CER Position Paper

Brussels, February 2026

Proposal for a Regulation on Military Mobility (2025/0847 (COD))

CER aisbl – **COMMUNITY OF EUROPEAN RAILWAY AND INFRASTRUCTURE COMPANIES**
Avenue des Arts 53 – 1000 Bruxelles | T: +32 (0)2 213 08 70 | www.cer.be

1. Introduction

CER welcomes the publication of the 'Military Mobility Package', which includes a 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)).

This Military Mobility Regulation is crucial to ensure fast and seamless military movements across Europe, in which railways play a key role. Rail is the best suited land-based system to deal with large scale transport of heavy military assets over longer distances within Europe. A systemic approach to the railway system is essential to meet Europe's short-term military mobility needs while pursuing the long-term investments that will deliver maximum benefits for civilian and military users alike.

CER would like to highlight the positive aspects of this proposal:

- **Procedures**: CER welcomes the harmonisation efforts to create a uniform framework for Military Mobility. Harmonisation through standing and ad hoc military transport permissions is very much welcomed, but these permissions need to account for transport realities, in particular railway operators, as they have direct impacts on civilian traffic. A close coordination with transport operators is needed to ensure swift military movements from an operational perspective.

  CER also welcomes the creation of a legal framework addressing emergency situation, the so-called 'EMERS'.

- **Infrastructure**: CER supports the proposal requiring Member States to identify, upgrade and protect strategic dual-use infrastructure, especially the standardisation of protection measures for such infrastructure, bearing in mind that Member States will eventually be financially responsible for these tasks.

  Besides, the (re)evaluation of transport infrastructure standards must be pursued and where needed, TEN-T requirements should be raised to Military Envelope M[1]. Connections between European ports and the rail network must be improved, both for the area of combined transport and the corresponding terminals, also in the hinterland.

  In the meantime, any derogation foreseen within EMERS that allows longer and heavier military transport may place additional demands on transport infrastructure, particularly with significantly higher volumes, frequency, or speed. EU financial support (for example through the CEF) should be readily available to quickly repair any affected infrastructure and maintain its operational performance.

- **Governance**: the rail sector has been advocating for a better coordination between civilian and military authorities, and CER therefore welcomes the creation of a Military Mobility Transport Group together with the appointment of National Coordinators for Cross-Border Military Transport. This Military Mobility Transport Group must be coordinated with NATO, as not to duplicate NATO's existing coordination structures. It should be made clear who the National Coordinators interact with and what concrete tasks they coordinate, taking into account non-NATO members.

  Conversely, non-EU Members that are also not part of NATO must also be accounted for as to ensure swift military transport across the continent.

[1] The P400 loading gauge set out in the TEN-T requirements is the current European standard for intermodal freight. While P400 is sufficient for normal freight traffic, it may not be sufficient for certain military vehicles and equipment that must also be transported by rail. Additional clearance might be required — equivalent to the GB+ (Military Envelope M) — to ensure that larger or higher military assets can also travel safely through tunnels and across bridges.

- **Cybersecurity**: ensuring secure and resilient communications for military operations is paramount, particularly along strategic transport infrastructure. The ongoing implementation of CER (*Critical Entitities Directive*), NIS 2 (*Cybersecurity Directive*) and CRA *(EU Cyber Resilience Act)* already ensures a high-level of resilience. However, for railway dual-use assets not yet covered by CER and NIS2, measures must be implemented to protect against cyber threats and guarantee continuity of telecommunication services in crisis scenarios. This includes defining minimum security standards for dual-use communication networks, strengthening cooperation between civilian and military authorities on cybersecurity, and integrating monitoring systems with rapid incident response capabilities. Furthermore, telecommunication networks should be interoperable and compliant with NATO and EU requirements to ensure uninterrupted military mobility. In this regard, the "Rail-Information Sharing and Analysis Center (Rail-ISAC)" should be promoted and supported.

CER recalls that **ambitious and predictable funding** is needed to match the level of ambition set out in this Proposal. In this regard, the Connecting Europe Facility 2028-2034 should be endowed with a budget of EUR 100 billion to be able to build, upgrade, protect (including cyber security) and repair infrastructure. The 1.5% (as part of the 5%) NATO pledge should also support the reparation, upgrade and protection of critical infrastructure, including railways. CER also strongly supports the possibility to co-finance the acquisition of new rolling stock through the European Competitiveness Fund, in particular alternative propulsion such as dual-mode locomotives to increase the resilience of military transport operations. They are resilient for operations on non-electrified lines as well as for all shunting operations, and allow to operate autonomously and with a better transit time on non-electrified lines and on all sidings/terminals. Therefore, additional shunting locomotives will not be required anymore. Furthermore, we support the use of additional, targeted and dedicated funding to address any new tasks given to ERA in the context of Military Mobility.

At the same time, the Regulation carries substantial implications for railways. To ensure swift and seamless military movements across the EU, transport realities must be taken into consideration, in particular the technical, operational and regulatory constraints faced by railway operators performing military but also civilian transport. The regulation must be consistent with other EU legislation, in particular the provisions for military mobility in the Regulation on the use of railway infrastructure capacity and the definitions included in the Connecting Europe Facility's proposal.

- **Emergency framework**: while CER welcomes the creation of the so-called 'EMERS', when activated, it entails considerable implications for railway systems. Among the most important:
  - The deadline to grant individual train paths **within six hours** can be met in a significant number of "standardized" situations, provided that technical characteristics of the convoy are known in advance and that the route has been analysed beforehand. The feasibility of defining a catalogue of pre-defined train paths suitable for immediate use for military transport (including O/D, equipment, last-mile constraints and fixed network routing) should be assessed.
    - It is also important to bear in mind that this deadline might have broader consequences related not only to individual paths allocations but to the changes to train schedules across the entire network (which impact, among other things, the time, work organisation and safety of the personnel).
    - At the same time, lessons learned in the field of short response times will be of great value for operations outside emergency frameworks. Proven crisis procedures

shall serve as a basis to improve rail interoperability during regular operations to enhance responsiveness and flexibility in rail freight transport.

- The **absence of compensation** by armed forces when EMERS is activated results in a financial and reputational shortfall for railway operators, due to reasons that are outside of their control. Such shortfall may endanger the business continuity of railway undertakings and Infrastructure Managers, including the ones performing military transport operations, hindering in turn military mobility. Particularly, this emergency framework will automatically and uniformly apply in all EU Member States. For this reason, all financial and reputational damages incurred by railway undertakings and Infrastructure Managers originating from the measures of the regulation – especially from cancellations of train paths (including missed revenues, passenger rights claims, and additional costs e.g. for energy, staff, and maintenance), the use of their assets (trains and maintenance facilities) and their staff – **need to be compensated by Member States**. A dedicated fund could be established for such compensation. It should be also clarified that railway undertakings and Infrastructure Managers are not liable for compensation in case of cancelled or amended capacity under EMERS.
- While the use of rail vehicles outside their specified area of use during the period of activation of EMERS offers greater flexibility for military transport, this derogation should be used consistently with existing rules, especially TSIs.

- CER fully supports the **digitalisation** of the EU form 302 and its digital handling through the Military Mobility Digital Information System. However, even within the scope of a digitalised EU form 302, a railway undertaking must be informed that goods are transported under EU/NATO form 302.
  - It might be a useful approach if the armed forced could send the digitalised form of the EU/NATO form 302 also directly to the customs office of destination.
  - It must be taken into account that the new regulation must harmonise with the Union Customs Code and the Common Transit Convention and, where necessary, clearly points out differences and deviations.
- Any IT system development or upgrade required from railway operators including cyber security should be supported by adequate funding, for example through the European Competitiveness Fund. Back-up systems are also needed in case the Military Mobility Digital Information System encounters any problem.
- **Solidarity Pool**: while the pooling of logistic capabilities can help addressing rolling stock's shortage, the priority should be given to **replenishing fleet first.** To ensure that the pool achieves its goal – namely guarantee, optimise and facilitate the execution of military transport operations (including civilian evacuation) – **dedicated EU programmes aiming to pool dual use capabilities** should be established, as part of existing EU financial instrument. Only newly acquired capabilities through these dedicated EU programmes should be subject to the mandatory registration in the Solidarity Pool. The upgrade of existing rolling stock through financing support of Union funding should not be subject to mandatory registration.

  Furthermore, the Regulation should give more clarity on the possibility to use the capabilities registered under the Pool at any time, especially under advance notice, on the decision process in the event of competing request, and also introduce safeguards for passengers' services under PSO contracts, as not to create competitive distortions.
- **Ensuring the general readiness of transport capabilities and staff**: Readiness, cyber security and resilience in the transport sector requires investment in transport capabilities and in high-quality jobs, training and sufficient staffing so that the sector and its workers can be adequately prepared for an emergency. For example, framework contracts could be employed to ensure the general availability for military transport capabilities (also those which are not part of the solidarity pool).

- **Governance**: in general, the continuity of civil railway transport shall be upheld to the greatest possible extent. Deprioritization of non-military trains or their cancellation should be prevented. Nevertheless, any cancelled train resulting from military drills, exercises, readiness checks or stress tests should be adequately compensated financially. This should apply to both infrastructure managers and railway undertakings.
  - **Exercises**: For the efficiency of the new context, RUs and IMs must have the possibility to set up exercises by applying the Emergency Framework provisions. This entails in addition to exercises set up by military forces: mobilisation of rolling stocks, mobilisation of infrastructures, mobilisation of trained workers.
  - **Continuity:** for the sake of the system, an optimal continuity must be sought, to focus on the directly military linked evolutions, as the categorisation of suitable vehicles in article 36. On the contrary, modifying the numbering process of vehicles as proposed in article 47 can have a deep organisational impact. The list of vehicles is accessible through the existing registers.

About CER
The Community of European Railway and Infrastructure Companies (CER) brings together railway undertakings, their national associations as well as infrastructure managers and vehicle leasing companies. The membership is made up of long-established bodies, new entrants and both private and public enterprises, representing 78% of the rail network length, 81% of the rail freight business and about 94% of rail passenger operations in EU, EFTA and EU accession countries. CER represents the interests of its members towards EU policy makers and transport stakeholders, advocating rail as the backbone of a competitive and sustainable transport system in Europe. For more information, visit www.cer.be or follow us on Twitter @CER_railways or LinkedIn.

This CER document is for public information.
Although every effort is made to ensure the accuracy of the information in this document, CER cannot be held responsible for any information from external sources, technical inaccuracies, typographical errors or other errors herein. Information and links may have changed without notice.