

PROJECT ARRANGEMENT (PA) No B 1485

BETWEEN

THE FEDERAL MINISTER OF DEFENCE AND SPORTS OF THE REPUBLIC OF AUSTRIA

AND

THE MINISTER OF DEFENCE OF THE KINGDOM OF BELGIUM

AND

THE MINISTRY OF THE DEFENCE OF THE CZECH REPUBLIC

AND

THE MINISTRY OF DEFENCE OF THE REPUBLIC OF CYPRUS

AND

THE MINISTRY OF THE DEFENCE OF THE REPUBLIC OF FINLAND

AND

THE MINISTER OF DEFENCE OF THE FRENCH REPUBLIC

AND

THE FEDERAL MINISTER OF DEFENCE OF THE FEDERAL REPUBLIC OF GERMANY

AND

THE MINISTRY OF NATIONAL DEFENCE OF THE HELLENIC REPUBLIC

AND

THE MINISTRY OF THE DEFENCE OF HUNGARY

AND

THE MINISTRY OF DEFENCE OF THE ITALIAN REPUBLIC

AND

THE MINISTER OF DEFENCE OF THE KINGDOM OF THE NETHERLANDS

AND

THE MINISTER OF NATIONAL DEFENCE OF THE REPUBLIC OF POLAND

AND

THE MINISTRY OF DEFENCE OF THE REPUBLIC OF SLOVENIA

AND

THE SWEDISH ARMED FORCES

AND

THE EUROPEAN DEFENCE AGENCY

REGARDING

EU MULTIMODAL TRANSPORT HUB

TABLE OF CONTENT

DEFINITIONS AND ABBREVIATIONS	3
INTRODUCTION	4
CHAPTER II - SCOPE OF THE PROJECT	6
CHAPTER III - GOVERNANCE	6
SECTION 1. PMG.....	6
SECTION 2. AD HOC WORKING GROUPS – AHWGs.....	8
SECTION 3. ROLE OF EDA	8
CHAPTER IV - FINANCIAL ARRANGEMENTS	8
CHAPTER V - LEGAL AND SECURITY ASPECTS	9
SECTION 1. LEGAL ASPECTS	9
SECTION 2. SECURITY AND INFORMATION CLASSIFICATION.....	9
SECTION 3. DISCLOSURE AND USE OF NON-CLASSIFIED INFORMATION	9
CHAPTER VI - FINAL PROVISIONS	10
SECTION 1. DURATION	10
SECTION 2. AMENDMENT	10
SECTION 3. WITHDRAWAL AND TERMINATION.....	10
SECTION 4. ADMISSION OF NEW MEMBERS	10
SECTION 5. SIGNATURE AND DATE OF COMING INTO EFFECT.....	10
SIGNATURES	11
ANNEX A - DECLARATION OF INTENT FOR THE ADMISSION OF A NEW CMS	27
ANNEX A - APPENDIX 1 - REPLY TO THE NOTE OF ACCESSION TO PARTICIPATE IN THE PROJECT ARRANGEMENT CONCERNING EU MULTIMODAL TRANSPORT HUB (EUM2THUB)	28

DEFINITIONS AND ABBREVIATIONS

AHWG	Ad Hoc Working Group.
cMS	EUM2THub-Project contributing Member State.
Collaborative Work Space (CWS)	An electronic working area within the EDA Extranet and Collaborative Platform, for which access is limited.
Council Decision	Council Decision (CFSP) 2015/1835 of 12 October 2015 defining the statute, seat and operational rules of the European Defence Agency (OJ L 266, 13.10.2015, p.55)
CSDP	Common Security and Defence Policy
EDA	European Defence Agency
EDA SB	EDA Steering Board
EUM2THub-Project	EDA Cat. B Project on “EU MULTIMODAL TRANSPORT HUB”. The acronym is not an official one and is used only for this PA.
EUM2THub Sub-Project	EUM2THub sub-projects mean activities identified by the EUM2THub cMS
IDT	Integrated Development Team
IWWs	Inland Water Ways
Multinational Movement and Transport organisations	Multinational Organisations having Movement and Transportation coordination as their primary activity. Example: MCCE, EATC, AMSCC...
Multimodal Transport Hub	A multimodal transport hub is a geographical area with specific infrastructure that allows passengers and/or cargo exchange between different transport modes.
PA	Project Arrangement
PAP	PA Participants
PMG	Project Management Group
pMS	EDA participating Member State.
PT	Project Team
PT M&T	Project Team Movement and Transportation

Third Party	Any person, entity, state or organisation who is not a signatory of the EUM2THub-Project.
ToR	Terms of Reference

INTRODUCTION

The Federal Minister of Defence and Sports of the Republic of Austria, the Minister of Defence of the Kingdom of Belgium, the Ministry of the Defence of the Czech Republic, the Ministry of Defence of the Republic of Cyprus, the Ministry of the Defence of the Republic of Finland, the Minister of Defence of the French Republic, the Federal Ministry of Defence of the Federal Republic of Germany, the Ministry of National Defence of the Hellenic Republic, the Ministry of the Defence of Hungary, the Ministry of Defence of the Italian Republic, the Minister of Defence of the Kingdom of the Netherlands, the Minister of National Defence of the Republic of Poland, the Ministry of Defence of the Republic of Slovenia, the Swedish Armed Forces (hereinafter referred to as the “EU Multimodal Transport Hub - Contributing Members” or cMS) and the European Defence Agency (hereinafter referred to as “EDA”) hereinafter collectively referred to as PA participants – PAP:

- taking into account the Council Decision (CFSP) 2015/1835 of 12 October 2015 defining the statute, seat and operational rules of the European Defence Agency and repealing Joint Action 2004/551/CFSP of 12 July 2004 on the establishment of the European Defence Agency;
- taking into account the EDA Steering Board Decision N° 2014/14 dated 19 December 2014 approving EU Multimodal Transport Hub as an Ad Hoc Category B Project; and
- considering that activities and operations are conducted in a multinational environment and that mutual support and cooperation can significantly enhance operational readiness and ability to deploy the forces;
- recognising that the deployments, sustainment and redeployments of Defence/Armed Forces remain a national responsibility;
- acknowledging that this PA is not intended to conflict with applicable national or international law;

have reached the following understanding concerning this Category B Project hereafter referred to as the EUM2THub-Project:

EU MULTIMODAL TRANSPORT HUB

The need to develop a EUM2THub concept aimed at facilitating the smooth movement of EU military personnel and equipment through EU countries was presented to the EDA SB Ministerial in November 2011, and thereafter endorsed as a Pooling and Sharing opportunity. Towards this end and as the result of a relevant EDA study (12.CAP.OP.254 EU Multimodal Transport Hub Analysis), a separate work-strand was launched. Subsequently, the EDA PT M&T was convened under IDT Deploy to cope with the need for pMS to establish a EUM2THub.

At present, military deployment and sustainment is considered to be a national responsibility. This includes planning and execution, as well as the timely provision of assets, services and infrastructure. Due to the almost exclusively multi-national character of today's CSDP operations, there is an increasing need for coordination and cooperation between pMS. These pMS also share a requirement imposed by reduced defence budgets to deploy in the most cost effective manner possible.

Uncoordinated military transportation in the framework of CSDP operations generates unnecessary duplications and associated inefficiencies. Therefore in many cases, best economic practice would be to use Multimodal Transport Hubs that can manage a range of transport means. A smooth passage through borders from the sending nation to the hub is a fundamental requisite for the hub system itself.

CHAPTER I – OBJECTIVE

1. The objective of the EUM2THub Project is:
 - to identify a Multimodal Transport Hub Network for CSDP and pMS ‘day-to-day’ needs;
 - pooling and sharing of transport assets and infrastructure in the European Union.
2. The EUM2THub Project is built upon a flexible and inclusive partnership between national and multinational organisations with responsibilities in the domain of deployment, movement and transportation of military personnel and goods. It is mainly aimed at but not limited to the standardisation and simplification of services, procedures and processes in those domains, which will together be implemented through the most cost effective pooling and sharing solutions.

CHAPTER II - SCOPE OF THE PROJECT

1. The EUM2THub-project is designed to enhance and ease the deployment, movement and transportation capabilities of the cMS for CSDP missions and operations as well as for national day to day business. It will consist of various sub-projects identified by the cMS in order to optimise cooperation and coordination between the cMS. These sub-projects may be related to different structures and types of assets and infrastructure designated for the fast and smooth deployment, movement and transportation of the forces by air, roads, rail, water, including IWWs and the appropriate use of Multimodal Transport Hubs.
2. In the absence of any financial or legal implications EUM2THub sub-projects may be established as separate groups under the EUM2THub-project. Each cMS will only commit to the sub-projects it decides to participate in.

CHAPTER III - GOVERNANCE

The management of the EUM2THub-project will be achieved by a governance structure built around the Project Management Group (PMG) as an expert body in charge of managing, developing and monitoring the implementation of the project and associated sub-projects.

Section 1. PMG

1. The cMS will take decisions through the PMG.

2. The PMG will comprise representatives of each cMS, under an EDA non-voting chair as defined in the ToR. The PMG may, upon the unanimous agreement of the PMG, decide to invite any Third Party to PMG meetings.
3. The PMG will:
 - (a) Facilitate the sharing of information between the cMS;
 - (b) Approve the different proposals and documents, such as:
 - i. the ToR;
 - ii. the establishment of sub-projects focusing on operational or technical aspects which will support the development of the EUM2THub-Project;
 - iii. documents issued by the PMG and by the sub-projects (concepts, studies etc);
 - iv. the publishable summaries of the sub-projects which will be provided for release to all EDA pMS.
 - (c) Advise EDA on the possible use of studies that may be beneficial to the EUM2THub-Project. The PMG may request EDA support in preparation of the technical specifications of such studies or other material that the EDA requests;
 - (d) Suggest amendments to this PA for approval by the cMS; PMG meetings will be held as often as deemed necessary by its cMS representatives and at least twice a year.
4. The PMG will reach its decisions by consensus (however, when a consensus cannot be achieved, the PMG will explore all possible alternatives to reach consensus, failing which the cMS will revert to their competent authorities).
5. The PMG will provide an annual report to the cMS and inform the EDA Steering Board. That will encompass:
 - (a) An evaluation of the EUM2THub Project's progress in implementing its objective as described in Chapter I, 1;
 - (b) An evaluation of the output of the EUM2THub-Project;
 - (c) Lessons learned from the operation and management of the EUM2THub-Project.
 - (d) An update on the progress of all EUM2THub's sub-projects.
 - (e) Information on the new established sub-projects.

Section 2. Ad Hoc Working Groups – AHWGs

1. Based on the proposal of the PMG different sub-projects can be established under the EUM2THub-Project. CMS are free to choose if they will participate in these sub-projects. An AHWG will be established for each sub-project.
2. In this respect:
 - (a) The AHWG will be subordinated to the PMG.
 - (b) It will comprise representatives of the PAP at Expert level.
 - (c) The AHWG will report directly to the PMG.
 - (d) The AHWG will be tasked, in particular, to:
 - i. Elaborate new documents for approval by the PMG;
 - ii. Elaborate any relevant documents including information for the annual report;
 - (e) The AHWGs will meet whenever necessary, upon request of any of its members or of the PMG, and at least twice a year.

Section 3. Role of EDA

The EDA will:

- (a) Facilitate and, if so agreed, host meetings of the PMG and AHWG and associated syndicates;
- (b) Set up and manage virtual CWS for EUM2THub-Project, to which PMG, AHWGs members and Third Parties, on PMG and AHWGs decision, will have access;
- (c) Promote the EUM2THub-Project to other EDA pMS;
- (d) Invite Third Parties as requested by the PMG or AHWG;
- (e) Interact with other EU entities in order to identify how EU regulations, directives or procedures may have an influence on the topic of the project.

CHAPTER IV - FINANCIAL ARRANGEMENTS

1. The EUM2THub Project will have no financial implications for CMS.

2. All administrative costs of the EUM2THub-Project will be borne by the cMS that incur them, including inter alia the travelling and accommodation expenses as well as the work of the PMG and AHWGs members.

CHAPTER V - LEGAL AND SECURITY ASPECTS

Section 1. Legal aspects

1. Any difference in the interpretation or application of this PA will be resolved solely by consultation between the PAP.
2. All claims arising within the context of the performance of the PA will be dealt with in accordance with international and national laws and regulations of the cMS .
3. This PA does not constitute a treaty as defined by the 1969 Vienna Convention on the Law of Treaties. In case of any conflict between this PA and international or national laws and regulations of the cMS, the latter will prevail. The cMS to the PA will notify each other in the event of any such conflict.

Section 2. Security and Information Classification

1. PAP will notify each other concerning the security marking/ classification, if applicable. The PAP will apply the appropriate security regulations according to this marking/classification.
2. These appropriate security regulations will continue to apply after the termination of this PA or the withdrawal of a cMS from the latter.

Section 3. Disclosure and Use of non-classified Information

1. The PMG will encourage coordination and information exchange and sharing between PAP as much as possible.
2. The PAP will endeavour to share information on EUM2THub-Project related topics and to share all relevant information, in a transparent way, subject to any applicable security measures and Third Parties' rights.
3. Subject to the sensitivity of topics to be discussed, the PAP will agree on the level of disclosure of the information shared with invited experts. In any case, the PMG will retain

full discretion to decide whether information should not be disclosed to invited experts or be made public.

CHAPTER VI - FINAL PROVISIONS

Section 1. Duration

This PA will remain effective unless all PAP consent in writing to its termination on the proposal of any of the PAP.

Section 2. Amendment

This PA may be amended in writing at any time by unanimous decision of the PAP, on proposal of the PMG.

Section 3. Withdrawal and Termination

1. Any cMS can withdraw from the project at any time at their own discretion subject to a written notice to EDA, two months prior to the desired withdrawal date. EDA will notify the other cMS;
3. In case of termination of this PA or the withdrawal from the EUM2THub-Project by any cMS, the obligations arising from this PA during its period of validity remain in effect.

Section 4. Admission of New Members

1. Any pMS may request to become a cMS by means of a Declaration of Intent. A draft template Declaration of Intent is enclosed at Annex A to this PA.
2. The cMS will decide unanimously on the admission of a new cMS and will reply to the Declaration of Intent using the template under Annex A – appendix 1 to this PA.
3. EDA will accordingly update the list of cMS on the front page of this PA.

Section 5. Signature and Date of Coming into Effect

1. This PA, will be signed both in the English and French languages, each version being equally authoritative. The originals will be held by the EDA, with one certified true copy being sent to each cMS.
2. This PA will become effective on the date of the last PAP signature.

SIGNATURES

For the Federal Minister of Defence and Sports of the Republic of Austria,

Signature

Place

Date

For the Minister of Defence of the Kingdom of Belgium

Signature

Place

Date

The Ministry of the Defence of the Czech Republic,

Signature

Place

Date

The Ministry of Defence of the Republic of Cyprus,

Signature

Place

Date

The Ministry of the Defence of the Republic of Finland,

Signature

Place

Date

The Minister of Defence of the French Republic,

Signature

Place

Date

The Federal Minister of Defence of the Federal Republic of Germany,

Signature

Place

Date

The Ministry of National Defence of the Hellenic Republic,

Signature

Place

Date

The Ministry of the Defence of Hungary,

Signature

Place

Date

The Ministry of Defence of the Italian Republic,

Signature

Place

Date

The Minister of Defence of the Kingdom of the Netherlands,

Signature

Place

Date

The Minister of National Defence of the Republic of Poland,

Signature

Place

Date

The Ministry of Defence of the Republic of Slovenia,

Signature

Place

Date

The Swedish Armed Forces

Signature

Place

Date

The European Defence Agency

Signature

Place

Date

DECLARATION OF INTENT FOR THE ADMISSION OF A NEW MS

The *Republic/Kingdom/Government/Ministry /Minister* of represented by
.....

DECLARING that it wishes to participate in the:

PROJECT ARRANGEMENT (PA) No XXX regarding the EU Multimodal Transport Hub
(EUM2THub)

ACCEPTS to:

- contribute to the EUM2THub-Project and to adhere to all PA provisions including its Annexes and related approved documents in the versions valid at the time;
- mandate the EDA to update the list of cMS on the front page of this PA accordingly.

For the *Republic/Kingdom/Government/Ministry / Minister* of
.....

Date:

**REPLY TO THE DECLARATION OF INTENT TO PARTICIPATE IN THE PROJECT
ARRANGEMENT CONCERNING EU MULTIMODAL TRANSPORT HUB
(EUM2THUB)**

The Contributing Member States welcome the (*requesting Member State*) as a member of the above mentioned Project Arrangement and note that it hereby adhere(s) to all its provisions, including its Annexes and related approved documents in the versions valid at the time.

The original of this reply to the Declaration of Intent of (*requesting Member State*) will be filed with the EDA, which will provide true certified copies to each Contributing Member State.

For the (Member State) (Title) (Name)

Signature.....

Date.....