



MEMORANDUM OF UNDERSTANDING

BETWEEN

**THE FEDERAL MINISTER OF DEFENCE OF THE REPUBLIC OF
AUSTRIA,**

THE MINISTRY OF DEFENCE OF THE REPUBLIC OF CROATIA,

THE MINISTRY OF DEFENCE OF HUNGARY,

THE MINISTRY OF DEFENCE OF THE SLOVAK REPUBLIC,

AND

THE MINISTRY OF DEFENCE OF THE REPUBLIC OF SLOVENIA,

CONCERNING

THE ESTABLISHMENT OF

A REGIONAL SPECIAL OPERATIONS COMPONENT COMMAND

Certified copy of the
Memorandum of Understanding
concerning the Establishment of
a Regional Special Operations
Component Command

Introduction

The Federal Minister of Defence of the Republic of Austria,

The Ministry of Defence of the Republic of Croatia,

The Ministry of Defence of Hungary,

The Ministry of Defence of the Slovak Republic,

The Ministry of Defence of the Republic of Slovenia,

Hereinafter referred to as "the Participants":

Considering

- for NATO Allies the North Atlantic Treaty signed in Washington on 4 April 1949,
- the good friendly cooperation, shared values and regional interest of the Participants,
- the importance of multinationality and interoperability of rapidly deployable units of Special Forces, for NATO Allies in particular in the context of dealing with Article 5 of the North Atlantic Treaty and non-Article 5 crisis operations,
- the Agreement between the Parties to the North Atlantic Treaty regarding the Status of their Forces, done in London on 19 June 1951 (NATO-SOFA) and any supplementing agreement thereto,
- 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, done in Brussels, on 19 June 1995 (PfP SOFA),
- the Agreement between the Member States of the European Union concerning the status of military and civilian staff seconded to the institutions of the European Union, of the headquarters and forces which may be made available to the European Union in the context of the preparation and execution of the tasks referred to in Article 17(2) of the Treaty on European Union, including exercises, and of the military and civilian staff of the Member States put at the disposal of the European Union to act in this context (EU SOFA),
- the Letter of Intent between the Ministry of Defence of the Republic of Croatia, the Ministry of Defence of Hungary, the Ministry of Defence of the Slovak Republic, and the Ministry of Defence of the Republic of Slovenia, concerning

Multinational Cooperation on the Creation of a Regional Special Operations Component Command signed on 13 February 2019, and subsequently signed by the Federal Minister of Defence of the Republic of Austria on 14 May, 2019,

- that all Participants have their own national requirements and/or individual NATO capability targets 2017 to provide fractional contributions for a Special Operations Component Command Small Joint Operations (SOCC SJO),
- for NATO Allies that the associated capability area of Joint Command and Control (Joint C2) constitutes one of the NATO's 18 Defence Planning Priorities, that the Regional Special Operations Component Command (R-SOCC) is primarily intended to be a multinational Special Operations Forces capability for regional interests,
- that multinational cooperation in this capability area could enable the Participants to fulfil their national requirements and/or NATO capability targets 2017 more efficiently, with increased logistic synergy and provide them with greater operational value,
- that the cooperation between Austrian, Croatian, Hungarian, Slovakian and Slovenian Special Operations Forces can become the framework for further reaching international cooperation in wider coalitions,
- in recognition of the principle whereby the R-SOCC is open to member states of NATO or of the European Union and NATO partner nations,
- the possibility of a participation in NATO Response Force (NRF) SOCC rotations, and the possibility to take part in European Union SOF activities within the framework of the Central European Defence Cooperation,
- for NATO Allies the development of the NATO Readiness Action Plan (MCM-0079-2015, 28 April 2015),

Have reached the following understanding:

1. Purpose

- 1.1. The purpose of this MOU is to provide the framework to set up the Regional Special Operations Component Command (R-SOCC) as an enduring multinational headquarters capability, formed around a Framework Nation, to command multinational Special Operations Forces and attached support forces in line with a Small Joint Operations (SJOs) ambition. As such, it should be capable to exercise command and control for up to six (6) Special

Operations Land Task Groups / Special Operations Maritime Task Groups and one (1) Special Operations Air Task Group, with the aim of reaching Full Operational Capability (FOC) in 2024.

- 1.2. The R-SOCC is intended to facilitate the development of capabilities derived through national requirements and/or the NATO Defence Planning Process and to create a force generation tool for future NATO Response Force rotations, EU missions and other operations.
- 1.3. This MOU provides the framework to set up the R-SOCC and defines in general terms the conditions and the responsibilities of the R-SOCC, including C2, training and exercise, operations, deployment, logistics and financing.
- 1.4. Hungary will act as the Framework Nation, and will be expected to provide manning for the R-SOCC and will provide the R-SOCC Commander.
- 1.5. Furthermore Hungary will be expected to provide command and control information systems (C2IS) down to Special Operations Task Group (SOTG) level and base life support functions. The Framework Nation will be also expected to coordinate the combat service support (CSS) functions for the component, and to provide at least one SOTG, and tactical airlift capability.
- 1.6. The other Participants will be expected to provide the personnel required to reach 1.0 R-SOCC capability and may provide other subordinate units and capabilities.
- 1.7. In addition, R-SOCC can be supported by other nations.
- 1.8. For Participants of NATO member states, it is anticipated that the R-SOCC will participate in the 2025 NRF rotation.

2. Scope

This MOU does not create any rights or obligations under international law. The Participants share the understanding that this MOU is neither intended to conflict with, expand upon or replace applicable national laws or regulations, nor is it intended to conflict with, expand upon or replace applicable international agreements and the obligations of the authorities therein. Should such a conflict arise, the Participants will notify each other, and the provisions of national law and regulations and international law and international agreements will prevail.

3. Activation and Deployment of R-SOCC

- 3.1. Any operational commitment of a Participant will only take place after a decision by the respective national authorities. It is a prerogative of each Participant to define the national level of participation.
- 3.2. Unless otherwise agreed, request for activation will be received by the Framework Nation, who will notify the other Participants.
- 3.3. Activation of the R-SOCC will be decided by the Management Board. Activation requires the consent of the Framework Nation and at least two other Participants.
- 3.4. Decision on the deployment of the R-SOCC will only be carried out with the consent of Participants taking part in the activity.
- 3.5. Deployment of the R-SOCC requires the participation of the Framework Nation and at least two other Participants.

4. Command and Control During Activation and Deployment

- 4.1. When activated and deployed, the R-SOCC will, to the maximum extent possible, be integrated into an existing Joint C2 structure. If no Joint C2 structure is available, the C2 structure will be established by mutual consultation amongst the Participants.
- 4.2. Unless otherwise decided by the Participants, C2 will be in accordance with relevant NATO doctrines, NATO Concept of Operations and NATO standards.
- 4.3. Any national contribution to the R-SOCC will remain under full command of the respective Participant. Participants will delegate Operational Control to the R-SOCC Commander in accordance with national procedures.
- 4.4. In case of deployment, Transfer of Authority will take place upon arrival of the forces in the area of operation. Each Participant will provide a copy of their Transfer of Authority to the R-SOCC Commander.

5. Organization

The R-SOCC concept rests on two organizational structures: an R-SOCC governance and an operational R-SOCC structure. The governance structure will be established

to build and maintain the capability, the operational structure will be established to employ the capability and exercise C2 of the R-SOCC.

5.1. R-SOCC Governance Structure

The governance structure will be responsible for building and maintaining the R-SOCC capability to stand up for SJOs.

- 5.1.1. The R-SOCC Management Board (MB) will constitute the dedicated governance and decision making body for all aspects pertaining to the R-SOCC.
- 5.1.2. The MB will consist of one nominated representative from each Participant at the SOF commander or equivalent level. In addition, the MB may, based on unanimous decision, invite representatives of other nations and entities to its meetings.
- 5.1.3. Each representative to the MB will have one vote. All decisions within the MB will be taken unanimously, except the decisions on activation and on deployment, as provided in Section 3.
- 5.1.4. The MB will be chaired and administered by the Framework Nation. The MB will meet – in person or by other means – as required at the call of the Chairperson at such regular intervals as necessary to carry out its responsibilities effectively, or as soon as possible in response to a specific request by any Participant, but usually not less than twice a year.
- 5.1.5. The MB will be able to establish working groups to work on specific aspects relevant to R-SOCC.
- 5.1.6. If mandated by the Participants, the Chairperson of the MB will represent the Participants at NATO force generation conferences or equivalent non-NATO engagements.
- 5.1.7. The MB will adopt its Terms of Reference and the Terms of Reference for the working groups.

5.2. R-SOCC Operational Structure

The operational structure is responsible for employing the capability and exercise C2 of the R-SOCC. Responsibilities and tasks will in general be according to NATO Special Operations Headquarters SOCC Manual from October 2014.

- 5.2.1. The R-SOCC will be manned through force generation conference of the Participants. Unless decided otherwise by the Participants, NATO directives and guidance for force generation will apply.
- 5.2.2. The R-SOCC will be commanded by the R-SOCC Commander. The positions of Deputy Commander and Chief of Staff will be manned by a Participant other than the Framework Nation.
- 5.2.3. The R-SOCC Commander will coordinate at his/her appropriate level on behalf of R-SOCC with other entities.
- 5.2.4. The R-SOCC Commander will exercise Command and Control over the enabling capabilities attached to R-SOCC and subordinate task groups.

6. Financial Arrangements

- 6.1. Each Participant will be responsible for funding the costs that it may incur, related to the execution of this MOU.
 - 6.1.1. Such costs may include:
 - all costs associated with education, training and participation in exercises of its contributions to the R-SOCC,
 - all costs arising from deployment, sustainment and redeployment of its contributions to the R-SOCC,
 - all pay and allowances for its contributions to the R-SOCC,
 - all costs related to commitment for exclusive national use,
 - all costs related to the provision of enabling capabilities and subordinate units.
- 6.2. In case a Participant notifies the other Participants that its funds are not sufficient to fulfil its responsibilities under this MOU, the Participants will immediately consult with a view toward continuation on a modified basis.
- 6.3. The financial, accounting and auditing procedures for shared costs, including arrangements for reimbursement, will be decided by the MB, if needed.

7. Special Operations Task Groups (Land, Maritime and Air)

- 7.1. The Participants will aim to provide the Special Operations Task Groups within the framework of the R-SOCC, including a mutual Special Operations Air Task Group.
- 7.2. The Participants may invite other nations to provide Special Operations Task Groups for the R-SOCC.

8. Enabling Packages

- 8.1. Depending on the situation, the R-SOCC may require additional capabilities, such as Role I Medical Support; Force Protection; Counter Improvised Explosive Device; Chemical, Biological, Radiological and Nuclear Protection; Computer Network Operations capability; Intelligence, Surveillance and Reconnaissance capabilities; and/or Information Operations capabilities.
- 8.2. These capabilities will be provided as enabling packages through an R-SOCC force generation process. Enabling packages are not seen as an integral part of the R-SOCC.

9. Participation of Other Nations

- 9.1. Upon invitation, other nations may take part in the R-SOCC on temporary basis during exercises or operations by providing staff members, enabling packages, and/or Special Operations Task Groups.
- 9.2. Participation of other nations is subject to separate arrangements between the Participants and the other nation.

10. Legal Status and Jurisdiction

- 10.1. The R-SOCC will not be considered an international military headquarters and it is not planned to be activated as such by the North Atlantic Council.
- 10.2. The status of personnel in the area of application of the NATO SOFA/PfP SOFA will be governed by the NATO SOFA/PfP SOFA and other applicable arrangements.

- 10.3. The status of personnel outside of the area of application of the NATO SOFA/PfP SOFA may be addressed in a separate SOFA.
- 10.4. The Participants do not have the authority to take disciplinary action against personnel of another Participant.
- 10.5. On request, the Participants will, to the extent permitted by their national laws, assist the other Participants in administrative or disciplinary matters.

11. Claims and Liabilities

- 11.1. Claims will be dealt with in accordance with Article VIII of the NATO SOFA.
- 11.2. Claims which are not covered by Article VIII of the NATO SOFA will be dealt with on a case by case basis in accordance with rules and regulations applicable to the matter in question.

12. Security of Classified Information and Material

Classified information or material, exchanged or generated in connection with this MOU, will be used, transmitted, stored or handled and safeguarded in accordance with the Participants' applicable national security laws and regulations and/or bilateral or multilateral agreements, to the extent that they provide a degree of protection no less stringent than that provided for in the document "Security within the North Atlantic Treaty Organization" 17 June 2002 C-M(2002)49, including all supplements and amendments thereto.

13. Admission of New Participants

- 13.1. This MOU is open for participation to any NATO or EU member state or NATO partner nation.
- 13.2. Any admission of a new Participant will require the consent of all Participants and will be processed through a Note of Joining as provided in Annex B.

14. Miscellaneous

The Participants may implement this MOU through arrangements concerning the details of R-SOCC and other issues as deemed necessary.

15. Dispute Settlement

Participants will make efforts to solve all disputes between them arising under or in relation to this MOU by mutual consultation.

16. Final Provisions

- 16.1. This MOU will become effective upon the signature of the Framework Nation and two other Participants. For the other Participants the MOU will become effective on the date of their signature.
- 16.2. This MOU can only be amended by written consent of all Participants. Amendments will become effective upon the date of the last signature.
- 16.3. Any Participant may withdraw from this MOU giving a twelve months' written notice to the other Participants. Participants will settle all outstanding issues remaining due to the withdrawal.
- 16.4. This MOU will remain in effect until terminated by the Participants by unanimous written consent. All outstanding issues will be settled before termination enters into effect.

This MOU is signed in one (1) original in English. The Framework Nation will hold the original and will provide certified copies to the other Participants.



The Deputy Prime Minister and Minister of Defence of the Republic of Croatia
Damir Krstičević



The Minister of Defence of Hungary
Tibor Benkő



The Ministry of Defence of the Slovak Republic
Peter Gajdoš



The Deputy Prime Minister and Minister of Defence of the Republic of Slovenia
Karl Viktor Erjavec

"subject to approval"

Location: Brussels

Date: October 25, 2019

Protocol Note:

The Republic of Slovenia shall approve the Memorandum of Understanding between the Federal Minister of Defence of the Republic of Austria, the Ministry of Defence of the Republic of Croatia, the Ministry of Defence of Hungary, the Ministry of Defence of the Slovak Republic and the Ministry of Defence of the Republic of Slovenia concerning the Establishment of a Regional Special Operations Component Command and shall apply it pending approval.

The Federal Minister of Defence of the Republic of Austria
Thomas Starlinger

Location :

Date:

Protocol Note:

The Republic of Slovenia shall approve the Memorandum of Understanding between the Federal Minister of Defence of the Republic of Austria, the Ministry of Defence of the Republic of Croatia, the Ministry of Defence of Hungary, the Ministry of Defence of the Slovak Republic and the Ministry of Defence of the Republic of Slovenia concerning the Establishment of a Regional Special Operations Component Command and shall apply it pending approval.

Annex A

Reference Documents

1. The North Atlantic Treaty, 4 April 1949.
2. Agreement between the Parties to the North Atlantic Treaty regarding the Status of their Forces, 19 June 1951 (NATO SOFA).
3. 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, done in Brussels, on 19 June 1995 (PfP SOFA).
4. Agreement between the Member States of the European Union concerning the status of military and civilian staff seconded to the institutions of the European Union, of the headquarters and forces which may be made available to the European Union in the context of the preparation and execution of the tasks referred to in Article 17(2) of the Treaty on European Union, including exercises, and of the military and civilian staff of the Member States put at the disposal of the European Union to act in this context (EU SOFA).
5. STANAG 2034 NATO standard procedure for compensation and form for request and receipt of support in the form of supplies and services.
6. MC 0437/2 Special Operations Policy, 21 April 2011.
7. ACO Forces Standards Volume X – Special Operations Forces, August 2012.
8. ACO Forces Standards Volume XI – Special Operations Forces Headquarters and Unites Evaluation, September 2011.
9. NATO Special Operations Headquarters 80-002, Special Operations Component Command Manual, October 2014.
10. ACT Bi-SC Capability Codes and Capability Statements, January 2016.
11. STANAG 6025, Financial Principles and Procedures for the Provision of Support and the Establishment of Multinational Arrangements, Edition 2, 22 January 2013.
12. NATO Glossary of Terms and Definitions, Allied Administration Publication No. 6 (AAP-6) Edition 2018.
13. Security within the North Atlantic Treaty Organization, 17 June 2002 C-M(2002)49 (including all supplements and amendments thereto).

Annex B

Template for Note of Joining

**NOTE OF JOINING
FOR THE [new Participant]
TO PARTICIPATE IN
MEMORANDUM OF UNDERSTANDING
BETWEEN
THE FEDERAL MINISTER OF DEFENCE OF THE REPUBLIC OF AUSTRIA,
THE MINISTRY OF DEFENCE OF THE REPUBLIC OF CROATIA,
THE MINISTRY OF DEFENCE OF HUNGARY,
THE MINISTRY OF DEFENCE OF THE SLOVAK REPUBLIC,
AND
THE MINISTRY OF DEFENCE OF THE REPUBLIC OF SLOVENIA,
CONCERNING
THE ESTABLISHMENT OF
A REGIONAL SPECIAL OPERATIONS COMPONENT COMMAND**

The [new Participant],

ELECTS, as of the date of the last signature of this Note of Joining, TO PARTICIPATE IN AND TO ABIDE BY, the Memorandum of Understanding between the Federal Minister of Defence of the Republic of Austria, the Ministry of Defence of the Republic of Croatia, the Ministry of Defence of Hungary, the Ministry of Defence of the Slovak Republic, and the Ministry of Defence of the Republic of Slovenia, concerning the Establishment of a Regional Special Operations Component Command (R-SOCC MOU), which came into effect on

For the [new Participant]

(Signature)

(Name)

(Function)

(Place / Date)

The Participants to the R-SOCC MOU

WELCOME the expressed commitment by the [new Participant] and AGREE with the [new Participant] joining them as a Participant to the R-SOCC MOU.

This Note of Joining is signed in one (1) original in English. The Framework Nation will hold the original and will provide certified copies to the other Participants.

For the Federal Minister of Defence of the Republic of Austria

(Signature)

(Name)

(Function)

(Place / Date)

For the Ministry of Defence of the Republic of Croatia

(Signature)

(Name)

(Function)

(Place / Date)

For the Ministry of Defence of Hungary

(Signature)

(Name)

(Function)

(Place / Date)

For Ministry of Defence of the Slovak Republic

(Signature)

(Name)

(Function)

(Place / Date)

For the Ministry of Defence of the Republic of Slovenia

(Signature)

(Name)

(Function)

(Place / Date)

