing as Appendix C to the Convention concerning International Carriage by Rail	(c) Regulations concerning the International Carriage of Dangerous Goods by Rail, appearing as Appendix C to the Convention concerning International Carriage by Rail	

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	(COTIF) concluded at Vilnius on 3 June 1999 (RID);	(COTIF) concluded at Vilnius on 3 June 1999 (RID);	(COTIF) concluded at Vilnius on 3 June 1999 (RID);	
Article 10(1), point (d)				
165	(d) International Maritime Dangerous Goods Code (IMDG Code);	(d) International Maritime Dangerous Goods Code (IMDG Code);	(d) International Maritime Dangerous Goods Code (IMDG Code);	
Article 10(1), point (e)				
166	(e) International Civil Aviation Organization – Technical Instructions (ICAO-TI);	(e) International Civil Aviation Organization – Technical Instructions (ICAO-TI);	(e) International Civil Aviation Organization – Technical Instructions (ICAO-TI);	
Article 10(1), point (f)				
167	(f) NATO Allied Movement Publication 6 (AMovP-6).	(f) NATO Allied Movement Publication 6 (AMovP-6).	(f) NATO Allied Movement Publication 6 (AMovP-6).	
Article 10(2)				
168	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.	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*~~***provided that such rules ensure a level of safety equivalent to NATO AMovP-6***.	2. Military transport ~~operations~~**of dangerous goods** carried out in accordance with Article 17 by the armed forces of a NATO ~~Ally~~**member** 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.~~**it complies with:**	

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		AM 94		
Article 10(2), point (a)				
168a			**(a) NATO AMovP-6 or**	
Article 10(2), point (b)				
168b			**(b) a bilateral agreement between the requesting NATO member and the receiving Member State.**	
Article 10(3)				
169	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.	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.	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~~**determined by the receiving Member State**.	
Article 10(3a)				
169a		***3a. Member States shall fully recognise military procedures applied in accordance with NATO AMovP-6, including for tactically loaded vehicles or equipment, and shall not impose additional administrative requirements or territorial limitations that would unduly restrict the operational flexibility provided under a valid standing military transport***		

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		permission. AM 95		
Article 10(3b)				
169b		***3b. Member States shall ensure a clear allocation of responsibilities between military authorities, competent national authorities and infrastructure operators regarding safety, liability and incident management related to dangerous goods transported under military mobility operations.*** AM 96		
Article 10(4)				
170	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.	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.	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, **the submission** 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~~**bilateral agreement between the requesting NATO member and the receiving**	

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			Member State. The forms or documents demonstrating compliance with the above requirements shall be presented in a digital format, upon request, during the military transport operation.	
Article 11				
171	Article 11 Abnormal military transport by road	Article 11 Abnormal military transport by road	Article 11 Abnormal military transport by road	
Article 11(1)				
172	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.	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.	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.~~**without prejudice to any necessary traffic arrangements determined in accordance with paragraph 2.**	
Article 11(1a)				

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172a		***1a. Vehicle and trailer configurations, axle load distribution systems and other technological solutions shall be taken into account by the receiving Member State in the decision to grant or deny the permission for abnormal military cargo.*** AM 97		
Article 11(2)				
173	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.	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.	2. For military transport carried out in accordance with paragraph 1, the receiving Member State shall determine traffic arrangements to ensure **overall road safety,** the safe transport of abnormal military cargo and infrastructure compatibility. **By derogation of Article 4(3) of Directive 96/53/EC,** such traffic arrangements shall replace the special permits and similar arrangements referred to ~~in Article 4(3) of Directive 96/53/EC~~**therein**.	
Article 12				
174	Article 12 Exemption of military transport from traffic restrictions	Article 12 Exemption of military transport from traffic restrictions	Article 12 Exemption of military transport **by road and rail** from traffic restrictions	

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Article 12(1)				
175	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.	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.*~~ ***:*** AM 98	1. Military transport carried out ~~under a valid military transport permission referred to in Articles 5 and 6~~**by road and by rail** shall be permitted during weekends, public holidays, national celebrations, nighttime, and any other period that may be subject to traffic restrictions**, without prejudice to any necessary traffic arrangements**.	
Article 12(1a)				
175a		***(a) permitted during weekends, public holidays, national celebrations, nighttime, and any other period that may be subject to traffic restrictions.*** AM 98		
Article 12(1b)				
175b		***(b) exempted from traffic restrictions that apply on specific road sections and are based on the environmental performance of vehicles.*** AM 98		
Article 12(2)				
176	2. Member States shall exempt military transport	*deleted*	2. Member States shall exempt military transport	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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.	AM 99	operations **by road** 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				
177	Article 13 Exemption of military transport from cabotage rules	Article 13 Exemption of military transport from cabotage rules	Article 13 Exemption of military transport from cabotage rules	
Article 13(1)				
178	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.	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.	~~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 **to facilitate military transport**.	
Article 13(2)				
179	2. Member States shall inform the Commission and other Member States of such exemptions.	2. Member States shall inform the Commission and other Member States of such exemptions. ***The notification must provide the justification for the exemption.*** AM 100	*deleted*	
Article 14				

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180	Article 14 Military Mobility Digital Information System	Article 14 Military Mobility Digital Information System	Article 14 Military Mobility Digital Information System	
Article 14(1), first subparagraph				
181	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:	1. ***No later than 6 months from the date of entry into force of this Regulation,*** the Commission ~~*may*~~***shall*** adopt implementing acts establishing a secure***, protected*** and restricted Military Mobility Digital Information System (the System), taking into account the following requirements: AM 101	1. The Commission ~~may~~**shall** adopt **an** implementing ~~acts~~**act** establishing a secure and ~~restricted~~**cyber-resilient** Military Mobility Digital Information System (the System) **to support military transport operations for all procedures covered by this Chapter, including for military transport permissions, and customs procedures and formalities related to EU Form 302. The System shall be developed, tested and operational at the lastest by 2030. The System shall be established** taking into account the following requirements:	
Article 14(1), first subparagraph, point (a)				
182	(a) the System shall be deployed by 2030;	(a) the System shall be ~~*deployed by 2030*~~***operational as soon as possible and no later than by 2028***; AM 102	*deleted*	
Article 14(1), first subparagraph, point (aa)				

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182a		***(aa) the System shall, where possible, be based on already existing systems with similar functionality;*** AM 103		
Article 14(1), first subparagraph, point (aa)				
182b			**(aa) the System shall, to the extent possible, build upon existing projects and solutions developed within the Union;**	
Article 14(1), first subparagraph, point (b)				
183	(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];	(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];	(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~~ **[UCC** reform];	
Article 14(1), first subparagraph, point (c)				
184	(c) the System shall be operated and maintained by the Commission;	(c) the System shall be operated and maintained by the Commission;	(c) the System shall be **established,** operated and maintained by the Commission~~.~~**;**	
Article 14(1), first subparagraph, point (ca)				
184a			**(ca) access to the System and the information contained therein shall be only on a need-**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			to-know basis and granted only to authorised personnel of competent authorities, including military and customs authorities of the Member States, as well as relevant Union institutions, bodies and agencies, including the EEAS, including EUMS, and EDA;	
Article 14(1), first subparagraph, point (cb)				
184b			**(cb) the System, including data storage, shall be located within the territory of the Union and shall be subject to the applicable Union legislation;**	
Article 14(1), first subparagraph, point (cc)				
184c			**(cc) fallback procedures in the case of a temporary failure of the System;**	
Article 14(1), first subparagraph, point (d)				
185	(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;	(d) the System shall ~~*with the exception of*~~***take into account*** the relevant customs legislation ~~*take into account*~~***and comply with the requirements of*** military transport ***procedures used*** in the context of NATO operations, as laid out in Article 17 ***and including data requirements related to NATO Form 302***;	(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~~**referred to** in Article 17;	

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		AM 104		
Article 14(1), first subparagraph, point (e)				
186	(e) the System shall ensure interoperability where required and shall be developed using Union and international standards, with due regard to EU customs legislation.	(e) the System shall ensure interoperability ~~*where required*~~ and shall be developed using Union**,** ***NATO*** and international standards, with due regard to EU customs legislation. AM 105	(e) the System shall ensure interoperability where ~~required~~**feasible, including with NATO procedures and forms, as well as with national systems,** and shall be developed using Union and international standards, with due regard to EU customs legislation**;**	
Article 14(1), first subparagraph, point (ea)				
186a		***(ea) the System shall ensure full technical interoperability, where relevant, with NATO digital logistics and movement systems, including LOGFAS, in order to avoid double data entry;*** AM 106		
Article 14(1), first subparagraph, point (eb)				
186b		***(eb) the System shall also be supported by spatial data and spatial data services, as defined in Directive 2007/2/EC;*** AM 107		
Article 14(1), first subparagraph, point (ec)				
186c		***(ec) contingency procedures***		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		shall be established to ensure continuity of operations in the event of temporary unavailability, degradation or cyber-compromise of the System; AM 108		
Article 14(1), first subparagraph, point (ed)				
186d		***(ed) the System shall be designed and operated in accordance with the security and resilience requirements of the NIS2 Directive and the Cyber Resilience Act. It shall implement data classification, compartmentalisation and audit capabilities to protect sensitive and classified information;*** AM 109		
Article 14(1), first subparagraph, point (ee)				
186e		***(ee) the System shall ensure that the data, documents and information exchanged or stored are hosted within the territory of the Union.*** AM 110		
Article 14(1), first subparagraph, point (f)				
186f			**(f) additional functionalities that support military transport**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			may be developed and added into the System, including the possibility for international organisations and third states to use the System.	
Article 14(1a)				
186g			**1a. The Commission shall adopt an implementing act to establish in addition a Classified Military Mobility Digital Information System (the 'Classified System') for the handling and storage of EU classified information to support military transport operations for procedures covered in Chapter 1, based on the System referred to paragraph 1. The development and operation of this Classified System shall ensure full compliance with the security requirements applicable to classified information laid down in the Commission Decision (EU, Euratom) 2015/444 on the security rules for protecting EU classified information. The Commission shall protect national classified information introduced in the Classified System in accordance with Article 5(3) of the Commission**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			Decision (EU, Euratom) 2015/444 as EUCI. This Classified System and its interconnections shall be security accredited in accordance with Article 49(a)(3). Only individuals who have a need-to-know, were briefed on their responsibilities and where appropriate have been security clared to the relevant security classification level shall be given access to the classified module and information contained therein. The Classified System, including data storage, shall be located within the territory of the European Union. The level of classification of the Classified System shall be determined in the implementing act.	
Article 14(1), second subparagraph				
187	That implementing act shall be adopted in accordance with the examination procedure referred to in Article 45(4).	That implementing act shall be adopted in accordance with the examination procedure referred to in Article 45(4). ***It shall clearly define governance arrangements and responsibilities for cybersecurity and data protection.*** AM 111	~~That~~**The** implementing ~~act~~**acts referred in paragraphs 1 and 2** shall be adopted in accordance with the examination procedure referred to in Article 45(4).	
Article 14(2)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
188	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.	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 ***EMERS and*** customs formalities related to EU form 302, ***as well as for authorisation procedures,*** referred to in this Regulation. AM 112	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				
189	Article 15 Simplified customs formalities	Article 15 Simplified customs formalities	Article 15 Simplified customs formalities	
Article 15(1)				
190	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[1], as applicable, unless the military authorities in charge of the respective military transport operation expressly	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[1], as applicable, unless the military authorities in charge of the respective military transport operation expressly	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[1], as applicable, unless the military authorities in charge of the respective military transport operation expressly	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	decide to submit the standard customs declaration. _____ 1. (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).	decide to submit the standard customs declaration. _____ 1. (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).	decide to submit the standard customs declaration. _____ 1. ~~(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).	
Article 15(2)				
191	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.	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.	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 15(2a)				
191a		***2a. Customs authorities shall establish secure interfaces to enable the automated exchange of data from Union Form 302. These interfaces shall be designed to ensure a high level of data security, in accordance with applicable Union law on data protection and cybersecurity, in particular by ensuring the confidentiality, integrity, and availability of information, as well***		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		as access limited to authorized persons only. AM 113		
Article 16				
192	Article 16 Digitalisation of EU form 302	Article 16 Digitalisation of EU form 302	Article 16 Digitalisation of EU form 302	
Article 16(1)				
193	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.	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*~~***transport***. AM 114	1. Where the Military Mobility Digital Information System referred to in Article 14 is established and becomes operational, ~~customs~~**the relevant** 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.~~	
Article 16(2)				
194	2. In the case of a temporary	2. In the case of a temporary	2. In the case of a temporary	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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.	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.	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~~**shall be submitted** in accordance with Article 203 of Regulation [customs reform], including means other than electronic data processing techniques.	
Article 16(2a)				
194a		***2a. The decision to activate such fallback procedures, including the use of paper-based procedures and NATO Form 302, shall be taken without delay by the competent national military authorities and shall not be subject to prior authorisation at Union level.*** AM 115		
Article 17				
195	Article 17 Military transport in the context of NATO operations	Article 17 Military transport in the context of ~~*NATO*~~ operations***, missions and exercises by NATO and with close partners***	Article 17 Military transport ~~in the context of NATO operations~~**by NATO members**	

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		AM 116		
Article 17(1)				
196	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.	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 ***that are not Member States*** 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. ***EU mechanisms relating to military transport shall be interoperable and compatible with NATO mechanisms relating to military transport.*** AM 117	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~~**NATO**, Member States that are ~~parties to the North Atlantic Treaty~~**also NATO members** shall treat other ~~parties to the North Atlantic Treaty~~**NATO members** 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~~.	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 17(1), first subparagraph				
196a			**As regards military transport not conducted in the context operations, missions and exercises that are commonly agreed within NATO, Member States that are also NATO members may treat other NATO members 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.**	
Article 17(1), second subparagraph				
196b			**This shall be without prejudice to the security and defence interests of the Union and its Member States.**	
Article 17(2)				
197	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.	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.	2. Member States that are not ~~parties to the North Atlantic Treaty~~**NATO members** may equally decide to treat ~~parties to the North Atlantic Treaty~~**NATO members** 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.	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 17(2a)				
197a		***2a. As regards military transport in the context of operations, missions and exercises that are conducted at multilateral and bilateral level with close partners, Member States may treat close partners 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.*** AM 118		
Article 17(2b)				
197b		***2b. In order to support the effective implementation of military transport in the context of operations, missions and exercises conducted with close partners, Member States and the Union endeavour to further develop cooperation with such partners, including, where appropriate, through the conclusion of bilateral or multilateral agreements. Such agreements may facilitate the practical***		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		organisation and execution of cross-border military transport, including by promoting regulatory alignment, interoperability and coordinated procedures, in full respect of the Union's legal framework and applicable procedures for the conclusion of international agreements. AM 119		
Section 2				
198	Section 2 European Military Mobility Enhanced Response System (EMERS)	Section 2 European Military Mobility Enhanced Response System (EMERS)	Section 2 European Military Mobility Enhanced Response System (~~EMERS~~**EMMERS**)	
Article 18				
199	Article 18 EMERS	Article 18 EMERS	Article 18 ~~EMERS~~**EMMERS**	
Article 18(1)				
200	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.	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.	1. A European Military Mobility Enhanced Response System ('~~EMERS~~**EMMERS**') is established. Upon activation in accordance with the procedures and conditions set out in Article 19, ~~EMERS~~**EMMERS** shall allow for the implementation of the temporary measures provided for in this Section.	
Article 18(2)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
201	2. During the period of activation of EMERS, the temporary measures under this Section shall apply to the entire territory of the Union.	2. During the period of activation of EMERS, the temporary measures under this Section shall apply to the entire territory of the Union.	2. During the period of activation of ~~EMERS~~**EMMERS**, the temporary measures under this Section shall apply **for those military transport operations directly linked to the purpose of the activation on~~to~~** the entire territory of the Union **or within a geographical area, while ensuring the integrity and speed of the military transport operations, as well as the functioning of military mobility corridors**.	
Article 19				
202	Article 19 Activation of EMERS	Article 19 Activation of EMERS	Article 19 Activation of ~~EMERS~~**EMMERS**	
Article 19(1)				
203	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.	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*~~***emergency or crisis situation, or in the lead-up to such a situation, requiring*** 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	1. ~~EMERS~~**EMMERS** 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.	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		sufficient for that need to be met. ***When assessing if the conditions set out in paragraph 1 of this Article are met pursuant to paragraph 2, the Commission shall, in particular, take into account whether an emergency or crisis affecting the security and defence interests of the Union and its Member States has been identified, for instance whether that crisis has triggered the activation of the mutual assistance clause pursuant to Article 42(7) TEU.*** AM 120		
Article 19(2), first subparagraph				
204	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.	2. Where the Commission considers that the conditions set out in paragraph 1 are met, ~~*or upon*~~***it shall submit to the Council a proposal for an implementing act to activate EMERS. Where the Commission receives*** 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*~~***within 48 hours of receipt of the activation request. The proposal***	2. ~~Where the Commission considers that the conditions set out in paragraph 1 are met, or~~ Upon a reasoned request ~~of~~**from** at least one Member State **defining the military transport need**, the Commission**, after consulting the Military Mobility Transport Group,** shall submit to the Council**, as soon as possible and no later than 48 hours after receiving the activation request,** a proposal for an implementing act to activate ~~EMERS as soon as~~	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		shall include a reasoned assessment of the conditions pursuant to paragraph 1. The European Parliament shall be informed about the proposal by the Commission, subject to confidentiality arrangements if necessary. AM 121	~~possible~~**EMMERS, if the conditions set out in paragraph 1 are met. The Council, acting by qualified majority, may amend the Commission's proposal.**	
Article 19(2), second subparagraph				
205	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 of EMERS and where it is possible*~~ In view of ***preparing the proposal for an implementing act to activate EMERS the Commission shall*** ~~*the urgency*~~***, if appropriate, consider relevant NATO mechanisms, requirements and assessments.*** The Commission shall consult the Military Mobility Transport Group. AM 122	~~Prior to requesting activation of EMERS and where it is possible in view of the urgency,~~**EMMERS may also be activated by a Council implementing act without a proposal from** the Commission ~~shall consult~~**, upon a reasoned request from at least one Member State defining** the military ~~Mobility~~ transport ~~Group~~**need, if the conditions set out in paragraph 1 are met. The Council shall act by qualified majority.**	
Article 19(2), third subparagraph				
206	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	*deleted* *AM 123*	~~Prior to requesting~~**In parallel to an** activation ~~or in parallel~~**of EMMERS,** the Commission shall conduct an assessment of the impact of ~~the~~**that** activation ~~of~~	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	market and of the possible need for mitigating measures.		~~EMERS~~ on the functioning of the internal market**, including on the impact on cross-border transport,** and of the possible need for mitigating measures.	
Article 19(2a)				
206a		***2 a Where the Commission submits to the Council a proposal for an implementing act to activate EMERS, the European Parliament shall organise a debate on the matter during the plenary session following the submission of such proposal.*** AM 124		
Article 19(3), first subparagraph				
207	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.	3. The Council, acting on the proposal of the Commission referred to in paragraph 2, may adopt the implementing act to activate the EMERS ***as soon as possible and*** no later than 48 hours after receiving the ~~*activation request*~~***proposal for an implementing act***. The implementing act of the Council shall specify the duration of the application of EMERS, which shall ***be limited to what is necessary and proportionate, and which shall*** not	3. The Council~~, acting on the proposal of the Commission referred to in paragraph 2,~~ may adopt the implementing act to activate the ~~EMERS~~**EMMERS as soon as possible and, as a rule,** no later than ~~48~~**72** hours after receiving the ~~activation~~**proposal by the Commission or a reasoned** request **by a Member State**. The implementing act of the Council shall specify the **purpose for the activation of EMMERS, its geographical scope and** duration	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		exceed 12 months. AM 125	~~of the application of EMERS~~, which shall not exceed ~~12~~**6** months.	
Article 19(3), second subparagraph				
208	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.	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. ***Where the Council decides on the extension of certain provisions under EMERS to parties to the North Atlantic Treaty that are not Member States, it shall invite those countries to its meetings, in order to ensure effective coordination with them. EFTA states that are party to the Agreement on the European Economic Area shall be invited to participate in the Council's deliberations, be able to express themselves and make suggestions on questions relating to an act activating EMERS***. Member States that are not parties to the North	The Council shall specify in the implementing act activating ~~EMERS~~**EMMERS** which effects of the provisions of this Section are to be extended by Member States that are ~~parties to the North Atlantic Treaty~~**NATO members** to military ~~transports by parties to the North Atlantic Treaty~~**transport by NATO members** that are not Member States, without prejudice to relevant customs formalities. Member States that are not ~~parties to the North Atlantic Treaty~~**NATO members** may decide to apply the same extension of the rules of ~~EMERS to parties to the North Atlantic Treaty~~**EMMERS to NATO members** that are not Member States. When deciding to extend certain ~~EMERS~~**EMMERS** provisions to ~~parties to the North Atlantic Treaty~~**NATO members** that are not Member States, the Council shall take into account notably operations, missions and exercises that are commonly agreed within NATO and that	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		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 ***by consulting NATO, if deemed appropriate, as a matter of priority,*** take into account ~~*notably operations, missions and exercises*~~***military transport needs*** 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. AM 126	relate to the causes of ~~EMERS~~**EMMERS** and shall respect security and defence interests of the Union and its Member States.	
Article 19(4)				
209	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	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 ***and the Commission*** shall work closely ***together, by informing each other in a timely manner.***	4. During the ~~application of EMERS, the Commission shall~~**period of activation of EMMERS**, upon request from a Member State or ~~on its own initiative~~**the Commission**~~, convene extraordinary meetings of~~ the Military Mobility Transport Group ~~where necessary. Member States~~ shall ~~work closely with the~~	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	coordinating with it any national measures taken with regard to the activation of EMERS.	***Member States shall coordinate*** 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. AM 127	~~Commission, by informing it in a timely manner about and coordinating with it any national measures taken~~**convene extraordinary meetings** with regard to the activation of ~~EMERS~~**EMMERS**.	
Article 19(5)				
210	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.	5. Upon reasoned request of at least one Member State, or on its own initiative, ***and, in any case, every six months after the decision to activate EMERS,*** the Commission ***shall make an assessment of the impact of the activation of EMERS on the functioning of the internal market and social rights, and*** shall assess whether the conditions pursuant to paragraph 1 continue to be met and submit to the Council a new proposal ***for an implementing act***, where appropriate. Based on the Commission's assessment***, and where appropriate on the position of the European Parliament***, 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	5. **The Council may amend or repeal the implementing act adopted pursuant to paragraph 3 at any time, acting on a proposal of the Commission or upon a**~~Upon~~ reasoned request ~~of~~**from** at least one Member State, ~~or on its own initiative, the~~**acting by qualified majority. When acting upon a** Commission **proposal, the Military Mobility Transport Group** shall ~~assess whether the conditions pursuant to paragraph 1 continue to be met and submit~~**be consulted before the proposal is submitted** 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~~	

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		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~~3 months. If further extension is needed after that date, the same procedure provided for in this Article shall apply ***for every additional extension by 3 months***. AM 128	~~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 19(5), first subparagraph				
210a			**In case of an extension of the duration of EMMERS, the Commission shall conduct an assessment of the impact of that activation on the functioning of the internal market, including on the impact on cross-border transport, and of the possible need for mitigating measures.**	
Article 20				
211	Article 20 Notification of military transport during the period of activation of EMERS	Article 20 Notification of military transport during the period of activation of EMERS	Article 20 ~~Notification of~~ Military transport **permissions** during the period of activation of ~~EMERS~~**EMMERS**	
Article 20(1)				
212	1. By way of derogation from Article 5 and 6, during the period	1. By way of derogation from Article 5 and 6, during the period	1. ~~By way of derogation from Article 5 and 6,~~**For granting**	

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	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.	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.	**permissions for military transport operations** during the period of activation of ~~EMERS~~**EMMERS**~~, requests for military transport permissions shall be deemed accepted by the receiving~~ Member States~~. This~~ shall ~~be without prejudice to the specific character~~**decide between one** of the ~~security and defence policies of certain Member States.~~**following modalities:**	
Article 20(1), point (a)				
212a			**(a) A general permission for all military transport operations to any other Member State. This permission shall apply from the entry into force of the Council implementing act referred to in Article 19(3). Prior to each military transport operation, the requesting Member State shall send a notification to the receiving Member State at the latest 12 hours before the scheduled time of arrival at the border crossing point. [or]**	
Article 20(1), point (b)				
212b			**(b) Case-by-case permissions for military transport operations based on requests for each**	

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			military transport operation. The receiving Member State shall take a decision to grant or deny a military transport permission within 24 hours of receiving the request.	
Article 20(2)				
213	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.	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.	2. ~~The requesting~~**Each** Member State shall notify ~~the receiving Member States of its intended military transport as early as possible, and at the latest six hours~~**in writing the Council** before ~~the scheduled time of arrival at the border crossing point~~**it adopts the Council implementing act referred to in Article 19(3) which modality for granting the permissions defined in paragraph 1 it will apply. If a Member State does not notify the Council, before it adopts the Council implementing act, of which** of the ~~receiving~~**modalities set out in paragraph 1 it will apply, the modality referred to paragraph 1(b) shall apply to that** Member State. The ~~notification~~**Council implementing act** shall include ~~all relevant details, including the scope, intended route, and timeline of the~~	

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			~~transport, and, where applicable, the request for Host Nation Support or other traffic arrangements.~~**an Annex containing the choice of those modalities for each Member State.**	
Article 20(3)				
214	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.	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.	3. ~~Where the receiving~~**A** Member State ~~requires traffic arrangements in accordance with Articles 5(9) and 6(3), it~~**which has decided to apply one of the modalities set out in paragraph 1 may at any time decide to change to the other modality. This decision** shall ~~determine these without undue delay, in order to make sure that the transport operation can take place as scheduled~~**be notified in writing to the Council. The Council shall amend on its own initiative, as soon as possible, the Annex referred to in paragraph 2 accordingly, indicating the date of application of the new modality**.	
Article 20(4)				
214a			**4. For notifications of military transport operations**	

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			referred to in paragraph 1(a) and for the requests for military transport permissions referred to in paragraph 1(b), Member States shall use the forms referred to in Article 8 and include all necessary information for traffic arrangements and transport host-nation-support.	
Article 20(4a)				
214b			**4a. The determination of the traffic arrangements for military transport operations during the period of activation of EMMERS remains at the full discretion of the receiving Member State, including the use of pre-defined or specific routes.**	
Article 20(5)				
214c			**5. Any communication between requesting and the receiving Member States under this Article shall be transmitted through the National Coordinator for Military Transport, appointed in accordance with Article 40(1).**	
Article 20a				
214d			**Article 20a** **Certificate for military transport**	

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			operations during the period of activation of EMMERS	
Article 20a(1)				
214e			**1. The armed forces, or the civilian operators acting on their behalf, carrying out a military transport operation linked to the purpose of the activation of EMMERS, as set out in the implementing act activating EMMERS, shall carry a certificate. The certificate shall be issued by the National Coordinator for Military Transport of the requesting Member State and shall serve as proof that the military transport operation is subject to the rules set out in this Section. Once the System referred to in Article 14 is established and becomes operational, the certificate shall be digitalised.**	
Article 20a(2)				
214f			**2. The Commission shall adopt an implementing act to establish a uniform template for the certificate. That implementing act shall be adopted in accordance with the examination procedure referred**	

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			to in Article 45(4).	
Article 21				
215	Article 21 Priority access during the period of activation of EMERS	Article 21 Priority access during the period of activation of EMERS	Article 21 Priority access during the period of activation of ~~EMERS~~**EMMERS**	
Article 21(1)				
216	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	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, ***safe and secure*** 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	1. During the period of activation of ~~EMERS~~**EMMERS**, 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,~~**transport** priority access to **dual-use** transport networks and infrastructure, including road networks**, tunnels, bridges**, 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	

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	terminals, sea canals, aerodromes, airspace, multimodal freight terminals, refuelling/recharging infrastructure for all modes of transport, and related services and facilities.	terminals, sea canals, aerodromes, airspace, multimodal freight terminals, refuelling/recharging infrastructure for all modes of transport, and related services and facilities. AM 129	maritime traffic management or pilotage**, winter navigation services**, 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.	
Article 21(2)				
217	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.	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.	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. **The request shall be submitted as soon as possible using the forms referred to in Article 8.**	
Article 21(3)				
218	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	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	~~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~~	

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	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).	shall in particular specify the expected arrival time and duration of the priority access and the ***types and*** 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, ***as well as any information necessary to assess the potential impact on civilian transport operations and infrastructure capacity***. It may include an application for the traffic arrangements referred to in Article 20(2). AM 130	~~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).~~	
Article 21(4)				
219	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	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***, including operators of multimodal freight terminals and logistic hubs,*** of the request for priority access, that they are likely to be concerned by	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,~~**, as well as** related services or facilities providers **and any other bodies and entities concerned,** of the request for priority access~~, that they are likely to be concerned by the military~~	

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	accordance with paragraph 6.	the military transport operation so that they can grant priority in accordance with paragraph 6. AM 131	~~transport operation~~ **and ensure coordination,** so that they can grant priority in accordance with paragraph 6.	
Article 21(5)				
220	5. With the assistance of the National Coordinator for Cross-Border Military Transport, the armed forces performing or contracting the military transport shall request:	5. With the assistance of the National Coordinator for Cross-Border Military Transport, the armed forces performing or contracting the military transport shall request:	5. With the assistance of the National Coordinator for ~~Cross-Border~~ Military Transport, the ~~armed forces performing or contracting the military transport~~**requesting Member State** shall request:	
Article 21(5), point (a)				
221	(a) the individual train paths from the competent infrastructure managers;	(a) the individual train paths from the competent infrastructure managers;	(a) the individual train paths from the competent infrastructure managers **via the railway undertakings appointed to carry out the transport operation**;	
Article 21(5), point (aa)				
221a		***(aa) prioritisation on road infrastructure, parking and rest areas and, where necessary, urban intersections;*** AM 132		
Article 21(5), point (b)				
222	(b) the berth allocation and port services from the competent port authorities;	(b) the berth allocation and port services from the competent port authorities;	(b) the berth allocation and port services from the competent port authorities **or managing**	

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			bodies of the ports;	
Article 21(5), point (c)				
223	(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.	(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*~~***in coordination with the European Network Manager, if necessary***. AM 133	(c) the required airspace **from the receiving Member State** and access to aerodrome services from the competent ~~airport~~**aerodrome** managers and coordinators, ~~from~~**in coordination with** the European Network Manager and ~~from~~ the **designated air traffic** ~~air navigation~~ service provider, as the case may be.	
Article 21(6), first subparagraph				
224	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.	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***, while minimising disruptions to civilian passenger***	6. The priority access shall be granted as ~~early~~**soon** as possible following the requests referred to in paragraphs 2 and 5 ~~and the armed forces performing or contracting the military transport~~**, taking into account pre-defined routes. The requesting Member State** shall be immediately informed thereof, in accordance with the provisions of this paragraph**. Priority access shall be implemented primarily through traffic management and coordination measures, while cancellations of civilian services shall remain measures of last**	

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		and freight transport services and logistics operations and ensuring operational continuity of critical supply chains. AM 134	**resort**. 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**, without prejudice to any necessary traffic arrangements**.	
Article 21(6), second subparagraph				
225	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 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 ***and multimodal hubs*** 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. AM 135	~~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~~**Where it is impossible to ensure timely** priority access ~~at the tolling sections, roadside parking and rest areas, bridges and tunnels on their road networks. The~~**for simultaneous military and civilian transport operations, Member States may give priority to rescue, police or other operations necessary for the protection of life, critical infrastructure or public security, as well as for the supply of essential goods. In such situations, they shall promptly**	

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			inform the relevant National ~~Coordinator for Cross-Border~~**Coordinators for** Military Transport ~~may recommend the route and the road infrastructure ensuring best~~**providing the reasons for the** priority ~~access to the requesting armed forces~~**decision and proposing alternative routes or timing arrangements for the affected military transports**.	
Article 21(6), third subparagraph				
226	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 military transport by rail, by way of derogation from Article 7(1), the infrastructure manager shall grant individual train paths within six hours. ***Infrastructure managers shall also grant access to multimodal hubs involving rail***. 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. AM 136	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~~**road, the receiving Member State, acting through the National Coordinator for** Military Transport, **shall determine the route and the road** ~~the rail~~ infrastructure ~~manager~~**ensuring best priority access to the requesting armed forces through the implementation of traffic arrangements. The National Coordinator for Military**	

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			Transport shall ~~grant the individual train paths as soon as possible~~**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, viaducts and tunnels on their road networks**.	
Article 21(6), fourth subparagraph				
227	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 through*** ports, the competent port authorities shall inform the armed forces performing or contracting the military transport of the berth allocated and port services offered, ***including facilitating access to other modes of transport***. AM 137	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~~**by rail the infrastructure manager shall grant individual train paths as soon as possible**. **If the request path is part of a pre-defined route,** **the paths shall be granted within twelve hours after receiving the notification from the requesting Member State.**	
Article 21(6), fifth subparagraph				
228	As regards military transport by inland waterways, where necessary, the National	As regards military transport by inland waterways, where necessary, the National	As regards ~~military transport by inland waterways, where necessary, the National~~	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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.	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***, including for other modes of transport to inland waterway ports and multimodal hubs***. AM 138	~~Coordinator for Cross-Border Military Transport~~**ports, the port authorities or the competent managing bodies of the ports** shall inform the armed forces performing or contracting the military transport of the ~~route and inland waterway infrastructure ensuring best priority access~~**berth allocated and port services offered**.	
Article 21(6), sixth subparagraph				
229	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.	As regards military transport by air, the competent airport managers and coordinators, ~~*the European Network Manager*~~ and the air navigation service provider, ~~*as applicable*~~***in coordination with the European Network Manager, if needed***, 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***, including for other modes of transport***. AM 139	As regards military transport by ~~air, the competent airport managers and coordinators, the European Network Manager and the air navigation service provider, as applicable,~~**inland waterways, where necessary, the National Coordinator for Military Transport** shall inform the armed forces performing~~,~~ **or** contracting ~~or ordering~~ the military transport of ~~available airspace and~~**the route and inland waterway infrastructure ensuring best priority** access ~~to aerodrome services offered at the airports concerned~~.	
Article 21(6), seventh subparagraph				
229a			**As regards military transport by**	

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			air, the competent aerodrome managers and coordinators, the European Network Manager and the relevant air traffic service providers, or the national airspace management cell, 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 aerodromes concerned.	
Article 21(7)				
230	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.	7. When priority access is granted to military transport under paragraph 1, ~~*no compensation*~~***Member States*** shall ~~*be due to other*~~***compensate the*** affected ~~*transport users*~~***infrastructure owners, operators and managers for demonstrable and duly justified expenses incurred, damages suffered and missed revenues directly caused by the granting of priority access***. 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	7. When priority access is granted to **a** military transport ~~under~~**operation following a request referred in** paragraph ~~1~~**2**, no compensation shall be due ~~to other affected~~**for the delay or cancellation of a** 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~~**service or for economic losses incurred by the following persons as a result of the** priority access ~~by, for example, offering alternative routes, slots, transport services or facilities as~~	

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		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. AM 140	~~appropriate and depending on availabilities and inform the transport users as soon as possible.~~**:**	
Article 21(7), point (a)				
230a			**(a) any natural or legal person to whom a transport service is provided or is meant to be provided, including passengers and undertakings hiring transport operators for the carriage of goods and persons;**	
Article 21(7), point (b)				
230b			**(b) any natural or legal person providing or intending to provide a transport service.**	
Article 21(7), first subparagraph				
230c			**This should be without prejudice to the right of the receiving Member State to establish, under its national law, a national compensation mechanism, provided any such compensation is borne exclusively by the receiving**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			Member State and does not give rise to any compensation claims against the requesting Member State.	
Article 21(7), second subparagraph				
230d			**The foregoing shall be without prejudice to the possible obligation on transport service providers to reimburse amounts paid for the transport service.**	
Article 21(7), third subparagraph				
230e			**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 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.**	
Article 21(8)				
231	8. Where emergency measures have a significant impact on cross-border traffic, Member States, infrastructure owners, operators and managers or, as the	8. Where emergency measures have a significant impact on cross-border traffic, Member States, infrastructure owners, operators and managers or, as the	8. Where ~~emergency~~ measures **related to priority access** have a significant impact on cross-border traffic, Member States, infrastructure owners,	

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	case may be, related services or facilities providers, shall coordinate in order to limit impacts on traffic flow as much as possible.	case may be, related services or facilities providers, shall coordinate in order to limit impacts on traffic flow as much as possible.	operators and managers or, as the case may be, related services or facilities providers, shall ~~coordinate~~**be coordinated through the National Coordinators for Military Transport** in order to limit impacts on traffic flow as much as possible.	
Article 21(8a)				
231a		***8a. [1a]By way of derogation from Article 17 and 18(1)a of Regulation (EU) No 2021/782 of the European Parliament and the Council[1a], railway undertakings shall not be held liable, and no compensation or reimbursement shall be payable by railway undertakings to passengers in the event of a delay, a missed connection or a cancellation directly and exclusively caused by the granting of priority access or other emergency measures pursuant to this Article during the period of activation of EMERS, provided that the railway undertaking could not reasonably have avoided the delay, the missed connection or the cancellation. This paragraph shall be without prejudice to the obligations of railway undertakings under***		

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		Articles 8, 18 and 20 of Regulation (EU) No 2021/782 concerning passenger information, re-routing and assistance, respectively. ***1a. Regulation (EU) 2021/782 of the European Parliament and of the Council of 29 April 2021 on rail passengers' rights and obligations (recast) (OJ L 172, 17.5.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/782/oj).*** AM 141		
Article 21(8b)				
231b		***8b. Notwithstanding any other provision of Union or national law, and irrespective of any contractual terms or general conditions of carriage, no entitlement to compensation shall arise for customers of rail freight transport services in relation to delays, interruptions or cancellations of such services that result directly from measures taken under the activation of EMERS. Railway undertakings and infrastructure managers shall not be held liable for any such disruptions. Railway undertakings and infrastructure managers shall make reasonable efforts to***		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		mitigate the impact of such disruptions, including by offering alternative transport options or rerouting where feasible, and shall inform affected customers as soon as possible. AM 142		
Article 22				
232	Article 22 Military transport of dangerous goods during the period of activation of EMERS	Article 22 Military transport of dangerous goods during the period of activation of EMERS	Article 22 Military transport of dangerous goods during the period of activation of ~~EMERS~~**EMMERS**	
Article 22(1)				
233	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.	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.	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~~**10 shall apply for** 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~~	

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			~~law.~~**during the period of activation of EMMERS.**	
Article 22(1), second subparagraph				
233a			**By derogation of Article 10(1), Member States may exempt the military transport of dangerous goods from the requirements laid down in international agreements referred to in Article 10(1), points (a) to (e), insofar as those requirements do not mandatorily apply in accordance with those agreements.**	
Article 22(2)				
234	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.	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.	2. Member States concerned by the military transport shall coordinate **with each other** any exemptions granted in accordance with this Article and ~~promptly~~**subsequently** inform ~~other Member States thereof through~~ the Military Mobility Transport Group.	
Article 23				
235	Article 23 Abnormal military transport by road during the period of activation of EMERS	Article 23 Abnormal military transport by road during the period of activation of EMERS	Article 23 Abnormal military transport by road during the period of activation of ~~EMERS~~**EMMERS**	
Article 23, first paragraph				

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236	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.	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.	During the period of activation of ~~EMERS~~**EMMERS**, 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 **determined by the receiving Member State, including the use of specific pre-defined routes**. **By derogation of Article 4(3) of Directive 96/53/EC, such traffic arrangements shall replace the special permits and similar arrangements referred to therein.**	
Article 24				
237	Article 24 Enhanced protection of strategic dual-use infrastructure during the period of activation of EMERS	Article 24 Enhanced protection of strategic dual-use infrastructure during the period of activation of EMERS	Article 24 Enhanced protection of strategic dual-use infrastructure during the period of activation of ~~EMERS~~**EMMERS**	
Article 24, first paragraph				
238	During the period of activation of EMERS, Member States shall activate enhanced protection measures in relation to the strategic	During the period of activation of EMERS, Member States shall ***be responsible to*** activate enhanced protection measures ***referred to in***	During the period of activation of ~~EMERS~~**EMMERS**, Member States shall activate enhanced protection measures**, in addition to**	

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	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 34*** 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 cyber risks*** and to ensure their ***maintenance and*** effective operation at all times. AM 143	**basic protection measures set out in Article 34, for the relevant** ~~in relation to the~~ strategic dual-use infrastructure located on their territories **and identified by national authorities as the most critical in view of the most anticipated hazards and threats**, **among the ones** 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				
239	Article 25 Enhanced access to transport and logistic capabilities during the period of activation of EMERS	Article 25 Enhanced access to transport and logistic capabilities during the period of activation of EMERS	Article 25 Enhanced access to transport and logistic capabilities during the period of activation of ~~EMERS~~**EMMERS**	
Article 25(1), first subparagraph				
240	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	1. During the period of activation of EMERS, and ~~*if*~~***once*** 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	1. During the period of activation of ~~EMERS~~**EMMERS**, 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~~ **shall** identify specific **dual-use transport and logistic** capabilities registered in the Solidarity Pool	

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	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.	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. AM 144	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.	
Article 25(1), second subparagraph				
241	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.	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.	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**, in accordance with procedures to be set out in the implementing act referred to in Article 35**.	
Article 25(1), third subparagraph				
242	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	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	*deleted*	

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	requiring the use of their capabilities, referred to in Article 35(10) and (11).	requiring the use of their capabilities, referred to in Article 35(10) and (11).		
Article 25(2)				
243	*2.* The Commission may assist the Member States in contracting any relevant transport and logistic capabilities.	2. The Commission may assist the Member States in contracting any relevant transport and logistic capabilities.	2. The Commission **and the European Defence Agency** may assist the Member States in contracting any relevant **dual-use** transport and logistic capabilities **identified in paragraph 1**.	
Article 25(3)				
244	3. The Commission may contract any relevant transport and logistic capabilities, following the advice of the Military Mobility Transport Group.	3. The Commission may contract any relevant transport and logistic capabilities, following the advice of the Military Mobility Transport Group.	3. The Commission may contract any relevant **dual-use** transport and logistic capabilities **identified in paragraph 1**, following the advice of the Military Mobility Transport Group**, in accordance with Article 35**.	
Article 26				
245	Article 26 Exemption of military transport operations by road from cabotage rules during the period of activation of EMERS	Article 26 Exemption of military transport operations by road from cabotage rules during the period of activation of EMERS	Article 26 Exemption of military transport operations by road from cabotage rules during the period of activation of ~~EMERS~~**EMMERS**	
Article 26, first paragraph				
246	During the period of activation of EMERS, military transport carried out by civilian operators shall be exempted from the restrictions on	During the period of activation of EMERS, military transport carried out by civilian operators shall be exempted from the restrictions on	During the period of activation of ~~EMERS~~**EMMERS**, military transport carried out by civilian operators shall be exempted from	

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	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.	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.	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 **laid out in Regulation (EC) No 1073/2009**.	
Article 27				
247	Article 27 Derogations from rules on driving time and rest periods for military transport operations during the period of activation of EMERS	Article 27 Derogations from rules on driving time and rest periods for military transport operations during the period of activation of EMERS	Article 27 -Derogations from rules on driving time and rest periods for military transport operations during the period of activation of ~~EMERS~~**EMMERS**	
Article 27(1)				
248	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:	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***, which must be directly related to the specific military operation, mission or exercise that justifies them***:	1. During the period of activation of ~~EMERS~~**EMMERS**, 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:	

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		AM 145		
Article 27(1), point (a)				
249	(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;	(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;	(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;	
Article 27(1), point (b)				
250	(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;	(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;	(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;	
Article 27(1), point (c)				
251	(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;	(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;	(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;	
Article 27(1), point (d)				
252	(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	(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	(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	

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	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;	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;	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;	
Article 27(1), point (e)				
253	(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;	(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;	(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;	
Article 27(1), point (f)				
254	(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;	(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;	(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;	

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Article 27(1), point (g)				
255	(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;	(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*~~***eighth*** week following the week in question, either en bloc or as two rest periods, one of them being of at least 45 hours; AM 146	(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;	
Article 27(1), point (h)				
256	(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;	(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;	(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;	
Article 27(1), point (i)				
257	(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	(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	(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	

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	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.	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.	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.	
Article 27(1a)				
257a		***1a. When activating EMERS, Member States shall take into account the need to ensure the continuity of essential civilian transport flows, in particular those related to the supply of essential goods, energy, medicines, and strategic goods, and shall endeavour, to the extent possible, to limit disruptions in this regard.*** AM 147		
Article 27(2)				
258	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[1]. 1. [36]Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organisation of the	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[1]. 1. [36]Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organisation of the	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[1]. 1. ~~[36]~~Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organisation of the	

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	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).	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).	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 27(3)				
259	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.	3. For the purpose of roadside checks, the ***civil transport operator carrying out the military transport operation on behalf of a Member State's armed forces shall provide the*** driver ***with the evidence that justify the use of the derogations, who*** 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. 148	3. For the purpose of roadside checks, the driver shall be able to produce, whenever an authorised control officer so requests, **the certificate referred to in Article 20a, and** the record sheets and any manual records and printouts for the current day and the previous days that justify the use of the derogations.	
Article 28				
260	Article 28 Use of rail vehicles outside their specified area of use during the period of activation of EMERS	Article 28 Use of rail vehicles outside their specified area of use during the period of activation of EMERS	Article 28 Use of rail vehicles outside their specified area of use during the period of activation of ~~EMERS~~**EMMERS**	
Article 28(1)				
261	1. During the period of activation of EMERS, rail vehicles may be used outside the area of use	1. During the period of activation of EMERS, rail vehicles may be used outside the area of use	1. During the period of activation of ~~EMERS~~**EMMERS**, rail vehicles may be used outside	

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	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:	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:	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:	
Article 28(1), point (a)				
262	(a) the vehicle has been subject to checks in accordance with Article 23(1), points (b) and (c), of Directive (EU) 2016/797;	(a) the vehicle has been subject to checks in accordance with Article 23(1), points (b) and (c), of Directive (EU) 2016/797;	(a) the vehicle has been subject to checks in accordance with Article 23(1), points (b) and (c), of Directive (EU) 2016/797;	
Article 28(1), point (b)				
263	(b) the vehicle is to be used as part of a military transport;	(b) the vehicle is to be used as part of a military transport;	(b) the vehicle is to be used as part of a military transport;	
Article 28(1), point (c)				
264	(c) the vehicle is in operation on one network prior to its use on a further network;	(c) the vehicle is in operation on one network prior to its use on a further network;	(c) the vehicle is in operation on one network prior to its use on a further network;	
Article 28(1), point (d)				
265	(d) the vehicle has been identified for potential use as part of a military transport in accordance with Article 37 of this Regulation.	(d) the vehicle has been identified for potential use as part of a military transport in accordance with Article 37 of this Regulation.	(d) the vehicle has been identified for potential use as part of a military transport in accordance with Article 37 of this Regulation.	

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Article 28(2)				
266	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[1] and, where relevant, in accordance with Article 10(9) of that Directive. 1. (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).	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[1] and, where relevant, in accordance with Article 10(9) of that Directive. 1. (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).	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[1] and, where relevant, in accordance with Article 10(9) of that Directive. 1. ~~(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).	
Article 28(3)				
266a			**3. For the purposes of paragraphs 1 and 2, to confirm the compatibility of the vehicle with the infrastructure and to rule out potential safety concerns, the railway undertaking planning to use a rail vehicle outside its authorised area of use shall provide all necessary information to the infrastructure manager. Infrastructure managers shall**	

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			inform the relevant national safety authorities.	
Article 28(2a)				
266b		***2a. During the period of activation of EMERS, and for the purposes of ensuring the effective execution of military transport operations, including in the context of the 'last mile', military engineering units of the armed forces shall, where necessary, be exempted from the obligation to obtain prior civil administrative permits, including water management, construction and environmental permits, for the installation of temporary infrastructure, including temporary crossings and modular bridges, in accordance with national law and without prejudice to essential environmental protection requirements*** AM 149		
Article 29				
267	Article 29 Exemption of military transport operations from traffic restrictions during the period of activation of	Article 29 Exemption of military transport operations from traffic restrictions during the period of activation of	Article 29 Exemption of military transport operations from traffic restrictions during the period of activation of	

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	EMERS	EMERS	~~EMERS~~**EMMERS**	
Article 29(1)				
268	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.	1. During the period of activation of EMERS, military transport operations carried out by ***rail, road, air and inland waterways*** ~~*road*~~ shall be permitted during weekends, public holidays, national celebrations, nighttime, and any other period that may be subject to traffic restrictions. AM 150	1. During the period of activation of ~~EMERS~~**EMMERS**, 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. **For safety reasons, the receiving Member State may deviate from this provision in the corresponding traffic arrangements.**	
Article 29(2)				
269	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.	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.	2. During the period of activation of ~~EMERS~~**EMMERS**, 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~~**aerodromes**.	
Article 29(3)				
269a			**3. During the period of activation of EMMERS, rail**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			vehicles used as part of a military transport operation shall be exempted from railway traffic restrictions applied based on Commission Regulation (EU) No 1304/2014 of 26 November 2014 on the technical specification for interoperability relating to the subsystem 'rolling stock — noise'.	
Article 29(2a)				
269b		***2a. Member States shall take the necessary measures to facilitate military transport operations across all modes of transport, including rail, waterways, ports, and airports, by lifting, where necessary and proportionate, any other restrictions that might hinder their implementation.*** AM 151		
Article 30				
270	Article 30 Exemption of official controls on food, feed and dogs at entry into the Union during the period of activation of EMERS	Article 30 Exemption of official controls on food, feed and dogs at entry into the Union during the period of activation of EMERS	Article 30 Exemption of official controls on food, feed and dogs at entry into the Union during the period of activation of ~~EMERS~~ **EMMERS**	
Article 30(1)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
271	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:	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:	1. During the period of activation of ~~EMERS~~**EMMERS**, Articles 43 to 57 and Articles 65 to 72 of Regulation (EU) 2017/625 shall not apply to food, feed **for military dogs and military**~~and~~ dogs entering the Union that constitute goods to be moved or used in the context of military activities, provided that they:	
Article 30(1), point (a)				
272	(a) are declared under the EU or NATO forms 302, as referred to in Article 15;	(a) are declared under the EU or NATO forms 302, as referred to in Article 15;	(a) are declared under the EU or NATO forms 302, as referred to in Article 15;	
Article 30(1), point (b)				
273	(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;	(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;	(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**, such marking or labelling shall be clearly visible**;	
Article 30(1), point (c)				
274	(c) enter the Union under the supervision of 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.	(c) enter the Union under the supervision of military authorities in charge of the respective military transport operation.	
Article 30(2)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
275	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.	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.	2. Following the entry into the Union of food, feed **for military dogs and military**~~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.	
Article 30(3)				
276	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.	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.	3. Military authorities in charge of the respective military transport operation shall ensure that food and feed **for military dogs** referred to in paragraph 1 **do not pose a risk to animal, public or plant health in the Union and** are not placed on the market of the Union and are either consumed, safely disposed of or reexported from the Union.	
Article 30(4)				
277	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.	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.	4. Military authorities in charge of the respective military transport operation shall ensure that **military** 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.	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 31				
278	Article 31 Expedited customs procedures during the period of activation of EMERS	Article 31 Expedited customs procedures during the period of activation of EMERS	Article 31 ~~Expedited~~ Customs procedures during the period of activation of ~~EMERS~~**EMMERS**	
Article 31(1)				
279	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].	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].	1. During the period of activation of ~~EMERS~~**EMMERS**, 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].	
Article 31(2)				
280	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.	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.	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~~**EMMERS** as defined under Article 19**, taking due**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			account of relevant military expertise.	
Article 31(2a)				
280a			**2a. When EMMERS is activated, goods used for military activities shall be declared using the EU or NATO Forms 302.**	
Chapter III				
281	Chapter III Resilience of transport infrastructure	Chapter III Resilience of transport infrastructure	Chapter III Resilience of transport infrastructure	
Article 32				
282	Article 32 Preparedness of the transport network for dual-use	Article 32 Preparedness of the transport network for dual-use	Article 32 Preparedness of the transport network for dual-use	
Article 32(1)				
283	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:	1. Member States shall upgrade ***and, where necessary, develop*** 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	1. ~~Member States shall upgrade~~**With a view to upgrading** the dual-use **transport** 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, **taking into account the strategic importance for military transport,** and in a coordinated and synchronised approach~~. When~~	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		following projects: AM 152	~~upgrading those dual-use sections of the military mobility corridors~~, Member States shall prioritise the **projects taking into account the** following ~~projects~~**criteria**:	
Article 32(1), point (a)				
284	(a) ensuring continuity of the transport network, by closing missing links and removing important bottlenecks to military transport;	(a) ensuring continuity of the transport network, by closing missing links and removing ~~*important*~~ bottlenecks to military transport***, and, where appropriate, developing dual use infrastructure at the extremities of the military mobility corridors in order to enable smooth cross-border movements with close partners***; AM 153	(a) ensuring continuity of the **dual-use** transport network, by closing missing links and removing important bottlenecks to military transport;	
Article 32(1), point (b)				
285	(b) ensuring interoperability of the transport network, including by migrating to European nominal standard railway gauge;	(b) ensuring interoperability of the transport network, including***, where appropriate,*** by migrating to European nominal standard railway gauge***, and by taking into consideration relevant rail links to ports, airports and last-mile access to multimodal freight terminals and logistics facilities of strategic relevance for dual-use transport***; AM 154	(b) ensuring interoperability of the **dual-use** transport network, ~~including by migrating to European nominal standard~~**particularly of the** railway ~~gauge~~**network**;	
Article 32(1), point (c)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
286	(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;	(c) adapting the infrastructure to ***the requirements for*** abnormal military transport, including by reinforcing bridges for rail and road transport ~~*and*~~, by reinforcing and enlarging rail, road, port and aerodrome infrastructure***, and by marking bridges and tunnels with clear indications of load-bearing capacities***; AM 155	(c) adapting the infrastructure to abnormal military transport, including by reinforcing bridges **and widening tunnels** for rail and road transport and by reinforcing and enlarging rail, road, port and aerodrome infrastructure;	
Article 32(1), point (d)				
287	(d) upgrading road tunnels to ADR category A, or providing for alternative routes for vehicles carrying dangerous goods incompatible with the existing tunnel category;	(d) upgrading road tunnels to ADR category A, or providing for alternative routes for vehicles carrying dangerous goods incompatible with the existing tunnel category;	(d) upgrading road tunnels to ADR category A **where technically feasible**, or providing for **mitigation measures or** alternative routes for vehicles carrying dangerous goods incompatible with the existing tunnel category;	
Article 32(1), point (e)				
288	(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;	(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***, including by using ICT systems for transport as appropriate***; AM 156	(e) increasing throughput capacity for ~~all~~**the most relevant** transport modes, including by improving rail and road access to ports and ~~airports~~**aerodromes** and improving port, ~~airport~~**aerodrome** and terminal facilities and equipment**, in order to ensure multimodal transport and**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			operational military transport continuity, including, where relevant, access to remote regions and hinterland connections;	
Article 32(1), point (ea)				
288a		***(ea) ensuring transhipment infrastructure with enough capacity to enable intermodal military mobility operations;*** AM 157		
Article 32(1), point (f)				
289	(f) enhancing the resilience of communication, control, navigation, surveillance and energy supply infrastructure, in particular against interferences with radio-frequency communications;	(f) enhancing the resilience of communication, control, navigation~~,~~ ***and*** surveillance ~~*and energy supply*~~ infrastructure, in particular against interferences with radio-frequency communications ***or GNSS spamming and spoofing and ensuring their cyber and digital security in accordance with EU legislation and, when appropriate, NATO interoperability requirements***; AM 158	(f) enhancing the resilience of communication, control, navigation, surveillance and energy supply infrastructure~~, in particular against interferences with radio-frequency communications;~~**;**	
Article 32(1), point (fa)				
289a		***(fa) enhancing the resilience of energy supply infrastructure in***		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		order to ensure adequate fuel storage and supply capacity, as well as charging infrastructure along the military mobility corridors, including, where relevant, in connection with existing NATO fuel infrastructure, thereby ensuring the functionality of transport capabilities; AM 159		
Article 32(1), point (g)				
290	(g) ensuring sufficient resilience and redundancy in the network.	(g) ensuring sufficient resilience ~~*and redundancy*~~ in the network~~.~~ ***, as well as protection against threats, including hybrid attacks, originating from third countries or non-state actors through actions such as cyberattacks, sabotage, espionage, drone threats, interception and manipulation of communications;*** AM 160	(g) ensuring sufficient resilience and redundancy in the network**, including by providing adequate diversionary routes with equivalent functionality in terms of capacity, load-bearing requirements and continuity of military transport**.	
Article 32(1a), first subparagraph				
290a			**The upgrading of dual-use transport infrastructure shall take into account the degree of maturity of projects, compliance with Union and national legal procedures and the availability**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			of financial resources, without prejudice to financial commitments of Member States or the Union.	
Article 32(1), point (ga)				
290b		***(ga) addressing and filling capability gaps relating to military mobility corridors, based on Member States' assessment, analysis and monitoring.*** AM 161		
Article 32(1a)				
290c		***1a. Projects aimed at upgrading 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, in accordance with paragraph 1, shall be considered to be projects in strategic sectors or categories contributing to resilience for the purposes of Article 14 of Proposal for a Regulation on speeding-up environmental assessments.*** AM 162		
Article 32(2)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
291	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:	2. The Member States situated along the same military mobility corridor shall***, together with the Commission,*** cooperate to identify***, assess, and to the extent possible*** ~~*and*~~ address potential risks that may affect the functionality, ***physical or cyber*** security, or resilience of that corridor, in particular for cross-border transport***, including with close partners at the extremities of the corridors in the Union***. To that end, they shall ***as soon as possible***: AM 163	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:	
Article 32(2), point (a)				
292	(a) assess the functionality of the military mobility corridors;	(a) assess the functionality of the military mobility corridors;	(a) assess the functionality of the military mobility corridors;	
Article 32(2), point (b)				
293	(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;	(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;	(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;	
Article 32(2), point (c)				
294	(c) assess potential infrastructure gaps, missing links and bottlenecks hampering the	(c) assess potential infrastructure gaps, missing links and bottlenecks hampering the	(c) **identify and** assess potential infrastructure gaps, **including for the "last mile", as**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	smooth flow of military transport;	smooth flow of military transport;	**well as** missing links and bottlenecks hampering the smooth flow of military transport**, including, where relevant, access to remote regions and hinterland connections**;	
Article 32(2), point (d)				
295	(d) determine the accurate and precise technical characteristics of their transport infrastructure and the conditions under which abnormal military cargo could be transported;	(d) determine the accurate and precise technical characteristics of their transport infrastructure and the conditions under which abnormal military cargo could be transported;	(d) determine the accurate and precise technical **and operational** characteristics of their transport infrastructure and the conditions under which abnormal military cargo could be transported;	
Article 32(2), point (e)				
296	(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;	(e) monitor the resilience of communication, control, navigation, surveillance and fuel ***and energy*** supply infrastructure**,** ***including refuelling and alternative fuel infrastructure, as well as the electricity grid***, in particular against interferences with radio-frequency communications, ***or cyberattacks and unauthorised access,*** and assess enforcement measures; AM 164	(e) **assess the risks for military transport operations along the military mobility corridors, and** monitor the resilience of communication, control, navigation, surveillance and ~~fuel~~**energy** supply infrastructure, in particular against interferences with radio-frequency communications~~, and assess enforcement measures~~;	
Article 32(2), point (f)				
297	(f) assess any other potential	(f) assess any other potential	(f) ~~assess any other potential~~	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	risks for military transport operations along the military mobility corridors, with a view to appropriately protecting the related transport infrastructure;	risks for military transport operations along the military mobility corridors, ~~*with a view to appropriately protecting*~~***including drones, cyber, digital and radio-frequency threats, and adopt proportionate protection measures for*** the related transport infrastructure; AM 165	~~risks for military transport operations along the military mobility corridors, with a view to appropriately protecting the related transport~~**identify any operational gaps in the ability of infrastructure managers to ensure a quick repair and recovery of the** infrastructure;	
Article 32(2), point (g)				
298	(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	(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 ***and Satellite Communications (SATCOM)***. 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	(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~~**, where** 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~~	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	solutions.	offer monitoring and protection solutions. ***Member States shall make use of Union connectivity and secure communications capabilities made available under GOVSATCOM and the future Union Secure Connectivity Programme (IRIS²).*** AM 166	~~monitoring and protection solutions.~~**.**	
Article 32(3)				
299	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.	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 ***and mid-term*** investments (***energy supply and*** transport infrastructure 'hotspots') that are to be implemented by Member States as a matter of priority along the military mobility corridors***, and shall elaborate timetables for their implementation***. 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 ***and***	3. Based on the analysis conducted in accordance with paragraph 2, ~~the Commission~~**Member States**, in close cooperation with the ~~Member States~~**Commission, supported by EEAS**, 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**, with the support of the EEAS,** 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	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		strategic infrastructure operators' experts shall be consulted in the assessment. AM 167	shall be consulted in the assessment. **The list of hotspots shall be regularly assessed and updated.**	
Article 32(4), first subparagraph				
300	4. Member States, with the support of the Commission and the EEAS, shall coordinate on the following:	4. Member States, with the support of the Commission and the EEAS, shall coordinate on the following:	4. Member States, with the support of the Commission and the EEAS, shall coordinate on the following:	
Article 32(4), first subparagraph, point (a)				
301	(a) agreeing on designated routes, transport nodes and supporting facilities like military transport support centres, and making best use of the military mobility corridors;	(a) agreeing on designated routes, transport nodes***, including by using ICT systems for transport,*** and supporting facilities like military transport support centres, and making best use of the military mobility corridors ***supported, if appropriate, by using spatial data and spatial data services, as defined in Directive 2007/2/EC, and road, traffic and travel data as defined in Directive 2023/2661***; AM 168	(a) agreeing on designated routes, transport nodes and supporting facilities like military transport support centres **and logistic hubs**, and making best use of the military mobility corridors**, taking into account the most common military transport convoys, also considering strategically relevant external-border nodes, maritime approaches and island connections**;	
Article 32(4), first subparagraph, point (b)				
302	(b) fostering coordination and cooperation between rail infrastructure managers in different Member States, in particular to	(b) fostering coordination and cooperation between ~~*rail*~~ infrastructure ***owners,*** managers ***and operators*** in different Member	(b) fostering coordination and cooperation between rail infrastructure managers **and operators** in different Member	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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;	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; AM 169	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**, while preserving the independence of infrastructure managers**;	
Article 32(4), first subparagraph, point (c)				
303	(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[1] . 1. [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).	(c) fostering coordination and cooperation between national aviation authorities with the support of the EDA***, the impacted air navigation service providers*** 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[1] . 1. [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). AM 170	(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[1] . 1. [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).	
Article 32(4), first subparagraph, point (ca)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
303a		***(ca) fostering coordination and cooperation between national port authorities, with the support of the EDA;*** AM 171		
Article 32(4), first subparagraph, point (cb)				
303b		***(cb) an assessment of the deployment of military counter-mobility assets and infrastructure;*** AM 171		
Article 32(4), second subparagraph				
304	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.	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.	For the purposes of the first subparagraph, point (b), Member States shall instruct infrastructure managers to agree on ~~pre-arranged~~**pre-defined** routes for cross-border military transport, in particular for dangerous goods and abnormal military transport. **To this end, military transport operations by rail shall be categorised with clearly identified technical and operational characteristics, and a list of predefined train paths on suitable routes shall be established, including alternative routes for use in case of disruptions, in order to facilitate and accelerate the allocation of**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			capacity.	
Article 32(5)				
305	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[1]. Where relevant, the Military Mobility Transport Group may be consulted. _____ 1. 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)	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[1]. Where relevant, the Military Mobility Transport Group may be consulted. _____ 1. 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)	*deleted*	
Article 32(5a)				
305a		***5a. In order to facilitate and accelerate compliance with the obligations laid down in paragraphs 1 and 2, Member States and the Commission shall ensure that sufficient funding at EU and national level is available.*** AM 173		
Article 33				

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306	Article 33 Identification of strategic dual-use infrastructure	Article 33 Identification of strategic dual-use infrastructure	Article 33 Identification of strategic dual-use infrastructure	
Article 33(1)				
307	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:	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:	1. ~~Wihtout prejudice to Directive (EU) 2022/2557 an in complementarity with it~~**Based on operational needs**, Member States shall identify ~~the following~~**which** infrastructure located in their territories**, taking into account the national military mobility network, is to be considered** as strategic dual-use infrastructure ~~for the purposes of this Regulation~~**. These may include**:	
Article 33(1), point (a)				
308	(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;	(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 ***either the largest*** ~~*the biggest*~~ airport ***or the airports serving as logistics and military hubs, particularly those located closest to areas affected by conflict, ,*** and multimodal freight terminal***, as well as air navigation infrastructure***, based on highest traffic volumes or throughput	*deleted*	

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		capacity, or both; AM 174		
Article 33(1), point (aa)				
308a		***(aa) new key transport infrastructure serving the military mobility corridors;*** AM 175		
Article 33(1), point (b)				
309	(b) key transport infrastructure serving the urban nodes on the trans-European transport network with a population of at least 1 million inhabitants;	(b) key transport infrastructure serving the urban nodes on the trans-European transport network with a population of at least 1 million inhabitants;	*deleted*	
Article 33(1), point (c)				
310	*(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.	(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***, and, where applicable, the associated refuelling and recharging infrastructure serving these hubs***. AM 176	*deleted*	
Article 33(2)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
311	*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:	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:	~~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:~~	
Article 33(2), point (a)				
312	(a) infrastructure that has a strategic capacity to support large-scale military transport operations;	(a) infrastructure that has a strategic capacity to support large-scale military transport operations, ***including facilities that serve as transit points or strategic logistical hubs***; AM 177	(a) infrastructure that has ~~a strategic~~**the** capacity **and relevance** to support large-scale military transport operations;	
Article 33(2), point (b)				
313	(b) infrastructure that is strategically important for military transport along one or several military mobility corridors;	(b) infrastructure that is strategically important ***or is located at a strategically important point*** for military transport along one or several military mobility corridors, ***in particular in regions facing increased security and operational pressure***; AM 178	(b) infrastructure that is strategically important for military transport along one or several military mobility corridors;	
Article 33(2), point (c)				
314	(c) infrastructure that provides or has provided a strategic	(c) infrastructure that ~~*provides or has provided a*~~***includes*** strategic	(c) infrastructure that provides or ~~has provided a strategic~~**is**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	contribution to planned or past military transport;	~~*contribution to*~~***assets for*** planned or past military transport; AM 179	**expected to provide a significant** contribution to planned ~~or past~~ military transport;	
Article 33(2), point (d)				
315	(d) infrastructure that poses a known bottleneck or missing link for military transport operations, such as a strategic river crossing or tunnel.	(d) infrastructure that poses a known bottleneck or missing link for military transport operations, such as a strategic river crossing or tunnel.	(d) infrastructure that poses a ~~known~~**potential** bottleneck or missing link for military transport operations~~, such as a strategic river crossing or tunnel~~ **or that, if affected by an incident, would have a significant disruptive effect on the support large-scale military transport operations**.	
Article 33(2), point (da)				
315a		***(da) infrastructure that can serve as an alternative or diversion route in the event of the unavailability or disruption of infrastructure referred to in paragraph (1);*** AM 180		
Article 33(2), point (db)				
315b		***(db) infrastructure that is partially owned or controlled by third country entities that contravene the security and defence interests of the Union and its Member States.***		

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		AM 181		
Article 33(3)				
316	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:	3. In addition to the strategic dual-use infrastructure referred to in paragraph 1, Member States shall also identify essential supporting infrastructure, amongst which ***ICT systems for transport, including control-command and signalling systems,*** transport-critical energy***, fuel,*** ~~*and*~~ communications ***and space*** infrastructure, meeting the following criteria as strategic dual-use infrastructure for the purposes of this Regulation: AM 182	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~~ **which is to be considered** strategic dual-use infrastructure ~~for the purposes of this Regulation~~**, including fuel infrastructure. These may include**:	
Article 33(3), point (a)				
317	(a) infrastructure that has a strategic capacity to support large-scale military transport operations;	(a) infrastructure that has a strategic ***and logistic*** capacity to support large-scale military transport operations; AM 183	(a) infrastructure that has ~~a strategic~~**the** capacity **and relevance** to support large-scale military transport operations;	
Article 33(3), point (b)				
318	(b) infrastructure that provides or has provided a strategic contribution to planned or past military transport;	(b) infrastructure that ~~*provides or has provided a*~~***includes*** strategic ~~*contribution to*~~***assets for*** planned or past military transport;	(b) infrastructure that provides or ~~has provided~~**is expected to provide** a strategic contribution to planned ~~or past~~ military transport;	

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		AM 184		
Article 33(3), point (c)				
319	(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;	(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;	(c) infrastructure that plays a ~~strategic~~**key** role in providing services of **military** transport of goods or persons ~~to Member States or regions vulnerable to security threats~~;	
Article 33(3), point (d)				
320	(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;	(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;	(d) infrastructure that ~~disposes of~~**provides** very specialised dual-use services ~~or~~**,** facilities **or equipment** 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~~;	
Article 33(3), point (e)				
321	(e) infrastructure that plays a strategic role in storing dual-use assets that facilitate military transport along the military mobility corridors.	(e) infrastructure that plays a strategic role in storing dual-use assets that facilitate military transport along the military mobility corridors.	(e) infrastructure that plays a strategic role in storing dual-use assets that facilitate military transport along the military mobility corridors.	
Article 33(4)				
322	4. By [2 years after entry into force of this Regulation], each Member State shall draw up a list of the strategic dual-use	4. ***As soon as possible but no later than by … [1 year*** ~~*By [2 years*~~ after entry into force of this Regulation], each Member State	4. By ~~[~~2 years after entry into force of this Regulation~~]~~, each Member State shall draw up a list of the strategic dual-use	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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".	shall draw up a list of the strategic dual-use infrastructure located in its territory and identified in accordance with this Article ***which shall also include information regarding the criticality and default resilience levels for each item***. 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"*~~ ***subject to appropriate confidentiality classification***. AM 185	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".~~	
Article 33(4a)				
322a		***4a. Member States shall ensure that strategic dual-use infrastructure identified in accordance with this Article is, where appropriate, clearly marked and accompanied by adequate information regarding its technical characteristics relevant to military transport, including load-bearing capacities.*** AM 186		

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Article 33(5), first subparagraph				
323	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.	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 ***and for aviation-related matters, by the Committee established in accordance with Article 48 of Regulation (EU) 2024/2803***. AM 187	*deleted*	
Article 33(5), second subparagraph				
324	In the implementation of paragraph 3, the Commission shall be assisted by Military Mobility Transport Group.	In the implementation of paragraph 3, the Commission shall be assisted by Military Mobility Transport Group.	*deleted*	
Article 34				
325	Article 34 Basic protection measures for SDI	Article 34 Basic protection measures for SDI	Article 34 Basic protection measures for SDI	
Article 34(1)				
326	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:	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:	1. Member States shall take the following basic protection measures in relation to SDI located in their territories to protect them against ~~all~~**the most anticipated** hazards **and threats identified at national level**, to enhance their resilience and to ensure their	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			effective operation ~~at all times~~:	
Article 34(1), point (a)				
327	(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;	(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;	(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~~**paragraph 2, including on relevant risks**;	
Article 34(1), point (b)				
328	(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;	(b) prevent, mitigate and address the risks associated with foreign ownership or control of SDI, including through the foreign investment screening ***mechanisms*** in accordance with Regulation (EU) 2019/452***, ensure that there is no reliance on high-risk suppliers, and foster European ownership and effective control of SDI***; AM 188	(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~~;	
Article 34(1), point (ba)				
328a		***(ba) impose periodic reporting on the security aspects of critical processes and an obligation to notify authorities of visits by non-***		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		EU residents to sensitive sectors; AM 189		
Article 34(1), point (bb)				
328b		***(bb) establish an additional code of conduct in the context of the provision or exchange of sensitive information, with a view to safeguarding public order, national security and strategic interests;*** AM 190		
Article 34(1), point (bc)				
328c		***(bc) designate one or more contact persons or compliance officers holding a security clearance, responsible for the handling of sensitive information or data;*** AM 191		
Article 34(1), point (bd)				
328d		***(bd) provide guarantees ensuring the continuity of certain processes and/or the supply of services and goods affecting national security, public order and strategic interests;*** AM 192		

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Article 34(1), point (be)				
328e		***(be) impose periodic on-site inspections in order to verify compliance with the mitigating measures;*** AM 193		
Article 34(1), point (c)				
329	(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[1], seafarers and pilots; 1. [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).	(c) ~~*prevent, mitigate and address the*~~***ensure and enforce strict control over*** risks linked to the management***, ownership*** or operation of specific assets that are part of or related to an SDI such as specific lifting equipment, IT systems, ***such as control-command and signalling systems, login systems, navigation and communication tools,*** security control and detection equipment, ***fuel infrastructure*** 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[1], seafarers***, air traffic controllers*** and pilots; 1. [39]Regulation (EU) 2017/352 of the European Parliament and of the Council of 15 February 2017 establishing a framework	(c) prevent, mitigate and address the risks linked to the management or operation of specific ~~assets~~**equipment, systems, personnel and transport services** 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[1], seafarers and pilots~~; ~~1. [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).~~	

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		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). AM 194		
Article 34(1), point (d)				
330	(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.	(d) ~~*where appropriate, take basic*~~***take all necessary*** measures to protect the ***entire system of*** SDI against interferences and attacks by State and non-State actors, including terrorist attacks, ~~*cybersecurity*~~***sabotage, cyberattacks, unmanned aerial vehicle (UAV and UAS) attacks*** and other hybrid ~~*attacks*~~***threats***, and equip the SDI with ***cyber defence systems,*** electronic warfare interference capacity ***and anti-drone systems*** to counter air raids and drone attacks, including jamming and spoofing ***to mitigate air raids and drone incursions***. AM 195	(d) where appropriate **and proportionate**, take basic measures to protect **and to equip** 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~~.	
Article 34(2)				
331	2. The owners, operators and managers of SDI shall take all necessary technical, security and organisational measures within their area of responsibility and,	2. The owners, operators and managers of SDI shall take all necessary technical, security and organisational measures within their area of responsibility and,	2. The owners, operators and managers of SDI shall take ~~all necessary~~**appropriate and proportionate** technical, security**, operational** and organisational	

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	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:	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***, taking into account the evolving nature of threats***. In particular, the owners, operators and managers of SDI shall: AM 196	measures within their area of responsibility and, where relevant, in collaboration with each other, to ensure that the SDI is appropriately protected against ~~all~~**the most anticipated** hazards **and threats identified at national level**, 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:	
Article 34(2), point (a)				
332	(a) implement the relevant basic protection and resilience measures for SDI;	(a) implement the relevant basic protection and resilience measures for SDI***, including secure communication services***; AM 197	*deleted*	
Article 34(2), point (aa)				
332a		***(aa) carry out a cyber risk assessment at least annually and implement a minimum-security baseline covering patch management, network segmentation, secure remote access, protection of industrial control systems and secure communications;*** AM 198		
Article 34(2), point (b)				

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333	(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;	(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;	(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~~**take appropriate and proportionate measures to carry out risk assessments for natural or man-made incidents, prevent incidents from occurring, ensure physical protection, respond, resist and mitigate the consequences of the incidents, recover from incidents, ensure adequate employee security management, carry out background checks on personnel, notify incidents that have or might have significant impact on the operation of the SDI**;	
Article 34(2), point (c)				
334	(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;	(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;	(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~~**implement appropriate**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			and proportionate cybersecurity risk management measures, based on a all-hazards approach, that aim to protect network and information systems and the physical environment of those systems from incidents;	
Article 34(2), point (d)				
335	(d) provide detailed information on the ownership structure of the SDI at the first request of the Member State where the SDI is located.	(d) provide detailed information on the ownership structure of the SDI at the first request of the Member State where the SDI is located.	(d) provide ~~detailed~~**relevant** information on the ownership structure of the SDI at the first request of the Member State where the SDI is located.	
Article 34(2a), first subparagraph				
335a			**The Commission shall adopt non-binding guidelines to identify a set of protection measures for owners, operators and managers of SDI and communicate them through the Member States. To this end, the Commission shall seek the advice of the Military Mobility Transport Group and may take account of the Commission guidelines adopted pursuant to Article 13(5) of Directive (EU) 2022/2557, as well as guidance issued by the NIS cooperation group pursuant to Article 14(4) of Directive (EU) 2022/2555.**	

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Article 34(2b)				
335b			**2a. Where appropriate and in order to avoid duplication of implementation of measures, Member States may exempt the owners, operators and managers of SDI located on their territory and falling under the scope of the CER (2022/2557) and NIS2 (2022/2555) Directives from complying with some of the basic protection measures set out in paragraph 2, points (b) and (c).**	
Article 34(3)				
336	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 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	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 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	3. Member States shall, ~~without undue delay~~**through their National Coordinator for Military Transport**, inform the ~~Commission and the~~**other potentially affected** 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 significantly disrupt the ~~provision of essential services, within the meaning of Article 15, paragraph 1 of Directive (EU) 2022/2557,~~**operations of SDI** and that were either notified to them by the owners, operators and	

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	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.	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.	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~~**national authorities** 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. **This information shall be treated with the appropriate level of classification, set by each Member State.**	
Article 34(4)				
337	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	4. ***No later than 12 months from the date of entry into force of this Regulation,*** the Commission ~~*may*~~***shall*** 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)	*deleted*	

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	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.	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. AM 199		
Chapter IV				
338	Chapter IV Availability of transport and logistic capabilities for military transport operations	Chapter IV Availability of transport and logistic capabilities for military transport operations	Chapter IV Availability of **dual-use** transport and logistic capabilities for military transport operations	
Article 35				
339	Article 35 Solidarity Pool to facilitate military transport operations	Article 35 Solidarity Pool to facilitate military transport operations	Article 35 Solidarity Pool to facilitate military transport operations	
Article 35(1)				
340	1. The Solidarity Pool is established. It shall consist of a pool with a list of registered capabilities of Member States and	1. The Solidarity Pool is established. It shall consist of a pool with a list of registered capabilities of Member States and	1. The Solidarity Pool is established. It shall consist of a pool with a list of registered **dual-use transport and logistic**	

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	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.	~~*possibly*~~ of the Union***. The Union may conclude bilateral or multilateral agreements with Parties to the North Atlantic Treaty that are not Member States and with close partners, in order to allow those countries to register their capabilities if they deem it appropriate, defining scope, resources and procedures for registration and use of capabilities in the Solidarity Pool***. 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*~~***with*** the adoption by the Commission of the implementing act referred to in paragraph 15. AM 200	capabilities of Member States~~ and possibly of the Union. The~~**, as well as a digital platform enabling its functioning. The dual-use** capabilities registered in the Solidarity Pool shall consist of transport and logistic capabilities and shall be used to guarantee, optimise**, accelerate** 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.	
Article 35(2)				
341	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	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*~~***shall by … [6 months from the date of entry into***	2. On the basis of **an assessment of gaps in dual-use transport and logistic capabilities, to be annexed to the Council Military Requirements, and after consulting**~~the advice of~~	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	the number of key transport capabilities required for the Solidarity Pool to address the Union's gaps in the area of military transport capabilities.	***force of this Regulation]*** 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. ***Capabilities subject to effective or sufficiently substantiated doubts regarding third-country control shall not be registered in the Solidarity Pool. By 2035, Member States shall not register in the Solidarity Pool any capabilities that rely on the use, installation or integration of components from high-risk suppliers.*** AM 201	the Military Mobility Transport Group ~~and the results of the stress tests referred to in Article 43~~, the Commission ~~may~~**shall** adopt **non-binding** guidelines defining the types and specifying the number of key **dual-use** transport **and logistic** capabilities required for the Solidarity Pool ~~to address the Union's gaps in the area of military transport capabilities~~**. The European External Action Service, including the EUMS, and the European Defence Agency shall be consulted in this process, as appropriate. The Commission shall also take into account the results of the stress tests referred to in Article 43**.	
Article 35(3)				
342	3. The Solidarity Pool shall be operational 24 hours a day, seven days a week.	3. The Solidarity Pool shall be operational 24 hours a day, seven days a week.	3. The Solidarity Pool shall be operational 24 hours a day, seven days a week.	
Article 35(3a)				
342a			**3a. The Commission shall develop and manage a secure and cyber-resilient digital platform for the Solidarity Pool (the 'Platform'), to enable communication and sharing of information between the**	

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			Commission and the Member States' National Coordinators for Military Transport. Access to the Platform and the information contained therein shall be only on a need-to-know basis and granted only to authorised personnel of competent authorities. The Platform, including data storage, shall be located within the territory of the European Union and shall be subject to the applicable Union legislation. Fallback procedures shall be developed in the case of a temporary failure of the Platform.	
Article 35(4)				
343	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.	4. Member States may ~~*voluntarily*~~ register their own capabilities in the Solidarity Pool. ***It must be ensured that passenger services operating under Public Service Obligations (PSOs) are not adversely affected, and that no distortions of competition arise between market participants.*** Capabilities that have been ***newly*** acquired or contracted by Member States ~~*with the*~~***through dedicated EU programmes aimed at*** financing ~~*support of any Union*~~	4. Member States may voluntarily register **through** their ~~own~~**National Coordinator for Military Transport their dual-use transport and logistic** 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~~**, taking into account the non-binding guidelines referred to in paragraph 1**.	

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		~~*funding*~~***dual-use capabilities*** shall be registered in the Solidarity Pool. AM 202		
Article 35(4a)				
343a		***4a. Railway vehicles which have been identified as suitable for use as part of a military transport in accordance with Article 36, and whose parameters are recorded in the European Vehicle Register referred to in Article 47(5) of Directive (EU) 2016/797 pursuant to Article 37 paragraph 2 of this Regulation, shall be registered in the Solidarity Pool.*** AM 203		
Article 35(5)				
344	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.	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.	5. The registration of ~~multinational~~**dual-use transport and logistic** capabilities ~~provided~~**owned** by two or more Member States shall be undertaken jointly by all the Member States concerned ~~or by any relevant entity.~~**.**	
Article 35(6)				
345	6. Subject to the availability of Union funding, Union	6. Subject to the availability of Union funding, Union	~~6. Subject to the availability of Union funding, Union~~	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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.	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.	~~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.~~	
Article 35(7)				
346	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.	7. The capabilities registered in the Solidarity Pool by Member States or the Union, or both, ***or by parties to the North Atlantic Treaty that are not Member States or by close partners***, may comprise their own capabilities and those obtained through service contracts with commercial operators, where such contracts permit it. AM 204	7. The capabilities **voluntarily** 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.	
Article 35(7a)				
346a			**7a. Dual-use transport and logistic capabilities may be made available by the Union through service contracts with commercial operators, to complement Member States' registered capabilities, pending the availability of Union funding.**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			Such contracted services shall be registered in the Solidarity Pool.	
Article 35(8)				
347	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.	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. ***The Commission shall establish a dynamic availability registry to differentiate registered capabilities based on their readiness status***. 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. ***Where applicable, the transport operator or infrastructure manager owning or operating the capability shall be involved.*** AM 205	8. Capabilities registered in the Solidarity Pool shall be **made** available~~ for support~~ following a request made by a ~~requesting~~ Member ~~States~~**State** to the Commission unless such capabilities are already used to support another request **or its own needs**. 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.	
Article 35(8a)				
347a		***8a. When the requesting Member State also requests***		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		assistance under the Union Civil Protection Mechanism, the request shall automatically be forwarded by the Commission to the Emergency Response Coordination Centre referred to in Regulation (EU) …/…[the Regulation contained in document 2025/0223(COD) (Union Civil Protection Mechanism)]. The Commission and the Emergency Response Coordination Centre shall coordinate to process the request and to allocate the needed transport and logistic capabilities to the requesting Member States. AM 806		
Article 35(9)				
348	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.	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.	*deleted* *Copy Delete: row 348*	
Article 35(10)				
349	*10.* Member State's	10. Member State's	10. **The decision on the**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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.	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.	**deployment of a** Member State's ~~capabilities~~**dual-use transport and logistic capability** registered in the Solidarity Pool ~~may be excluded from support where that~~**shall rest with the** Member State ~~is confronted with an exceptional situation requiring the use of those capabilities. Where~~**that has registered it. In case** a Member State ~~invokes such an exceptional situation~~**opposes the deployment of one of its registered capabilities**, it shall inform ~~and provide explanations to~~ the Commission **accordingly**, as early as possible.	
Article 35(10), first subparagraph				
349a	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. Reference text		~~9.~~ When not ~~being used or needed for planned support,~~**deployed, registered dual-use transport and logistic** capabilities ~~registered under the Solidarity Pool~~ may be used for national **or other** 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~~. Copy Delete: row 348	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 35(11)				
350	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.	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.	11. Member State's capabilities registered in the Solidarity Pool which are deployed for support shall remain **national assets and** 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~~**informing** the requesting Member State for which the capabilities were deployed **immediately and the Commission as early as possible**.	
Article 35(12)				
351	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.	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 ***with priority for military mobility corridors and based on results of regular stress tests and changed security situation, particularly along external EU borders, may review their placement***. The requesting	*deleted*	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		Member State for which Union capabilities are deployed shall be responsible for directing support operations. AM 207		
Article 35(13)				
352	*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.	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. ***Member States and the Commission shall ensure the safe, secure and protected operation of the Solidarity Pool.*** AM 208	13. **Dual-use transport and logistic** capabilities registered under the Solidarity Pool may be pre-positioned **with the agreement of the Member State which registered these capabilities**. When capabilities are pre-positioned, they ~~shall~~**may** be located in facilities that apply, where relevant, the basic protection measures referred to in Article 34.	
Article 35(14)				
353	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.	14. The maintenance and deployment costs of Member States' ***own*** capabilities shall be borne by the registering Member State***, and those capabilities acquired or contracted by Member States with the financing support of any Union funding shall be borne by the EU budget,*** unless provided otherwise in the implementing act referred to in	14. The maintenance and deployment costs of Member States' capabilities shall be borne by the ~~registering~~**requesting** Member State unless provided otherwise in the implementing act referred to in paragraph 15.	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		paragraph 15. AM 209		
Article 35(14a)				
353a			**14a. The Solidarity Pool shall operate separately from other existing mechanisms, such as the Union Civil Protection Mechanism.**	
Article 35(14a)				
353b		***14a. Member States shall ensure that civilian operators included in the Solidarity Pool are subject to clearly defined contractual frameworks, including applicable contractual rights and obligations and operational conditions, specifying liability regimes, insurance requirements, employment conditions and compensation arrangements.*** AM 210		
Article 35(15), first subparagraph				
354	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:	15. ~~*Subject to the availability of Union funding,*~~***No later than 6 months from the date of entry into force of this Regulation*** the Commission ~~*may*~~***shall*** adopt an implementing act putting into	15. ~~Subject to the availability of Union funding,~~ The Commission ~~may~~**shall** adopt an implementing act putting into operation the Solidarity Pool **and its platform, pending the**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		operation the Solidarity Pool. That implementing act shall ~~*also*~~ set out: AM 211	**availability of Union funding**. That implementing act shall also set out:	
Article 35(15), first subparagraph, point (a)				
355	(a) the procedures to be followed to process requests by Member States for capabilities under the Solidarity Pool;	(a) the procedures to be followed to process requests by Member States for capabilities under the Solidarity Pool, ***including a secure digital platform for exchange of information and allocation procedures, in compliance with security and confidentiality requirements***; AM 212	(a) the procedures to be followed to **register and** process requests by Member States for **dual-use transport and logistic** capabilities under the Solidarity Pool**, including the respective roles of EU institutions, bodies and agencies involved**;	
Article 35(15), first subparagraph, point (b)				
356	(b) additional specifications under which the costs listed in paragraph 14 may be financed;	(b) additional specifications under which the costs listed in paragraph 14 may be financed;	(b) ~~additional specifications under which the~~**modalities for deployment and maintenance** costs ~~listed in paragraph 14 may be financed~~**of capabilities, including, but not limited to, personnel, insurance coverage, compensation and the overall liability regime**;	
Article 35(15), first subparagraph, point (c)				
357	(c) additional specifications under which the cost related to the pre-positioning of the capabilities may be financed;	(c) additional specifications under which the cost related to the pre-positioning of the capabilities may be financed;	(c) additional specifications under which the cost related to the pre-positioning of the **dual-use transport and logistic** capabilities	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			~~may~~**shall** be financed;	
Article 35(15), first subparagraph, point (ca)				
357a			**(ca) additional specifications for the secure and cyber-resilient digital platform of the Solidarity Pool;**	
Article 35(15), first subparagraph, point (d)				
358	(d) additional specifications under which the training, reskilling and upskilling costs of personnel operating the capabilities registered under the Solidarity Pool 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;	(d) additional specifications under which the training, reskilling and upskilling costs of personnel operating the **dual-use transport and logistic** capabilities registered under the Solidarity Pool may be financed;	
Article 35(15), first subparagraph, point (e)				
359	(e) any additional rules on the functioning of the Solidarity Pool, where necessary;	(e) any additional rules on the functioning of the Solidarity Pool, where necessary;	(e) any additional rules on the functioning of the Solidarity Pool, **including operational arrangements,** where necessary;	
Article 35(15), second subparagraph				
360	This implementing act may set out:	This implementing act may set out:	This implementing act may **also** set out~~:~~ **the conditions under which a credit-based system may be established as a form of non-financial exchange mechanism for dual-use capabilities registered in the Solidarity Pool.**	
Article 35(15), third subparagraph				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
360a			**This implementing act shall be adopted in accordance with the examination procedure referred to in Article 45(4).**	
Article 35(15), second subparagraph a, point (a)				
361	(a) the conditions under which the maintenance and deployment costs of member State capabilities are to be allocated;	(a) the conditions under which the maintenance and deployment costs of member State capabilities are to be allocated;	*deleted*	
Article 35(15), second subparagraph a, point (b)				
362	*(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.	(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.	*deleted*	
Article 36				
363	Article 36 Access to vehicle registries for potential use in military transport	Article 36 Access to vehicle registries for potential use in military transport	~~Article 36~~ *deleted*	
Article 36(1)				
364	*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	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	*deleted*	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	vehicles.	vehicles.		
Article 36(2)				
365	*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.	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.	*deleted*	
Article 36(3)				
366	*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.	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.	*deleted*	
Article 36(4)				
367	*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.	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. ***Such access shall be***	*deleted*	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		provided on an ad hoc, case-by-case basis subject to confidentiality safeguards and shall not entail permanent or direct technical access of the Commission to national registries. AM 213		
Article 36(4a)				
367a		***4a. During the period of activation of EMERS, the members of the Military Mobility Transport Group shall be granted access to the registers specified under paragraphs 1 to 3, with a view to identifying dual-use vehicles, vessels or aircraft available for military mobility purposes. Such access shall be provided on an ad hoc, case-by-case basis subject to confidentiality safeguards and shall not entail permanent or direct technical access of the Military Mobility Transport Group to national registries.*** AM 214		
Article 37				
368	Article 37 Identification of railway vehicles for potential use in military	Article 37 Identification of railway vehicles for potential use in military	Article 37 Identification of railway vehicles for potential use in military	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	transport	transport	transport	
Article 37(1), first subparagraph				
369	1. The Commission may adopt implementing acts in order to:	1. ***No later than 6 months from the date of entry into force of this Regulation,*** the Commission ~~*may*~~***shall*** adopt implementing acts in order to: AM 215	1. The Commission ~~may~~**shall** adopt implementing acts in order to:	
Article 37(1), first subparagraph, point (a)				
370	(a) identify categories of railway vehicles most suitable for use as part of a military transport;	(a) identify categories of railway vehicles most suitable for use as part of a military transport;	(a) identify categories of railway vehicles most suitable for use as part of a military transport;	
Article 37(1), first subparagraph, point (b)				
371	(b) 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;	(b) 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;	(b) where available, and after consulting the European Union Agency for Railways**, national safety authorities and relevant stakeholders**, 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;	
Article 37(1), first subparagraph, point (c)				
372	(c) for railway vehicles already authorised pursuant to Article 21 of Directive (EU)	(c) for railway vehicles already authorised pursuant to Article 21 of Directive (EU)	(c) for railway vehicles already authorised pursuant to Article 21 of Directive (EU)	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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:	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:	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:	
Article 37(1), first subparagraph, point (c)(1)				
373	(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;	(1) railway undertakings and vehicle keepers ~~are~~***have*** 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; AM 216	(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;	
Article 37(1), first subparagraph, point (c)(2)				
374	(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.	(2) manufacturers of railway equipment ~~are~~***have*** 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. AM 217	(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.	
Article 37(1), second subparagraph				
375	Those implementing acts shall be adopted in accordance with the	Those implementing acts shall be adopted in accordance with the	Those implementing acts shall be adopted in accordance with the	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	examination procedure referred to in Article 45(4).	examination procedure referred to in Article 45(4).	examination procedure referred to in Article 45(4).	
Article 37(2)				
376	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.	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. AM 218	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				
377	Article 38 Establishment of a temporary control or right of use framework for military transport	Article 38 Establishment of a temporary control or right of use framework for military transport	~~Article 38~~ *deleted*	
Article 38(1)				
378	*1.* By [1 year following the entry into force of this Regulation],	1. ~~*By [*~~***As soon as possible, but no later than*** 1 year following	*deleted*	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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.	the entry into force of this Regulation~~1~~, 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. ***Member States shall consult with relevant stakeholders when developing or updating this framework.*** AM 219		
Article 38(1), first subparagraph				
378a			*deleted*	
Article 38(2)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
379	*2.* Member States shall ensure that their framework referred to in paragraph 1 complies with the following minimum requirements:	2. Member States shall ensure that their framework referred to in paragraph 1 complies with the following minimum requirements:	*deleted*	
Article 38(2), point (a)				
380	*(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;	(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;	*deleted*	
Article 38(2), point (b)				
381	*(b)* entails a compensation mechanism to compensate owners, operators and managers of the infrastructure, assets or equipment concerned for expenses incurred and damages suffered;	(b) entails a compensation mechanism to compensate owners, operators and managers of the infrastructure, assets or equipment concerned for expenses incurred, ***missed revenues directly caused by a binding order referred to in paragraph 1*** and damages suffered; AM 220	*deleted*	
Article 38(2), point (c)				
382	*(c)* includes transparent and non-discriminatory rules and	(c) includes transparent and non-discriminatory rules and	*deleted*	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	procedures related to such temporary control and right of use, and that measures taken pursuant to such rules and procedures are in place.	procedures related to such temporary control and right of use, and that measures taken pursuant to such rules and procedures are in place.		
Article 38(3)				
383	*3.* Member States shall ensure that any measures adopted under their framework referred to in paragraph 1 are strictly necessary and proportionate.	3. ***In order to minimise the impact of those measures on civil transport and economic activities, the*** Member States shall ensure that any measures adopted under their framework referred to in paragraph 1 are strictly necessary and proportionate. AM 221	*deleted*	
Article 39				
384	Article 39 Framework contracts with dual-use transport service providers	Article 39 Framework contracts with dual-use transport service providers	Article 39 Framework ~~contracts~~**agreements** with dual-use transport service providers	
Article 39(1)				
385	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	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	1. **In accordance with Directive 2009/81/EC and Directive 2014/24/EC,** Member States may conclude framework ~~contracts~~**agreements** with dual-use transport service providers for ensuring the availability of transport capabilities for military	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	supplies.	supplies. ***This process may include an active role of the National Coordinator for Cross-Border Military Transport of each Member State.*** AM 222	transport operations, including the rapid deployment of personnel, equipment, and supplies.	
Article 39(2)				
386	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:	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:	2. The framework ~~contracts~~**agreements** referred to in paragraph 1 that are concluded~~, renewed or substantially modified~~ after the entry into force of this Regulation shall:	
Article 39(2), point (a)				
387	(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;	(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;	(a) be designed to allow other Member States to join as contracting parties **upon the agreement of the national authorities that concluded the framework agreement**, and shall provide for the possibility ~~to be amended~~ to accommodate additional participants without compromising the primary objective of supporting military transport;	
Article 39(2), point (b)				
388	(b) entail an obligation for the transport service providers to	(b) entail an obligation for the transport service providers to	(b) entail an obligation for the transport service providers to	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	disclose any potential double-booking of transport capability to all participating Member States, prior to accepting conflicting orders.	disclose any potential double-booking of transport capability to all participating Member States, prior to accepting conflicting orders.	disclose any potential double-booking of transport capability to all ~~participating~~**concerned** Member States, prior to accepting conflicting orders**, in accordance with Article 50**.	
Article 39(3)				
389	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.	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.	3. Member States and the transport service providers referred to in paragraph 2, point (b), shall ~~implement~~**establish** procedures ~~to resolve~~**for resolving** transport capability allocation disputes, ensuring that military transport priorities are met without undue delay.	
Chapter V				
390	Chapter V Horizontal provisions	Chapter V Horizontal provisions	Chapter V Horizontal provisions	
Article 40				
391	Article 40 National Coordinator for Cross-Border Military Transport	Article 40 National Coordinator for Cross-Border Military Transport	Article 40 National Coordinator for ~~Cross-Border~~ Military Transport	
Article 40(1)				
392	1. By [six months following the entry into force of this Regulation], each Member State shall designate a National Coordinator for Cross-Border	1. ~~*By [six*~~***As soon as possible but no later than [three*** months following the entry into force of this Regulation], each Member State shall designate a National	1. By ~~[six~~**nine** months following the entry into force of this Regulation~~]~~, each Member State shall designate a National Coordinator for ~~Cross-Border~~	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Military Transport with permanent availability, to ensure coordination and effective communication on cross-border military transport.	Coordinator for Cross-Border Military Transport with permanent availability, to ensure coordination and effective communication on cross-border military transport, ***particularly by communicating its contact details to the Military Mobility Transport Group*** AM 223	Military Transport**, an entity** with permanent availability, to ensure coordination and effective communication on cross-border military transport.	
Article 40(2)				
393	2. Member States shall ensure that their respective National Coordinator for Cross-Border Military Transport:	2. Member States shall ensure that their respective National Coordinator for Cross-Border Military Transport:	2. Member States shall ensure that their respective National Coordinator for ~~Cross-Border~~ Military Transport:	
Article 40(2), point (-a)				
393a		***(-a) have the appropriate resources to carry out its tasks*** AM 224		
Article 40(2), point (a)				
394	(a) receives and sends military transport permission requests and notifications as referred to in Article 8(3) and Article 20(2);	(a) receives and sends military transport permission requests and notifications as referred to in Article 8(3) and Article 20(2);	(a) receives and sends military transport permission requests and notifications as referred to in ~~Article 8(3) and Article 20(2)~~**Articles 8 and 20, as well as notifications to revoke and suspend military transport permissions as referred to in Articles 5 and 6**;	
Article 40(2), point (aa)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
394a			**(aa) coordinates traffic arrangements and transport host-nation support;**	
Article 40(2), point (ab)				
394b			**(ab) issues certificates for civilian operators and for military transport operations during the period of activation of EMMERS as referred to in Articles 8a and 20a;**	
Article 40(2), point (b)				
395	(b) has the necessary expertise and resources to be able to provide advice and support for all customs formalities;	(b) has the necessary expertise and resources to be able to provide advice and support for all customs formalities;	(b) has the necessary expertise and resources to be able to provide advice and support ~~for all~~**to military transport operators regarding** customs formalities**, in support and in coordination with the competent customs authorities**;	
Article 40(2), point (c)				
396	(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;	(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;	(c) receives and replies to requests for priority access submitted during a period of activation of ~~EMERS~~**EMMERS** and facilitates the necessary procedures, in accordance with Article 21;	
Article 40(2), point (d)				
397	(d) is able to coordinate all	(d) is able to coordinate all	(d) ~~is able to~~	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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.	relevant national, regional, and local level actors involved in military transport operations, in order to ensure***, as soon as possible,*** 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. AM 225	~~coordinate~~**ensures coordination with** all relevant **actors, at** 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~~**EMMERS as** referred to in Article ~~42.~~**19;**	
Article 40(2), point (da)				
397a			**(da) decides on deconflictions and prioritisations between national and requesting Member State's military transport operations on its territory, in coordination with the National Coordinators for Military Transport of the requesting Member States;**	
Article 40(2), point (da)				
397b		***(da) have the authority to issue binding operational instructions, including with immediate effect, to civilian entities, infrastructure managers and national civil protection authorities during the activation of EMERS. Such***		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		instructions shall be implemented without delay and any available remedies shall not have suspensive effect. AM 226		
Article 40(2), point (db)				
397c			**(db) facilitates the coordination between infrastructure managers in case of transit through several Member States by train, as referred to in Article 7;**	
Article 40(2), point (dc)				
397d			**(dc) informs other potentially affected Member States of any incidents in relation to SDI, as referred to in Article 34;**	
Article 40(2), point (dd)				
397e			**(dd) registers the dual-use capabilities in the Solidarity Pool and coordinates with the Commission and other Member States in accordance with Article 35.**	
Article 40(2), point (de)				
397f			**(de) coordinates the Military Transport Readiness Check referred to in Article 42;**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 40(2), point (df)				
397g			**(df) collaborates with the Commission for the conduct of the stress tests referred to in Article 43.**	
Article 40(2a)				
397h			**2a. The National Coordinator for Military Transport shall ensure that its staff has a personnel security clearance at the appropriate security classification level prior to accessing any EUCI at level CONFIDENTIEL UE/EU CONFIDENTIAL or above, or the national equivalent level.**	
Article 40(2a)				
397i		***2a. The National Coordinator for Cross-Border Military Transport shall cooperate, where relevant, with the competent authorities and operators responsible for energy and fuel infrastructure in order to ensure that prioritised refuelling and recharging under this Regulation, including during EMERS, is feasible, safe and consistent with national market and security regimes.***		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		AM 227		
Article 40(2b)				
397j			**2b. A network of National Coordinators for Military Transport shall be established, in order to communicate, plan and organise scheduled and ongoing cross-border military transport operations, as well as to share best practices. It shall also facilitate and coordinate the determination of pre-planned traffic arrangements and pre-defined routes for military transport.**	
Article 40(2b)				
397k		***2b. Where EMERS is activated, a timely and coordinated public communication shall be ensured by the Commission and Member States on its activation and expected impact on civilian transport.*** AM 228		
Article 40(2c)				
397l		***2c. The National Coordinator shall define work organisation, training and safety requirements***		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		necessary for the implementation of this Regulation, as well as to ensure that the measures necessary to implement this Regulation at national level remain proportionate. AM 229		
Article 41				
398	Article 41 Military Mobility Transport Group	Article 41 Military Mobility Transport Group	Article 41 Military Mobility Transport Group	
Article 41(1)				
399	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.	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 ***and, where appropriate, with NATO*** on issues relating to this Regulation***, without prejudice to national command and control***. AM 230	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 **and to ensure exchange and coordination with other relevant organisations and bodies, including EEAS, including EUMS, and EDA**.	
Article 41(2)				
400	2. The specific tasks of the Military Mobility Transport Group shall be the following:	2. The specific tasks of the Military Mobility Transport Group shall be the following:	2. The specific tasks of the Military Mobility Transport Group shall be the following:	
Article 41(2), point (a)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
401	(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;	(a) to promote discussions ~~and~~, dialogue~~–~~ ***and coordination*** between Member States***, and, where appropriate, with NATO and parties to the North Atlantic Treaty that are not 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; AM 231	(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;	
Article 41(2), point (b)				
402	(b) to facilitate the use of pre-planned traffic arrangements and pre-defined routes for the purpose of military transport operations;	(b) to facilitate the use of pre-planned traffic arrangements and pre-defined routes for the purpose of military transport operations;	*deleted*	
Article 41(2), point (ba)				
402a			**(ba) to provide advice to the Commission prior to the activation of EMMERS, in accordance with Article 19(2);**	
Article 41(2), point (c)				
403	(c) to advise on basic and enhanced protection measures referred to in Article 34(4) and Article 24, respectively;	(c) to advise on basic and enhanced protection measures referred to in Article 34(4) and Article 24, respectively;	(c) to advise on ~~basic and enhanced~~**the identification of a set of** protection measures **for owners, operators and managers of SDI, with a view to the preparation of**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			non-binding guidelines by the Commission, as referred to in Article ~~34(4) and Article 24, respectively~~**34**;	
Article 41(2), point (d)				
404	(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;	(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;	(d) to ~~facilitate the identification and pre-positioning of key~~**advise the Commission for the adoption of non-binding guidelines on the key dual-use** transport and logistic capabilities **required** for the Solidarity Pool ~~to address the Union's gaps in this area, where a Solidarity Pool is operationalised~~ in accordance with Article 35;	
Article 41(2), point (da)				
404a			**(da) to identify specific dual-use capabilities registered in the Solidarity Pool that are urgently needed to support certain Member States during the period of activation of EMMERS, as referred to in Article 25;**	
Article 41(2), point (e)				
405	(e) to facilitate joint procurement by Member States of transport and logistic capabilities for military transport;	(e) to facilitate joint procurement by Member States of transport and logistic capabilities for military transport;	(e) to ~~facilitate~~**exchange views on needs related to** joint procurement by Member States of transport and logistic capabilities for military transport;	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 41(2), point (f)				
406	(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;	(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;	(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, **including lessons learned and best practices,** where appropriate;	
Article 41(2), point (g)				
407	(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;	(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;	(g) to ~~advise on the technical specifications and modules for~~**assess the functioning of** the Military Mobility Digital Information System, ~~where~~**once it is** established in accordance with Article 14~~, taking due account of applicable Union customs legislation;~~**.**	
Article 41(2), point (h)				
408	(h) to be consulted on the list of strategic dual-use infrastructure referred to in Article 33(3).	(h) to be consulted on the list of strategic dual-use infrastructure referred to in Article 33(3).	~~(h) to be consulted on the list of strategic dual-use infrastructure referred to in Article 33(3).~~	
Article 41(2), point (ha)				
408a		***(ha) to identify gaps in traffic arrangements and to prepare alternative plans and measures to safeguard military transport operations in situations of degraded capabilities;***		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		AM 232		
Article 41(2), point (hb)				
408b		***(hb) to provide advice on the deployment of military counter-mobility assets and infrastructure.*** AM 233		
Article 41(3)				
409	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.	3. The Military Mobility Transport Group shall be composed of ***the National Coordinator for Cross-Border Military Transport of each Member State,*** representatives of the Commission, the EEAS, including the European Union Military Staff, the European Defence Agency, and the ~~*Member States*~~***European Climate, Infrastructure and Environment Executive Agency***. Each Member State's ~~*representatives*~~***National Coordinator*** 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	3. The Military Mobility Transport Group shall be composed of representatives of the **Member States, the** Commission, the EEAS, including ~~the European Union Military Staff,~~**EUMS, and** the European Defence Agency~~ and the Member States~~. Each Member State's representatives shall ~~be able to represent their respective governments' position~~**ensure appropriate cross-governmental representation**. Where relevant for customs formalities, Member States' customs authorities and the European Union Customs Authority shall also be invited to participate. The ~~Commission~~**Military Mobility Transport Group** shall ~~chair~~**be chaired by a representative of the Member State holding the rotating presidency of the**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		Military Mobility Transport Group and ensure its secretariat. AM 234	**Council. The secretariat of** the Military Mobility Transport Group ~~and ensure its secretariats~~**hall be ensured by the Commission. Only Member States shall have voting rights.**	
Article 41(4)				
410	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.	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*~~***a representative of NATO and representatives of the parties to the North Atlantic Treaty which are not Member States, close partners*** and countries of ***the*** European Economic Area to attend meetings as observers. ***EFTA states that are party to the Agreement on the European Economic Area shall have the right to become members of the Military Mobility Transport Group in accordance with the modalities of participation set out under that agreement*** AM 235	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, **other organisations and bodies, including NATO, as well as** Ukraine, Moldova and countries of European Economic Area**,** to attend meetings as observers.	
Article 41(4a)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
410a		***4a. When discussions held within the Military Mobility Transport Group concern matters directly affecting the participation of civilian operators in military transport operations, their representatives, including workers and employers, may be invited as observers on an ad hoc basis.*** AM 236		
Article 41(5)				
411	5. The Commission shall ensure transparency by providing members of the Military Mobility Transport Group equal access to information.	5. The Commission shall ensure transparency by providing members of the Military Mobility Transport Group equal access to information.	5. The Commission shall ensure transparency by providing members of the Military Mobility Transport Group equal access to information.	
Article 41(6)				
412	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.	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.	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 **at its first meeting,** on the basis of a proposal submitted by the Commission.	
Article 41(7)				
413	7. The Military Mobility Transport Group may issue	7. The Military Mobility Transport Group may issue	7. The Military Mobility Transport Group may issue	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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.	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.	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 41(7a)				
413a		***7a. The Military Mobility Transport Group may use the Military Mobility Digital Information System which can be supported by spatial data and spatial data services, as defined in Directive 2007/2/EC, and road, traffic and travel data as defined in Directive 2023/2661.*** AM 237		
Article 42				
414	Article 42 Military Transport Readiness Check	Article 42 Military Transport Readiness Check	Article 42 Military Transport Readiness Check	
Article 42(1)				
415	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	1. Member States***, where appropriate in cooperation with all relevant stakeholders,*** shall conduct a Military Transport Readiness Check once a year to assess their preparedness to	1. **Following the appointment of the National Coordinator for Military Transport,** Member States shall conduct a Military Transport Readiness Check **at least** once a	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Check shall be comprised of information on all of the following:	execute military transports. The Military Transport Readiness Check shall be comprised of information on all of the following: AM 238	year to assess their preparedness to execute military transports. The Military Transport Readiness Check shall be comprised of information on all of the following:	
Article 42(1), point (a)				
416	(a) the necessary measures taken at national level to ensure the implementation of EMERS;	(a) the necessary measures taken at national level to ensure the implementation of EMERS;	(a) the necessary measures taken at national level to ensure the implementation of ~~EMERS~~**EMMERS**;	
Article 42(1), point (b)				
417	(b) the measures taken at national level to ensure the whole-of-government approach when dealing with military transport;	(b) the measures taken at national level to ensure the whole-of-government approach ***and adequate public-private cooperation*** when dealing with military transport; AM 239	(b) the measures taken at national level to ensure the whole-of-government approach when dealing with military transport;	
Article 42(1), point (c)				
418	(c) whether measures and necessary traffic arrangements for planned cross-border military transport operations have been taken;	(c) whether measures and necessary traffic arrangements for planned cross-border military transport operations have been taken;	(c) whether measures and necessary traffic arrangements for planned ~~cross-border~~ military transport operations have been taken;	
Article 42(1), point (d)				
419	(d) whether Host-Nation-Support measures to accommodate for planned cross-border military	(d) whether Host-Nation-Support measures to accommodate for planned cross-border military	(d) whether ~~Host-Nation-Support~~**transport host-nation-support** measures to accommodate	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	transport on their territory have been taken;	transport on their territory have been taken;	for planned cross-border military transport on their territory have been taken;	
Article 42(1), point (e)				
420	(e) whether military transport permission requests have been submitted to and received by other Member States in accordance with Articles 5 and 6;	(e) whether military transport permission requests have been submitted to and received by other Member States in accordance with Articles 5 and 6;	(e) whether **procedures for** military transport ~~permission requests have been submitted to and received by other Member States~~**permissions are complied with** in accordance with Articles 5 and 6;	
Article 42(1), point (f)				
421	(f) where a Solidarity Pool is operationalised in accordance with Article 35, whether support requests from the Solidarity Pool have been submitted.	(f) where a Solidarity Pool is operationalised in accordance with Article 35, whether support requests from the Solidarity Pool have been submitted.	(f) where a Solidarity Pool is operationalised in accordance with Article 35, whether support requests from the Solidarity Pool have been submitted.	
Article 42(1), point (fa)				
421a		***(fa) the availability of personnel trained for military transport, disaggregated between military and civilian, and in the case of the latter the numbers in personnel willing to undertake military transport, where available.*** AM 240		
Article 42(2)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
422	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.	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~~.~~ ***, including with NATO if appropriate, provided that appropriate confidentiality safeguards are in place*** AM 241	2. The National Coordinator for ~~Cross-Border~~ Military Transport of each Member State shall ~~share the results of their~~**coordinate the** Military Transport Readiness ~~Check~~**Checks and, where relevant, share their results** with the Military Mobility Transport Group **and the network of National Coordinators for Military Transport**.	
Article 43				
423	Article 43 Stress tests	Article 43 Stress tests	Article 43 Stress tests	
Article 43(1)				
424	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:	1. The Commission ~~*may*~~***shall*** conduct stress tests ***on a regular basis***, in collaboration with Member States and relevant Union bodies***, and, where relevant, NATO***, to test and evaluate the Union's preparedness to facilitate military transport. Such tests shall: AM 242	1. **Upon agreement by the concerned Member States,** the Commission may conduct stress tests, in collaboration with ~~Member States and~~**them, through the National Coordinators for Military Transport, and with** relevant Union bodies **and agencies, including EEAS, including EUMS, and EDA**, to test and evaluate the Union's preparedness to facilitate military transport. **Where appropriate, other relevant organisations and bodies may be invited to**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			participate. Such tests shall:	
Article 43(1), point (a)				
425	(a) prepare for the activation of EMERS;	(a) prepare for the activation of EMERS;	(a) prepare for the activation of ~~EMERS~~**EMMERS**;	
Article 43(1), point (aa)				
425a		***(aa) test the effectiveness of the protection measures referred to in Article 34 of this Regulation;*** AM 243		
Article 43(1), point (b)				
426	(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;	(b) test the effectiveness of the whole-of-government approach ***and public-private cooperation*** in implementing this Regulation's objectives, including the coordination and cooperation among relevant bodies, authorities and stakeholders***, notably private sector entities essential to military transport***; AM 244	(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;	
Article 43(1), point (ba)				
426a		***(ba) evaluate the preparedness of workers in the transport sector in order to address relevant training and up-skilling needed in various transport areas;***		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		AM 245		
Article 43(1), point (c)				
427	(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.	(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~~.~~ ***;***	(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.	
Article 43(1), point (ca)				
427a		***(ca) test preparedness for counter-mobility scenarios, including infrastructure denial, disruption or degradation, and their impact on military transport and civil-military coordination;*** AM 246		
Article 43(1), point (cb)				
427b		***(cb) test the operationality of the Military Mobility System.*** AM 247		
Article 43(2)				
428	2. Member States may request the Commission to conduct the stress tests referred to in paragraph 1.	2. Member States may request the Commission to conduct the stress tests referred to in paragraph 1.	2. Member States may request the Commission to conduct the stress tests referred to in paragraph 1.	
Article 43(3)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
429	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.	3. The Commission shall communicate the results of the stress tests conducted pursuant to this Article to participating Member States***, to*** ~~*and*~~ the Military Mobility Transport Group ***and to NATO***. AM 248	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. **Those results shall be classified as EU classified information.**	
Article 43(4)				
430	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.	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.	*deleted*	
Article 43(4a)				
430a		***4a. The Military Mobility Transport Group shall review lessons learned from NATO exercises and other relevant multinational exercises, including the Union's Integrated Resolve exercises, including on counter-mobility, cross-border coordination, administrative barriers, and the resilience of critical infrastructure, and propose concrete follow-up***		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		actions within one year of the exercise concerned. AM 249		
Article 43(4b)				
430b		***4b. The Commission shall encourage Member States to conduct stress tests with close partners in order to assess the effectivity of cross-border movement, in particular at the extremities of the military mobility corridors in the Union.*** AM 250		
Article 43(4c)				
430c		***4c. The Commission and Member States shall develop and routinely use advanced simulation and modelling tools, including multi-agent models, operational digital twins and scenario-based vignettes, to support EMERS planning, stress tests and Military Transport Readiness Checks. Results of digital simulations shall be used to inform infrastructure investments, operational procedures and contingency plans.*** AM 251		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 44				
431	Article 44 Exercise of the delegation	Article 44 Exercise of the delegation	~~Article 44~~ *deleted*	
Article 44(1)				
432	*1.* The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	*deleted*	
Article 44(2)				
433	*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].	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].	*deleted*	
Article 44(3)				
434	*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	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	*deleted*	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.		
Article 44(4)				
435	*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.	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.	*deleted*	
Article 44(5)				
436	*5.* As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	*deleted*	
Article 44(6)				
437	*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	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	*deleted*	

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	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.	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				
438	Article 45 Committee procedure	Article 45 Committee procedure	Article 45 Committee procedure	
Article 45(1)				
439	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	
Article 45(2)				
440	2. The European External Action Service shall be invited to assist in the committee.	2. The European External Action Service shall be invited to assist in the committee.	2. The European External Action Service shall be invited to assist in the committee.	
Article 45(3)				
441	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	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	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)**, the European Union Customs Authority** and the	

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	Agency shall be invited to provide their views and expertise to the committee as observers.	Agency shall be invited to provide their views and expertise to the committee as observers.	European Network and Information Security Agency ~~shall~~**may, where appropriate,** be invited to provide their views and expertise to the committee as observers.	
Article 45(4)				
442	4. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	4. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	4. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	
Article 45(4a)				
442a			**4a. Where the committee delivers no opinion, the Commission shall not adopt the draft implementing act and Article 5(4), third subparagraph, of Regulation (EU) No 182/2011 shall apply.**	
Chapter VI				
443	Chapter VI Amendments to other Union acts	Chapter VI Amendments to other Union acts	Chapter VI Amendments to other Union acts	
Article 46				
444	Article 46 Amendment to Regulation (EU) 2016/796	Article 46 Amendment to Regulation (EU) 2016/796	Article 46 Amendment to Regulation (EU) 2016/796	
Article 46, first paragraph				
445	Regulation (EU) 2016/796 is	Regulation (EU) 2016/796 is	Regulation (EU) 2016/796 is	

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	amended as follows:	amended as follows:	amended as follows:	
Article 46, first paragraph, point (1)				
446	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'.	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'.	1. In paragraph 3 of Article 1, the following point is added: '(d) preparedness of the Union rail system**, including to facilitate military transport, as** provided for in Regulation (EU) 202X/XXX'.	
Article 46, first paragraph, point (2)				
447	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.	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.	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~~**preparedness** of the Union rail system**, including its rapid repair response capacity**.	
Article 46, first paragraph, point (3)				
448	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	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	3. In paragraph 1 of Article 19, the following point is added: '(m) **Upon consultation of the national safety authorities and, where necessary, relevant stakeholders, including manufacturers and keepers of**	

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	of a military transport pursuant to Article 37 of Regulation (EU) 202X/XXX'	of a military transport pursuant to Article 37 of Regulation (EU) 202X/XXX'	**vehicles,**~~The agency shall~~ assist the Commission in establishing military mobility technical specifications for the identification of **railway** vehicles **most** suitable for use as part of a military transport pursuant to Article 37 of Regulation (EU) 202X/XXX'**.**	
Article 46, first paragraph, point (3a)				
448a			**3a. In Article 20, the following subparagraph is added: 'In case of a vehicle authorised by the Agency, it shall register the vehicle in the European vehicle register in accordance with Article 22 of Directive (EU) 2016/797'.**	
Article 46, first paragraph, point (4)				
449	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'.	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'.	4. In Article 20, the following subparagraph is added: '**In case of a vehicle authorised by** the Agency**, it** shall assign a European vehicle number (EVN) in accordance with Article 46(1) of Directive (EU) 2016/797'.	
Article 46, first paragraph, point (5)				
450	5. In paragraph 2 of Article 80, the following point is added: '(e) the registration of vehicles in the European vehicle register	5. In paragraph 2 of Article 80, the following point is added: '(e) the registration of vehicles in the European vehicle register	5. In paragraph 2 of Article 80, the following point is added: '(e) the registration of vehicles in the European vehicle register	

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	pursuant to Article 22 of Directive (EU) 2016/797'.	pursuant to Article 22 of Directive (EU) 2016/797'.	pursuant to Article 22 of Directive (EU) 2016/797'.	
Article 47				
451	Article 47 Amendments to Directive (EU) 2016/797	Article 47 Amendments to Directive (EU) 2016/797	Article 47 Amendments to Directive (EU) 2016/797	
Article 47, first paragraph				
452	Directive (EU) 2016/797 is amended as follows:	Directive (EU) 2016/797 is amended as follows:	Directive (EU) 2016/797 is amended as follows:	
Article 47, first paragraph, point (1)				
453	1. in Article 21, the following paragraph is added:	1. in Article 21, the following paragraph is added:	1. in Article 21, the following paragraph is added:	
Article 47, first paragraph, point (1), amending provision, numbered paragraph (18)				
454	‘ 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	‘ 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	‘ ~~18~~**8a**. In cases where the area of use is limited to one or more networks within a Member State, ~~Member States~~**national safety authorities** may agree with the Agency to delegate their ~~power~~**tasks** to authorise railway vehicles that **potentially** can be used for military ~~transports as defined in~~**transport in accordance with** 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	

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	Member State via the one-stop-shop established under Article 12 of Regulation (EU) 2016/796.; ,	Member State via the one-stop-shop established under Article 12 of Regulation (EU) 2016/796.; ,	Regulation (EU) 2016/796, and the Agency shall share the ~~delegations~~**delegation** it has received from ~~Member State~~**national safety authorities** via the one-stop-shop established under Article 12 of Regulation (EU) 2016/796.; ,	
Article 47, first paragraph, point (2)				
455	2. in Article 22, paragraph 3 is replaced by the following:	2. in Article 22, paragraph 3 is replaced by the following:	2. in Article 22, paragraph 3 is replaced by the following:	
Article 47, first paragraph, point (2a)				
455a				
Article 47, first paragraph, point (2a), amending provision, numbered paragraph (3)				
456	‘ 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. 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. When the area of use of the vehicle covers the territory of more than one Member State, it shall be registered either **by a competent authority** in one of the Member States concerned or by the Agency.; ,	
Article 47, first paragraph, point (3)				
457	3. in Article 46, paragraph 1 is replaced by the following:	3. in Article 46, paragraph 1 is replaced by the following:	3. in Article 46, paragraph 1 is replaced by the following:	

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Article 47, first paragraph, point (3), amending provision, numbered paragraph (1)				
458	‘ 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.. ,	‘ 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.- ,	‘ 1. Upon registration in accordance with Article 22, each vehicle shall be assigned a European vehicle number (EVN) by the competent authority **or the Agency**. Each vehicle shall be marked with an assigned EVN.. ,	
Article 47, first paragraph, point (3a)				
458a			**(3a) in Article 47, the following paragraph is added:**	
Article 47, first paragraph, point (3a), amending provision, first paragraph				
458b			‘ **8. The Agency shall establish strict security and access control protocols for the technical data of military vehicles identified in accordance with Article 37 of Regulation (EU) 202X/XXX, in accordance with Article 78 of Regulation (EU) 2016/796.** ,	
Article 48				
459	Article 48 Amendments to Regulation (EU)	Article 48 Amendments to Regulation (EU)	Article 48 Amendments to Regulation (EU)	

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	2024/2803	2024/2803	2024/2803	
Article 48, first paragraph				
460	Regulation (EU) 2024/2803 is amended as follows:	Regulation (EU) 2024/2803 is amended as follows:	Regulation (EU) 2024/2803 is amended as follows:	
Article 48, first paragraph, point (1)				
461	1. in Article 9(1), the following subparagraph is inserted after the first subparagraph:	1. in Article 9(1), the following subparagraph is inserted after the first subparagraph:	1. in Article 9(1), the following subparagraph is inserted after the first subparagraph:	
Article 48, first paragraph, point (1), amending provision, first paragraph				
462	‘ 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.; ,	‘ 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.; ,	‘ 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.; ,	
Article 48, first paragraph, point (2)				
463	2. in Article 11(6), the following subparagraphs are	2. in Article 11(6), the following subparagraphs are	2. in Article 11(6), the following subparagraphs are	

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	added:	added:	added:	
Article 48, first paragraph, point (2), amending provision, first paragraph				
464	‘ 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 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 **navigation and surveillance** services **(CNS), aeronautical information services (AIS), air traffic data services (ADS), meteorological services (MET) or air traffic services for aerodrome control for approach control** 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).	
Article 48, first paragraph, point (2), amending provision, second paragraph				
465	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	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	By way of derogation from this paragraph, a provider of communication **navigation and surveillance** services **(CNS), aeronautical information services (AIS), air traffic data services (ADS), meteorological services (MET) or air traffic services for aerodrome control for approach**	

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	with the conditions set out in points (b) and (c).. ’,	with the conditions set out in points (b) and (c).. ’,	**control** 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				
466	Article 49 Amendments to Regulation (EU) 2018/1139	Article 49 Amendments to Regulation (EU) 2018/1139	Article 49 Amendments to Regulation (EU) 2018/1139	
Article 49, first paragraph				
467	Regulation (EU) 2018/1139 is amended as follows:	Regulation (EU) 2018/1139 is amended as follows:	Regulation (EU) 2018/1139 is amended as follows:	
Article 49, first paragraph, point (1)				
468	1. in Article 3, the following point is added:	1. in Article 3, the following point is added:	1. in Article 3, the following point is added:	
Article 49, first paragraph, point (1), amending provision, numbered paragraph (35)				
469	‘ (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	‘ (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	‘ (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	

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	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.; ,	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.; ,	innovative~~, including dual-use,~~ products and services**, which may include dual-use solutions**, in a real-world environment, subject to predefined conditions and timelines, with the aim of fostering innovation ~~and~~**or** military ~~mobility~~**transport**, and under the supervision of a **national** competent authority **or the Agency**.; ,	
Article 49, first paragraph, point (2)				
470	2. in Article 71, paragraph 1 is replaced by the following:	2. in Article 71, paragraph 1 is replaced by the following:	2. in Article 71, paragraph 1 is replaced by the following:	
Article 49, first paragraph, point (2), amending provision, numbered paragraph (1), first subparagraph				
471	‘ 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:	‘ 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:	‘ 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:	
Article 49, first paragraph, point (2), amending provision, numbered paragraph (1), first subparagraph, point (a)				

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472	(a) in the event of urgent unforeseeable circumstances affecting those persons or urgent operational needs of those persons;	(a) in the event of urgent unforeseeable circumstances affecting those persons or urgent operational needs of those persons;	(a) in the event of urgent unforeseeable circumstances affecting those persons or urgent operational needs of those persons;	
Article 49, first paragraph, point (2), amending provision, numbered paragraph (1), first subparagraph, point (b)				
473	(b) when those requirements prevent the certification, use or operation of innovative technologies, products, equipment, systems, components, operational concepts or business models.'.	(b) when those requirements prevent the certification, use or operation of ***dual-use*** innovative technologies, products, equipment, systems, components, operational concepts or business models.'. AM 252	(b) when those requirements prevent the certification, use or operation of innovative technologies, products, equipment, systems, components, operational concepts**, services** or business models**, including, where appropriate, their testing within a temporary and controlled framework**.'.	
Article 49, first paragraph, point (2), amending provision, numbered paragraph (1), second subparagraph				
474	The exemptions referred to in the first subparagraph may be granted where all of the following conditions have been met:	The exemptions referred to in the first subparagraph may be granted where all of the following conditions have been met:	The exemptions referred to in the first subparagraph may be granted where all of the following conditions have been met:	
Article 49, first paragraph, point (2), amending provision, numbered paragraph (1), second subparagraph, point (a)				
475	(a) it is not possible to adequately address those circumstances or needs in compliance with the applicable requirements;	(a) it is not possible to adequately address those circumstances or needs in compliance with the applicable requirements;	(a) it is not possible to adequately address those circumstances or needs in compliance with the applicable requirements;	
Article 49, first paragraph, point (2), amending provision, numbered paragraph (1), second subparagraph, point (b)				
476	(b) safety, environmental protection and compliance with the	(b) safety, environmental protection and compliance with the	(b) safety, environmental protection and compliance with the	

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	applicable essential requirements are ensured, where necessary through the application of mitigation measures;	applicable essential requirements are ensured, where necessary through the application of mitigation measures;	applicable essential requirements are ensured, where necessary through the application of mitigation measures;	
Article 49, first paragraph, point (2), amending provision, numbered paragraph (1), second subparagraph, point (c)				
477	(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	(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	(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	
Article 49, first paragraph, point (2), amending provision, numbered paragraph (1), second subparagraph, point (d)				
478	(d) the exemption is limited in scope and duration to the extent strictly necessary and it is applied in a non-discriminatory manner.	(d) the exemption is limited in scope and duration to the extent strictly necessary and it is applied in a non-discriminatory manner.	(d) the exemption is limited in scope and duration to the extent strictly necessary and it is applied in a non-discriminatory manner.	
Article 49, first paragraph, point (2), amending provision, numbered paragraph (1), third subparagraph				
479	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.; ,	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.; ,	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.; ,	
Article 49, first paragraph, point (3)				

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480	3. in Article 74(1), second subparagraph, the following point is added:	3. in Article 74(1), second subparagraph, the following point is added:	3. in Article 74(1), second subparagraph, the following point is added:	
Article 49, first paragraph, point (3), amending provision, numbered paragraph (s)				
481	‘ (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.; ’	‘ (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.; ’	‘ (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.; ’	
Article 49, first paragraph, point (4)				
482	4. in Article 75(2) the following point is added:	4. in Article 75(2) the following point is added:	4. in Article 75(2) the following point is added:	
Article 49, first paragraph, point (4), amending provision, numbered paragraph (k)				
483	‘ (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.; ’	‘ (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.; ’	‘ (k) cooperate with national **competent authorities and** military authorities, relevant Union and international bodies to enable dual-use air transport solutions as well as their safe integration into civil air traffic.; ’	
Article 49, first paragraph, point (4a)				

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483a			**(4a) in Article 76(4), second subparagraph, is replaced by the following:**	
Article 49, first paragraph, point (4a), amending provision, first subparagraph				
483b			‘ **The Agency may grant exemptions to any legal or natural person for which it has been allocated responsibilities for the tasks related to certification, oversight and enforcement in accordance with Article 62(4) in the situations and subject to the conditions set out in Article 71(1).** ’	
Article 49, first paragraph, point (5)				
484	5. the following new Article 86a is inserted:	5. the following new Article 86a is inserted:	5. the following new Article 86a is inserted:	
Article 49, first paragraph, point (5), amending provision, first subparagraph				
485	‘ ‘Article 86a	‘ ‘Article 86a	‘ ‘Article 86a	
Article 49, first paragraph, point (5), amending provision, second subparagraph				
486	Regulatory sandboxes	Regulatory sandboxes	Regulatory sandboxes	
Article 49, first paragraph, point (5), amending provision, third subparagraph				

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487	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:	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:	~~1.~~ **1.** Regulatory sandboxes may be established by a Member State or the Agency, **where relevant with the agreement of the affected Member States,** at their own initiative or upon request from ~~an organisation~~**a legal or natural person**, to contribute to the following objectives:	
Article 49, first paragraph, point (5), amending provision, third subparagraph, point (a)				
488	(a) promoting innovation and competitiveness in the aviation sector;	(a) promoting innovation and competitiveness in the aviation sector;	(a) promoting innovation and competitiveness in the aviation sector;	
Article 49, first paragraph, point (5), amending provision, third subparagraph, point (aa)				
488a			**(aa) facilitating military transport;**	
Article 49, first paragraph, point (5), amending provision, third subparagraph, point (b)				
489	(b) enabling the timely and safe introduction of innovations into the Union aviation market;	(b) enabling the timely and safe introduction of innovations into the Union aviation market;	(b) enabling the timely and safe introduction of innovations into the Union aviation market;	
Article 49, first paragraph, point (5), amending provision, third subparagraph, point (c)				
490	(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	(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	(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	

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	and the development of performance-based requirements.	and the development of performance-based requirements.	and the development of performance-based requirements.	
Article 49, first paragraph, point (5), amending provision, fourth subparagraph				
491	2. A regulatory sandbox may be established when the following criteria are met:	2. A regulatory sandbox may be established when the following criteria are met:	~~2.~~ **2.** A regulatory sandbox may be established when the following criteria are met:	
Article 49, first paragraph, point (5), amending provision, fourth subparagraph, point (a)				
492	(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;	(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;	(a) the technologies, products, equipment, systems, components, operational concepts**, services** or business models to be tested represent a genuine ~~innovation~~**innovative solution** and are expected to deliver consumer or wider societal benefits;	
Article 49, first paragraph, point (5), amending provision, fourth subparagraph, point (b)				
493	(b) the innovation is sufficiently mature to be tested in a real-world controlled environment, and relevant legislative barriers or gaps have been identified;	(b) the innovation is sufficiently mature to be tested in a real-world controlled environment, and relevant legislative barriers or gaps have been identified;	(b) the innovation is sufficiently mature to be tested in a real-world controlled environment, and relevant legislative barriers or gaps have been identified;	
Article 49, first paragraph, point (5), amending provision, fourth subparagraph, point (c)				
494	(c) safety and environmental protection are ensured, and compliance with applicable essential requirements is achieved, where necessary through the application of mitigation measures.	(c) safety and environmental protection are ensured, and compliance with applicable essential requirements is achieved, where necessary through the application of mitigation measures.	(c) safety and environmental protection are ensured, and compliance with applicable essential requirements is achieved, where necessary through the application of mitigation measures**; where appropriate, the testing**	

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			may be accompanied by exemptions granted in accordance with Article 71(1)(b).	
Article 49, first paragraph, point (5), amending provision, fifth subparagraph				
495	3. A regulatory sandbox shall be subject to clearly set out:	3. A regulatory sandbox shall be subject to clearly set out:	~~3.~~ **3.** A regulatory sandbox shall ~~be subject to clearly~~ set out:	
Article 49, first paragraph, point (5), amending provision, fifth subparagraph, point (a)				
496	(a) objectives;	(a) objectives;	(a) objectives;	
Article 49, first paragraph, point (5), amending provision, fifth subparagraph, point (b)				
497	(b) scope and duration, which shall be limited to the extent strictly necessary to achieve the proposed objectives;	(b) scope and duration, which shall be limited to the extent strictly necessary to achieve the proposed objectives;	(b) scope and duration, which shall be limited to the extent strictly necessary to achieve the proposed objectives;	
Article 49, first paragraph, point (5), amending provision, fifth subparagraph, point (c)				
498	(c) governance structure, including the roles and responsibilities of all participating authorities and entities, which shall:	(c) governance structure, including the roles and responsibilities of all participating authorities and entities, which shall:	(c) governance structure, including the roles and responsibilities of all participating authorities and entities, which shall:	
Article 49, first paragraph, point (5), amending provision, fifth subparagraph, point (c)(i)				
499	(i) include the designation of a competent authority responsible for the supervisions and oversight of the sandbox;	(i) include the designation of a competent authority responsible for the supervisions and oversight of the sandbox;	(i) include the designation of a competent authority**, either a national competent authority involved in the sandbox or the Agency,** responsible for the ~~supervisions~~**supervision** and oversight of the sandbox;	
Article 49, first paragraph, point (5), amending provision, fifth subparagraph, point (c)(ii)				

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500	(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;	(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;	(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;	
Article 49, first paragraph, point (5), amending provision, fifth subparagraph, point (c)(iii)				
501	(iii) ensure that the Agency is involved, particularly in the development of the safety case and of the expected regulatory learning;	(iii) ensure that the Agency is involved, particularly in the development of the safety case and of the expected regulatory learning;	(iii) ensure that the Agency is involved, particularly in the development of the safety case and of the expected regulatory learning;	
Article 49, first paragraph, point (5), amending provision, fifth subparagraph, point (d)				
502	(d) monitoring and evaluation criteria;	(d) monitoring and evaluation criteria;	(d) monitoring and evaluation criteria;	
Article 49, first paragraph, point (5), amending provision, fifth subparagraph, point (e)				
503	(e) eligibility criteria and admission procedures, which are transparent and non-discriminatory;	(e) eligibility criteria and admission procedures, which are transparent and non-discriminatory;	(e) eligibility criteria and admission procedures, which are transparent and non-discriminatory;	
Article 49, first paragraph, point (5), amending provision, fifth subparagraph, point (f)				
504	(f) reporting obligations, which support an adequate follow-up of activities.	(f) reporting obligations, which support an adequate follow-up of activities.	(f) reporting obligations, which support an adequate follow-up of activities.	
Article 49, first paragraph, point (5), amending provision, sixth subparagraph				
505	4. An organisation applying for participation in a sandbox shall demonstrate that the technologies, products, equipment, systems,	4. An organisation applying for participation in a sandbox shall demonstrate that the technologies, products, equipment, systems,	~~4.~~ **4.** An organisation applying for participation in a sandbox shall demonstrate that the technologies, products, equipment,	

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	components, operational concepts or business models to be tested fulfil the criteria in paragraph 2. To do that, the organisation shall:	components, operational concepts or business models to be tested fulfil the criteria in paragraph 2. To do that, the organisation shall:	systems, components, operational concepts**, services** or business models to be tested fulfil the criteria in paragraph 2. To ~~do that~~**this end**, the organisation shall:	
Article 49, first paragraph, point (5), amending provision, sixth subparagraph, point (a)				
506	(a) specify the objectives of the innovative project or solution;	(a) specify the objectives of the innovative project or solution;	(a) specify the objectives of the innovative project or solution;	
Article 49, first paragraph, point (5), amending provision, sixth subparagraph, point (b)				
507	(b) identify the concrete regulatory barriers or gaps to be addressed;	(b) identify the concrete regulatory barriers or gaps to be addressed;	(b) identify the concrete regulatory barriers or gaps to be addressed;	
Article 49, first paragraph, point (5), amending provision, sixth subparagraph, point (c)				
508	(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.	(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.	(c) develop a safety case outlining the mitigation measures to be implemented **so as to provide an assurance for**~~to ensure an adequate level of~~ safety and environmental protection~~ and, as far as possible, compliance with the applicable essential requirements~~.	
Article 49, first paragraph, point (5), amending provision, seventh subparagraph				
509	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	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	~~5.~~ **5.** Upon receiving a request or application from an organisation, the Member State or the Agency shall**, within their respective roles and responsibilities,** assess whether the	

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	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.	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.	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.	
Article 49, first paragraph, point (5), amending provision, eighth subparagraph				
510	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.	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.	~~6.~~ **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.	
Article 49, first paragraph, point (5), amending provision, ninth subparagraph				
511	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	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	~~7.~~ **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	

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	Article 74.	Article 74.	Article 74.	
Article 49, first paragraph, point (5), amending provision, tenth subparagraph				
512	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.	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.	~~8.~~ **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 **and, where appropriate, include recommendations for regulatory adaptation and certification pathways**. 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.	
Article 49, first paragraph, point (5), amending provision, eleventh subparagraph				
513	9. Member States and the Agency shall coordinate their regulatory sandbox activities and exchange best practices.	9. Member States and the Agency shall coordinate their regulatory sandbox activities and exchange best practices.	~~9.~~ **9.** Member States and the Agency shall coordinate their regulatory sandbox activities and exchange best practices.	
Article 49, first paragraph, point (5), amending provision, twelfth subparagraph				
514	10. Organisations participating in a regulatory sandbox shall	10. Organisations participating in a regulatory sandbox shall	~~10.~~ **10.** Organisations participating in a regulatory	

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	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.	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.	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**, except in cases of gross negligence or wilful misconduct**, 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.	
Article 49, first paragraph, point (5), amending provision, thirteenth subparagraph				
515	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:	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:	~~11.~~ **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 **ensure that requirements and procedures applicable to regulatory sandboxes are proportionate to the size, risks and complexity of**	

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			the innovation concerned, and include, at a minimum, common principles and procedures**, to ensure consistency and harmonisation across Member States,** on the following issues:	
Article 49, first paragraph, point (5), amending provision, thirteenth subparagraph, point (a)				
516	(a) the eligibility and selection criteria for participation in regulatory sandboxes;	(a) the eligibility and selection criteria for participation in regulatory sandboxes;	(a) the eligibility and selection criteria for participation in regulatory sandboxes;	
Article 49, first paragraph, point (5), amending provision, thirteenth subparagraph, point (b)				
517	(b) the application, participation, monitoring, exiting from, and termination of regulatory sandboxes, including the sandbox plan and the joint report;	(b) the application, participation, monitoring, exiting from, and termination of regulatory sandboxes, including the sandbox plan and the joint report;	(b) the application, participation, monitoring, exiting from, and termination of regulatory sandboxes, including the sandbox plan and the joint report;	
Article 49, first paragraph, point (5), amending provision, thirteenth subparagraph, point (c)				
518	(c) the terms and conditions applicable to the participants.; ,	(c) the terms and conditions applicable to the participants.; ,	(c) the terms and conditions applicable to the participants.; ,	
Article 49, first paragraph, point (6)				
519	6. in Article 126(1), first subparagraph, the following point is added:	6. in Article 126(1), first subparagraph, the following point is added:	6. in Article 126(1), first subparagraph, the following point is added:	
Article 49, first paragraph, point (6), amending provision, numbered paragraph (d)				
520	‘ (d) the establishment,	‘ (d) the establishment,	‘ (d) the establishment,	

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	operation, and oversight of regulatory sandboxes referred to in Article 86a.. ,	operation, and oversight of regulatory sandboxes referred to in Article 86a.. ,	operation, and oversight of regulatory sandboxes referred to in Article 86a.. ,	
Chapter VII				
521	Chapter VII Final provisions	Chapter VII Final provisions	Chapter VII Final provisions	
Article 49a				
521a			**Article 49a** **Protection of classified information**	
Article 49a(1)				
521b			**1. The Commission shall protect EU classified information in accordance with the security rules set out in the Commission Decision (EU, Euratom) 2015/444. Each Member State shall ensure that it offers a degree of protection of EU classified information equivalent to security rules set out in Council Decision 2013/488/EU or, where applicable, the Agreement between the Member States of the European Union, meeting within the Council, regarding the protection of classified information exchanged**	

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			in the interests of the European Union.	
Article 49a(2)				
521c			**2. Any EU institution, agency or body that will have access to EU classified information under this Regulation shall protect it in accordance with its security rules, as well as basic principles and minimum standards that are equivalent to the Council Decision 2013/488/EU or Commission Decision (EU, Euratom) 2015/444.**	
Article 49a(3)				
521d			**3. Communication and information modules handling EU classified information used for the implementation of this Regulation shall be security accredited at the required security classification level by the Commission or a Security Accreditation Board in accordance with the Commission Decision (EU, Euratom) 2015/444.**	
Article 49a(4)				
521e			**4. Exchange of classified**	

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			information under this Regulation with third States or NATO is subject to the relevant security of information agreements that are in force and applicable.	
Article 49a(5)				
521f			**5. Contracts that contain EUCI or require access to it under this Regulation by civilian operators shall be in accordance with the provisions on industrial security in the Commission Decision (EU, Euratom) 2015/444.**	
Article 49a(6)				
521g			**6. National classified information provided by a Member State under this Regulation shall be protected by the Commission in accordance with the Commission Decision (EU, Euratom) 2015/444, by the Council in accordance with the Council Decision 2013/488/EU and by other Member States in accordance with the provisions of the 2011/C 202/05 Agreement between the Member States of the European Union, meeting within the Council, regarding the**	

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			protection of classified information exchanged in the interests of the European Union.	
Article 49a(7)				
521h			**7. Classified information provided under this Regulation shall not be downgraded or declassified without the prior written consent of the originator of that information.**	
Article 50				
522	Article 50 Confidentiality and security rules on the protection of the information received	Article 50 Confidentiality and security rules on the protection of the information received	Article 50 Confidentiality ~~and security rules on the protection of the~~**of** information~~ received~~	
Article 50(1)				
523	1. Information received as a result of the application of this Regulation shall be used only for the purpose for which it was requested.	1. Information received as a result of the application of this Regulation shall be used only for the purpose for which it was requested.	*deleted*	
Article 50(2)				
524	*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	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	2. Member States~~ and~~**,** the Commission **and other Union institutions, bodies and agencies** shall ensure the appropriate protection of trade and business secrets and other sensitive~~ and confidential~~ information acquired	

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	accordance with Union and national law.	accordance with Union and national law.	and generated in application of this Regulation in accordance with Union and national law.	
Article 50(3)				
525	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.	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.	3. The Commission **and other Union institutions, bodies and agencies** 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.	
Article 50(4)				
526	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.	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.	*deleted*	
Article 51				
527	Article 51 Personal data protection	Article 51 Personal data protection	Article 51 Personal data protection	
Article 51(1)				

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528	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.	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.	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 European Parliament and** of the ~~Commission and, where appropriate, other Union institutions, bodies, offices and agencies relating to their processing of personal data, in particular under Regulation~~**Council and Regulations (EU) 2016/679 and** (EU) 2018/1725~~, when fulfilling their responsibilities~~ **of the European Parliament and of the Council**.	
Article 51(2)				
529	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.	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.	*deleted*	

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Article 52				
530	Article 52 Evaluation	Article 52 Evaluation	Article 52 Evaluation	
Article 52, first paragraph				
531	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.	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~~***1 year from the date of*** entry into force of this Regulation]***to be followed by annual regular reports or, if the situation so requires, periodic ad hoc reports***. The evaluation report shall build on consultations of the Member States and key stakeholders~~.~~***covering at least the following elements:*** AM 253	The Commission shall evaluate and present to the European Parliament and the Council a report on the application of this Regulation by [~~3~~**three** years after the entry into force of this Regulation~~]~~**, and every five years thereafter**. The evaluation report shall build on consultations of the Member States and key stakeholders.	
Article 52, first paragraph a				
531a		***the implementation of the traffic arrangements concerning the military transport authorisation procedures provided for in Article 8;*** AM 253		
Article 52, first paragraph b				
531b		***where EMERS has been activated since the submission of the last***		

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		report, in accordance with the procedure set out in Article 19, the conditions that led to such activation and any potential extension thereof; AM 253		
Article 52, first paragraph c				
531c		***the enhanced protection measures taken by Member States concerning strategic dual-use infrastructure in accordance with Article 24, during the period of EMERS activation;*** AM 253		
Article 52, first paragraph d				
531d		***the implementation of paragraphs 3 and 4 of Article 32 of this Regulation;*** AM 253		
Article 52, first paragraph e				
531e		***the establishment, management of stocks, and use of the solidarity pool provided for in Article 35;*** AM 253		
Article 52, first paragraph f				
531f		***the results of the military transport readiness check carried***		

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		out by the Member States in accordance with Article 42 since the last report; AM 253		
Article 52, first paragraph g				
531g		***the results of the stress tests carried out pursuant to Article 43 since the last report;*** AM 253		
Article 52, first paragraph h				
531h		***difficulties encountered in the evaluation or implementation of the above-mentioned elements.*** AM 253		
Article 52, second paragraph				
531i		***The annual evaluation report shall be accompanied by recommendations on measures that can be taken to improve the implementation of this Regulation.*** AM 253		
Article 53				
532	Article 53 Entry into force	Article 53 Entry into force	Article 53 Entry into force	
Article 53, first paragraph				

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533	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 enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	
Article 53, second paragraph				
534	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	
Formula				
535	Done at Brussels,	Done at Brussels,	Done at Brussels,	
Formula				
536	For the European Parliament	For the European Parliament	For the European Parliament	
Formula				
537	The President	The President	The President	
Formula				
538	For the Council	For the Council	For the Council	
Formula				
539	The President	The President	The President	
Annex I				
540	Annex I	Annex I	*deleted*	
Annex I, first paragraph				
541	List of types of military transport	List of types of military transport		

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	operations covered by standing military transport permissions	operations covered by standing military transport permissions	*deleted*	
Annex I, point 1.				
542	*1.* Military transport operations by road, rail or inland waterways which have the following characteristics:	1. Military transport operations by road, rail or inland waterways which have the following characteristics:	*deleted*	
Annex I, point 1.(a)				
543	*(a)* they consist of up to 10 vehicles, 10 inland waterway vessels or one train	(a) they consist of up to ~~10~~***25*** vehicles, 10 inland waterway vessels or one train AM 254	*deleted*	
Annex I, point 1.(b)				
544	*(b)* they include personnel carrying governmental provided individual armament, as well as required ammunition for such armaments;	(b) they include personnel carrying governmental provided individual armament, as well as required ammunition for such armaments;	*deleted*	
Annex I, point 1.(c)				
545	*(c)* they cover transport of dangerous goods in accordance with Article 12;	(c) they cover transport of dangerous goods in accordance with Article 12;	*deleted*	
Annex I, point 1.(d)				
546	*(d)* they cover road transport of abnormal cargo in accordance with Article 13;	(d) they cover road transport of abnormal cargo***, including mobile cranes,*** in accordance with Article 13;	*deleted*	

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		AM 255		
Annex I, point 1.(e)				
547	*(e)* they include Host-Nation-Support;	(e) they include Host-Nation-Support;	*deleted*	
Annex I, point 1.(f)				
548	*(f)* they include personnel tasked with security mission;	(f) they include personnel tasked with security mission;	*deleted*	
Annex I, point 1.(g)				
549	*(g)* they include transport of non-nominative allocated armament that is not assigned to personnel;	(g) they include transport of non-nominative allocated armament that is not assigned to personnel;	*deleted*	
Annex I, point 1.(h)				
550	*(h)* they include transport of weapon systems.	(h) they include transport of weapon systems.	*deleted*	
Annex I, point 2.				
551	*2.* Military transport operations by sea which cover:	2. Military transport operations by sea which cover:	*deleted*	
Annex I, point 2.(a)				
552	*(a)* military transport to/through the territorial sea using navigational sensors only without the launch of subunits, including	(a) military transport to/through the territorial sea using navigational sensors only without the launch of subunits, including	*deleted*	

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	navigational training;	navigational training;		
Annex I, point 2.(b)				
553	*(b)* exercises or operational missions when pre-approved by the receiving Member State;	(b) exercises or operational missions when pre-approved by the receiving Member State;	*deleted*	
Annex I, point 2.(c)				
554	*(c)* military transport of dangerous goods in accordance with Article 12.	(c) military transport of dangerous goods in accordance with Article 12.	*deleted*	
Annex I, point 3.				
555	*3.* Military transport operations by air which cover:	3. Military transport operations by air which cover:	*deleted*	
Annex I, point 3.(a)				
556	*(a)* military transport of unarmed, manned platform (for example transport, air-to-air refuelling, training range activity, and aerial combat training), under the following conditions:	(a) military transport of unarmed, manned platform (for example transport, air-to-air refuelling, training range activity, and aerial combat training), under the following conditions:	*deleted*	
Annex I, point 3.(a)(i)				
557	*(i)* captive and training ammunition may be installed on the platform, if no propulsion and/or warhead is installed (e.g. captive air-to-air training missile);	(i) captive and training ammunition may be installed on the platform, if no propulsion and/or warhead is installed (e.g. captive air-to-air training missile);	*deleted*	
Annex I, point 3.(a)(ii)				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
558	*(ii)* chaff/flare-cartridges may be installed on the platform (usage is subject to regulations of affected state);	(ii) chaff/flare-cartridges may be installed on the platform (usage is subject to regulations of affected state);	*deleted*	
Annex I, point 3.(b)				
559	*(b)* military transport of dangerous goods in accordance with Article 12.	(b) military transport of dangerous goods in accordance with Article 12.	*deleted*	
Annex II				
560	*Annex II*	*Annex II*	*deleted*	
Annex II, first paragraph				
561	Form A: Form to request/grant a standing military transport permission	Form A: Form to request/grant a standing military transport permission	*deleted*	
Annex II, Table 1				
562	*Table 1*	*Table 1*	*deleted*	
Annex II, second paragraph				
563	Form B - Form to notify a military transport permission under a standing military transport permission or to request/grant/modify an ad hoc military transport permission	Form B - Form to notify a military transport permission under a standing military transport permission or to request/grant/modify an ad hoc military transport permission	*deleted*	
Annex II, Table 2				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
564	*Table 2*	*Table 2*	*deleted*	

Commission Proposal Table 1

	Standing Diplomatic Clearance requested by (Member State)		
	Requesting authority		
	National Coordinator of requesting Member State:	Name	
		Phone	
		Mobile	
		E-mail	
	Mode of transport (Road / Rail / Inland Waterways/ Air / Sea / several modes – please specify):		
	General remarks		
	A. Size limitations		
	Maximum amount of vehicles allowed for any individual military transport operation by road under this standing permission	Vehicles:	
	Maximum amount of trains allowed for any individual military transport operation under this standing permission	Trains:	
	Maximum amount of inland waterways vessels allowed for any individual military transport operation by inland waterways or sea under this standing permission	Vessels:	
	Maximum amount of seagoing ships allowed for any individual military transport operation by inland waterways or sea under this standing permission	Ships:	
	Maximum amount of aircraft allowed for any individual military transport operation by inland waterways or sea under this standing permission	Aircraft:	

	B. Specific rules for military transport operations by Sea		
	Situation	YES / NO	Remarks
	Sea military transport operation conducted by government ships of the requesting Member State		
	Sea military transport operation conducted by civil registered ships when used exclusively for military purposes for the requesting Member State		
	Sea military transport operation conducted by ships exclusively crewed by: — nationals from flagstate of the ships — nationals of the requesting Member State — EU nationals		
	Sea military transport operations including nuclear powered vessels		
	Sea military transport operations conducted with unmanned vessels		

Receiving Member State Approval			
	Approval status		
	References / Sub-approvals		
	National Coordinator of Receiving Member State	Name	
		Phone	
		Mobile	
		E-mail	
	Remarks		

EP Mandate Table 1

	Standing Diplomatic Clearance requested by (Member State)		
	Requesting authority		
	National Coordinator of requesting Member State:	Name	
		Phone	
		Mobile	
		E-mail	
	Mode of transport (Road / Rail / Inland Waterways/ Air / Sea / several modes – please specify):		
	General remarks		
	A. Size limitations		
	Maximum amount of vehicles allowed for any individual military transport operation by road under this standing permission	Vehicles:	
	Maximum amount of trains allowed for any individual military transport operation under this standing permission	Trains:	
	Maximum amount of inland waterways vessels allowed for any individual military transport operation by inland waterways or sea under this standing permission	Vessels:	
	Maximum amount of seagoing ships allowed for any individual military transport operation by inland waterways or sea under this standing permission	Ships:	
	Maximum amount of aircraft allowed for any individual military transport operation by inland waterways or sea under this standing permission	Aircraft:	

	B. Specific rules for military transport operations by Sea			
	Situation		YES / NO	Remarks
	Sea military transport operation conducted by government ships of the requesting Member State			
	Sea military transport operation conducted by civil registered ships when used exclusively for military purposes for the requesting Member State			
	Sea military transport operation conducted by ships exclusively crewed by: — nationals from flagstate of the ships — nationals of the requesting Member State — EU nationals			
	Sea military transport operations including nuclear powered vessels			
	Sea military transport operations conducted with unmanned vessels			
Receiving Member State Approval				
	Approval status			
	References / Sub-approvals			
	National Coordinator of Receiving Member State	Name		
		Phone		
		Mobile		
		E-mail		
	Remarks			

Commission Proposal Table 2

Requesting Member State		
Requesting authority		
National Coordinator of Requesting Member State	Name	
	Phone	
	Mobile	
	E-mail	
Operator of Transport (armed forces / civil contractor on behalf of armed forces – specify company name if applicable)		
Receiving Member State(s) (in order of route sequence from point of departure to destination)		
Type of request	□ Notification (add ref. of standing permission) □ Ad hoc movement request □ Modification request	
Mode of	□ Road □ Rail □ Inland Waterways □ Air □ Sea	

transport (multiple possible)		
General remarks		
General information		
Movement Identification Number (MIN)		
Callsign(s)		
ROUTE INFORMATION (for each receiving Member State)		
Transited receiving Member State (1)	Point of Departure and Final destination	
	Planned Date and Time of Entry	
	Point of Entry	
	Planned Date and Time of Exit	
	Point of Exit	
	Route description	
Transited receiving Member State (2)	Point of Departure and Final destination	
	Planned Date and Time of Entry	
	Point of Entry	
	Planned Date and Time of Exit	
	Point of Exit	
	Route description	
PERSONNEL AND MILITARY TRANSPORT OPERATION INFORMATION		
Total number of Personnel		
Deployed unit/convoy/fleet		

contact information (name, mobile phone)	
Escort requested	
Host-Nation-Support requested (please specify)	
Traffic Arrangements Requested (including safety measures) (Yes/No – please specify)	
For road transport	
Total number of vehicles	
Largest dimensions of biggest vehicle in convoy (weight (kg), width (cm), height (cm), length (cm))	
For rail transport	
[Total train length]	

For inland waterways transport	
Total number of vessels	
For maritime transport	
Number of ships (including name and pennant number)	
Type of ship	
Draught/displacement	
Length/breadth in meters and propulsion	
Subunits	
Frequencies	
Commanding Officer (rank, name, seniority)	
Senior Officer embarked (rank, name)	
ISTAR and EW equipment (type, intent to use, location and timeframe of use)	
For air transport	
Number and type of aircraft	
Armament (type,	

number, total mass)										
ISTAR and EW equipment (type, intent to use, location and timeframe of use)										
VIP (title/rank, name)										
DANGEROUS GOODS LIST (IF APPLICABLE)										
Compliant with	□ ADR □ AND □ RID □ IMDG Code □ ICAO-TI / IATA DGR □ NATO AMovP-6 SRDs 2, 3, 5 (including applicable National Deviations) □ National legislation of [requesting Member State]									
Total net quantity of Class 1 (if applicable)										
Combat loaded tactical vehicles (if yes, number and brief description)										
Explosives (Class1) other than 1.4S, which needs security measures e.g. during a rest overnight (provided by the receiving Member State)										

Specifying for every category of items		
Category of items	UN Number	
	Proper shipping name	
	Class or classification code (as appropriate)	
	Packing Group (if applicable)	
	Total quantity (volume, gross mass or net mass (kg), as appropriate)	
	Quantity and type of packages (if applicable)	
	Net quantity per package	
	NEQ (Class 1) (per package (kg)	
	Total NEQ (Class 1) (kg)	
	Packing instructions	
	Tunnel restriction code (for road transport)	
	Remarks	
ABNORMAL CARGO (IF APPLICABLE)		
FOR ROAD AND RAIL TRANSPORT		
For each vehicle/transport unit transporting abnormal cargo		
Vehicle Class/Type	Registration Number(s)	
	Description (including name and type of load)	
	Vehicle Dimensions (length (cm), width (cm), height (cm), overlap (cm), weight (kg)): unloaded	
	Load Weight and Dimensions (t; cm)	

	Vehicle Dimensions (length (cm), width (cm), height (cm), overlap (cm), weight (kg)): loaded	
	Axle Load (t per axle)	
	Axle Spacing (cm)	
	Turning Radius (cm)	
Critical infrastructure assessment		
Bridges (yes/no – specify)		
Tunnels (yes/no – specify)		
Overhead lines (yes/no – specify)		
Other obstacles (yes/no – specify)		
Engineering support required (yes/no – specify)		
FOR RAIL TRANSPORT ONLY		
Date of ad hoc request pursuant to Article 48 of Directive (EU) 2012/34/EU		
Reference number of ad		

hoc train path request			
Information to be provided by the infrastructure manger(s) pursuant to Article 23 of Directive (EU) 2016/797 (Yes/No)			
Tests on the technical compatibility of the vehicle with the network as referred to in Article 23 of Directive (EU) 2016/797 (Yes/No)			
Are all vehicles in this transport authorised for the full area of use?			
Receiving Member State Approval			
	Approval status		
	References / Sub-approvals		
	National	Name	

	Coordinator of Receiving Member State	Phone	
		Mobile	
		E-mail	
	Remarks		

EP Mandate Table 2

Requesting Member State		
Requesting authority		
National Coordinator of Requesting Member State	Name	
	Phone	
	Mobile	
	E-mail	
Operator of Transport (armed forces / civil contractor on behalf of armed forces – specify company name if applicable)		
Receiving Member State(s) (in order of route sequence from point of departure to destination)		
Type of request	□ Notification (add ref. of standing permission) □ Ad hoc movement request □ Modification request	
Mode of	□ Road □ Rail □ Inland Waterways □ Air □ Sea	

transport (multiple possible)		
General remarks		
General information		
Movement Identification Number (MIN)		
Callsign(s)		
ROUTE INFORMATION (for each receiving Member State)		
Transited receiving Member State (1)	Point of Departure and Final destination	
	Planned Date and Time of Entry	
	Point of Entry	
	Planned Date and Time of Exit	
	Point of Exit	
	Route description	
Transited receiving Member State (2)	Point of Departure and Final destination	
	Planned Date and Time of Entry	
	Point of Entry	
	Planned Date and Time of Exit	
	Point of Exit	
	Route description	
PERSONNEL AND MILITARY TRANSPORT OPERATION INFORMATION		
Total number of Personnel		
Deployed unit/convoy/fleet		

contact information (name, mobile phone)	
Escort requested	
Host-Nation-Support requested (please specify)	
Traffic Arrangements Requested (including safety measures) (Yes/No – please specify)	
For road transport	
Total number of vehicles	
Largest dimensions of biggest vehicle in convoy (weight (kg), width (cm), height (cm), length (cm))	
For rail transport	
[Total train length]	

For inland waterways transport	
Total number of vessels	
For maritime transport	
Number of ships (including name and pennant number)	
Type of ship	
Draught/displacement	
Length/breadth in meters and propulsion	
Subunits	
Frequencies	
Commanding Officer (rank, name, seniority)	
Senior Officer embarked (rank, name)	
ISTAR and EW equipment (type, intent to use, location and timeframe of use)	
For air transport	
Number and type of aircraft	
Armament (type,	

number, total mass)										
ISTAR and EW equipment (type, intent to use, location and timeframe of use)										
VIP (title/rank, name)										
DANGEROUS GOODS LIST (IF APPLICABLE)										
Compliant with	□ ADR □ AND □ RID □ IMDG Code □ ICAO-TI / IATA DGR □ NATO AMovP-6 SRDs 2, 3, 5 (including applicable National Deviations) □ National legislation of [requesting Member State]									
Total net quantity of Class 1 (if applicable)										
Combat loaded tactical vehicles (if yes, number and brief description)										
Explosives (Class1) other than 1.4S, which needs security measures e.g. during a rest overnight (provided by the receiving Member State)										

Specifying for every category of items		
Category of items	UN Number	
	Proper shipping name	
	Class or classification code (as appropriate)	
	Packing Group (if applicable)	
	Total quantity (volume, gross mass or net mass (kg), as appropriate)	
	Quantity and type of packages (if applicable)	
	Net quantity per package	
	NEQ (Class 1) (per package (kg)	
	Total NEQ (Class 1) (kg)	
	Packing instructions	
	Tunnel restriction code (for road transport)	
	Remarks	
ABNORMAL CARGO (IF APPLICABLE)		
FOR ROAD AND RAIL TRANSPORT		
For each vehicle/transport unit transporting abnormal cargo		
Vehicle Class/Type	Registration Number(s)	
	Description (including name and type of load)	
	Vehicle Dimensions (length (cm), width (cm), height (cm), overlap (cm), weight (kg)): unloaded	
	Load Weight and Dimensions (t; cm)	

	Vehicle Dimensions (length (cm), width (cm), height (cm), overlap (cm), weight (kg)): loaded	
	Axle Load (t per axle)	
	Axle Spacing (cm)	
	Turning Radius (cm)	
Critical infrastructure assessment		
Bridges (yes/no – specify)		
Tunnels (yes/no – specify)		
Overhead lines (yes/no – specify)		
Other obstacles (yes/no – specify)		
Engineering support required (yes/no – specify)		
FOR RAIL TRANSPORT ONLY		
Date of ad hoc request pursuant to Article 48 of Directive (EU) 2012/34/EU		
Reference number of ad		

hoc train path request			
Information to be provided by the infrastructure manger(s) pursuant to Article 23 of Directive (EU) 2016/797 (Yes/No)			
Tests on the technical compatibility of the vehicle with the network as referred to in Article 23 of Directive (EU) 2016/797 (Yes/No)			
Are all vehicles in this transport authorised for the full area of use?			
Receiving Member State Approval			
	Approval status		
	References / Sub-approvals		
	National	Name	

	Coordinator of Receiving Member State	Phone	
		Mobile	
		E-mail	
	Remarks		