

Q&A ADMINISTRATIVE ARRANGEMENT BETWEEN EUROPEAN DEFENCE AGENCY AND THE U.S. DEPARTMENT OF DEFENSE

What's the background for the conclusion of an Administrative Arrangement between EDA and the U.S. Department of Defence (DoD)?

In the EU-U.S. 2021 Summit Statement, leaders committed to work towards an Administrative Arrangement for the United States with the European Defence Agency (EDA). Discussions were launched shortly after EDA received a negotiation mandate by its Ministerial Steering Board in November 2021.

Over the past year, several rounds of negotiations have taken place in Brussels and Washington to bring a final text for signature. The EDA Steering Board has agreed on the draft Administrative Arrangement, which was then approved by the Council. The negotiations were concluded within nine months.

What does the Administrative Arrangement between EDA and the DoD cover?

EDA's cooperation with third parties is based on reciprocity. DoD and EDA have reached an understanding on an initial scope of cooperation which brings added value and mutual benefit, and may, upon mutual consent, progressively develop in the future.

- **Forum of exchange and dialogue:** The Administrative Arrangement will enable a substantial defence dialogue on all topics within EDA's remit, and invitations for DoD to attend relevant meetings of EDA's Steering Board and for EDA to attend meetings convened by DoD as appropriate.
- **Specific activities of cooperation:** Initial activities include consultations on the impact of EU Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) regulation; military mobility; supply chain issues; and the impact of climate change on defence. It also includes participation in the open session of the European Defence Standardisation Committee.

Currently, activities in the areas of capability development, as well as research and technology, remain outside the scope of cooperation.

Will the Defense Advanced Research Projects Agency (DARPA) be involved in the cooperation with EDA?

The Administrative Arrangement enables cooperation between DoD and EDA. Specific Services or Agencies belonging to the DoD can be involved in the cooperation.

Why are capability development and Research & Technology excluded in the U.S. case?

It was agreed that the initial scope of cooperation should not entail exchange of export-controlled information.

What kind of concrete projects will take place under the Administrative Arrangement?

A number of activities have already been identified and are reflected in the text of the Administrative Arrangement. However, no specific projects have been identified at this stage.

The Administrative Arrangement mentions a specific activity related to supply chain issues; what does that mean exactly?

The COVID-19 pandemic and Russia's ongoing war in Ukraine have resulted in serious disruptions with defence supply chains. The objective of consultations on supply chain issues aims at sharing perspectives and best practices among EU Member States and DoD.

What is the role of industry after concluding the Administrative Arrangement?

The Administrative Arrangement is focused on governmental cooperation. There is no role foreseen for industry.

With the Administrative Arrangement, will the United States be able to participate in the EU defence initiatives?

The Administrative Arrangement is a legal instrument under the EDA Council Decision framing cooperation between the EDA and the DoD in the context of EDA activities.

Other EU defence initiatives, such as the Permanent Structured Cooperation (PESCO), the Coordinated Annual Review on Defence (CARD), or the European Defence Fund (EDF) are based on separate legal instruments and frameworks, which define the terms and conditions of participation of third parties.

What other Administrative Arrangements does EDA have?

EDA has so far concluded Administrative Arrangements with four third countries (Switzerland, Norway, Serbia and Ukraine) as well as with two organisations, the Organisation for Joint Armament Co-operation (OCCAR) and the European Space Agency (ESA).

Why are the five Administrative Arrangements different in content?

Each Administrative Arrangement is **tailored to the respective third country or organisation** and therefore each one is different.

Moreover, the form of the Administrative Arrangement has evolved over time to take into account the guidance provided by the EDA Steering Board regarding cooperation with third states. The latest principles for cooperation with third parties were adopted by the Steering Board in November 2021.

The EDA and EU Member States, as well as DoD, have identified a number of activities in this the “initial scope” of cooperation, which can evolve over time as for any Administrative Arrangement, based on mutual interest and subject to EU Member States agreement.