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NATO CENTRE OF EXCELLENCE ESTABLISHMENT MANUAL

Version 3.0

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Introduction

This manual is now in its third iteration. Version 1.0 was written to answer the similar questions that all prospective COEs have. It was little more than a list of frequently asked questions. Version 2.0 of the manual included a step by step guide for establishment and accreditation with the best practices to date.

This version of the manual has new sections and even greater detail on the best practices. At the time of writing this manual there are 17 accredited COEs with one more to be accredited in the coming weeks. A lot has been learned during those establishments and accreditations, the result is this manual.

The manual is written to be your constant reference. Please refer to it whenever you have a question and be sure to re-read it before you approach each milestone. Some of the biggest mistakes are made by those that read the manual, put it down and think they will remember everything.

As always I am here to answer your questions and to guide you through the process. Please feel free to use my experience and knowledge.

Respectfully
Tony Wedge

This Manual and its contents are NOT classified

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Disclaimer: This manual is designed to provide guidance and specific information on the process of establishing a **NATO COE**. It is not provided as a Standard Operating Procedure (SOP), but rather as a collection of best practices and suggestions. It should also not be regarded as an official NATO Document.

1 – COE Background

The idea for COEs originated in MC 324/1 “The NATO Military Command Structure” dated 14 May 2003. The Military Committee refined this idea into MCM-236-03 “MC Concept for COEs” which is dated 04 Dec 2003. Once the idea and the concept were firmly established, the accreditation was next. In 2004, IMSM-0416-04 “NATO COE Accreditation Criteria” were agreed and on the 01 Jun 2005 the first NATO COE was accredited.

A NATO centre of Excellence as defined by MCM 236-03 is:

A COE is a nationally or multi-nationally sponsored entity, which offers recognised expertise and experience to the benefit of the Alliance, especially in support of transformation. It provides opportunities to enhance education and training, to improve interoperability and capabilities, to assist in doctrine development and/or to test and validate concepts through experimentation. A COE is not part of the NATO Command Structure (NCS), but forms part of the wider framework supporting NATO Command Arrangements (NCA).

There are many reasons why a nation decides to offer a NATO Centre of Excellence. One of the most common reasons is to contribute to NATO whilst at the same time directly benefiting one or more Nations.

HQ SACT is the single point of contact within NATO for COE establishment. Within HQ SACT, the Transformation Network Branch (TNB) is tasked to assist nations with the establishment process. The TNB has a dedicated and experienced Establishment Staff officer and legal assistance to accomplish this.

As the strategic command tasked with the coordination of all NATO COE activities, HQ SACT, Transformation Network Branch has worked diligently to develop the principles and criteria that now define NATO COEs. Throughout this time, we have also worked closely with the various Sponsoring Nation to develop individual Concepts and Memoranda of Understanding to guide these supporting relationships. At the same time we have also been working hard to standardize the various COE processes and this establishment manual represents a small part of those processes.

The number of NATO COEs are constantly growing but the basic principle remains the same: NATO Command Arrangements (NCA) are supported by a network of COEs which are managed and funded by Sponsoring Nations and are open for participation by all member states.

NATO COEs have been practicing the principles of Smart Defence since 2005, long before the phrase became popular in NATO as a way to describe the cooperation between alliance nations, partners, industry, academia, NGOs, IGOs, etc. (to name just a few) and NATO.

2 – Where does the idea come from?

The idea for a COE generally comes from two main sources, NATO or an Alliance Nation. If the idea comes from NATO, it is generally a result of an identified shortfall in NATO’s capabilities. If the idea comes from an Alliance Nation, it can come from the operational, tactical or strategic level. Some ideas have even come from the political level. Regardless of the origin of the idea, it must be supported at the national and NATO level to be successful. This only addresses the success of the idea however, to become a successful NATO COE, you must also secure the support of other Alliance nations who support your idea with manpower and money.

3 – How to offer a COE

The first thing to do is to ask for assistance. You may be reading this manual for the first time and could be feeling overwhelmed by the unfamiliar terms and processes. Please contact the NATO COE Establishment and Accreditation Subject Matter Expert (SME) once you have read through the manual and before you do anything else. The TNB SME has been through this process many times with many nations and can help guide you confidently through the entire process and make sure that you understand the establishment and accreditation process as it relates to your nation and your situation.

Contacting the TNB SME does not constitute a formal offer or represent any obligation on your part or that of your nation. TNB gets many ideas for COEs that for one reason or another do not result in the establishment of NATO COEs.

There are specific items and actions that are required to be considered as a NATO COE. Experience has shown that there is an optimum procedure to offer a COE to NATO.

Significant deviations from the optimum procedure will put the potential COE at a disadvantage from the start.

The optimum procedure for offering a COE to NATO

1. Contact TNB NATO COE Establishment and Accreditation SME – [by internet Email](#)
2. Share your ideas for a COE with TNB
3. Be prepared to make changes to meet the principles of a NATO COE
4. Ensure you have high level support in your nation
5. Build your COE concept with advice and assistance from TNB
6. Be prepared to meet with TNB to understand the issues in offering a COE
7. Once TNB has informed you informally that the concept would be acceptable to NATO – AND – you have political level support in your nation, the concept is formally submitted to SACT.

Please read the Establishment Process in detail for an explanation of the steps.

4 – Support you can expect from HQ SACT TNB

Assisting Nations with the establishment and accreditation of NATO COEs is one of TNB's core tasks. We can guide you through every step of the establishment process and pass on best practices as well as advice and assistance whenever needed. We can also help you to avoid the mistakes that others have made before you. TNB has experience with over 20 COEs and almost as many nations. As a result, we can also pass on best practices with a national perspective. To accomplish this, TNB will have assistance in turn from a Subject Matter Expert (SME) and the HQ SACT Legal office. The HQ SACT "Team" and the National establishment "team" work closely together for the Establishment and subsequent Accreditation. TNB can provide the NATO perspective to your military and political leaders during the decision phase in your nation. Additionally TNB provides moderation services at the necessary conferences to establish a COE.

After the Establishment and Accreditation of a Centre, the TNB's role continues with regular Guidance, advice and coordination.

5 – The Establishment process in detail

- a. **The idea** – You have your idea and now is the time to contact TNB. TNB realises that at this stage it is "just an idea" and may or may not get Political approval in your nation.
It is possible with so many NATO COEs already in existence that your idea may conflict with what is already being done in another NATO COE or another NATO entity. TNB, with the help of Subject Matter Experts which could come from existing NATO COEs, will examine the idea and see if it meets the two main criteria for us

to accept a concept for a NATO COE. The first criteria is that it meets all the principles in MCM-236 (MC Concept) and the second criteria is that it is a benefit to NATO. Once we have done our analysis we will let you know if the idea needs to be amended to meet these criteria. TNB will guide you through this process to ensure your idea compliments the work being done in another NATO COE or another NATO entity rather than conflicts.

One of the reasons we sometimes use Subject Matter Experts in existing NATO COEs to assist us to analyse and idea or concept is because sometimes they represent the most knowledgeable SME available to NATO or because they will be aware of how much your idea will overlap or conflict with their work.

Assuming your idea is a good one that meets the principles for a NATO COE. TNB will guide you through the next steps and provide advice and assistance. From the idea stage onwards it is important that your National Liaison Representative (NLR) here at HQ SACT is kept informed as he/she will form a very important part of the establishment team.

- b. **The Concept** – A concept for a prospective NATO COE is a formal document and should provide the background and any other additional information on national developments and expertise in the field of the proposed COE. At first, the draft concept will require the assistance of TNB to ensure that the concept will fulfil its two main purposes;
1. To address a capability gap or requirement in NATO.
 2. To attract support from other nations in order to make the COE multinational.

(TNB can provide the format and examples of NATO COE Concepts)

In the drafting of your COE concept, you must remember the four pillars of a COE. NATO needs the support of all four of these pillars to achieve maximum contribution from Centres of Excellence. An acceptable COE concept fulfils at least three of the four pillars to be of value to NATO and thereby be accredited. The four pillars are aimed at providing:

- Education and Training (including exercise support)
- Analysis and Lessons Learned
- Concept development and experimentation
- Doctrine development and standardisation/interoperability.

If your concept focuses too strongly on Training and Education, it is clearly more suited to being a NATO Accredited Training Centre, and you will be advised to follow that accreditation process rather than a NATO COE Establishment process. A NATO COE is not just a training centre and a training centre is not a COE even if it is excellent at training.

Please remember that your draft concept represents the beginning of a long term relationship with NATO and other nations through the COE. It represents a long term potential commitment on the part of your nation over many years.

It has happened before that a nation did not share their ideas with us first and just presented a concept for comment. This created more problems because the work was not done in the “idea phase” to see if the concept would be acceptable. In the inevitable exchange of formal letters we had to explain that we have to analyse the concept and apply the same principles mentioned in the idea phase. We also end up with a draft concept that has to be re-written in a different format and address the important points of a NATO COE.

After receiving the TNB’s initial comments on the draft COE concept, the Nation proposing the COE (the prospective Framework Nation) should prepare to send a delegation to HQ SACT to informally discuss the issues involved in establishing a

COE and also to discuss the concept further. These meetings with TNB, HQ SACT legal and Subject Matter Experts (SMEs) are typically 1-2 days in duration. The goal of the meeting is for the prospective Framework Nation to gain an understanding of the COE Establishment and accreditation process and also the responsibilities of the Framework Nation.

After the meeting with TNB, the prospective Framework Nation are able to return to their capital with an understanding of the level of effort and most of the costs involved to establish and accredit a NATO COE. With this knowledge you will have everything essential for you to attempt to secure the political support you will need to make a formal offer. Even with the best of briefings there will still be questions when you return to brief your leadership. It may even be the case that your leadership needs to hear the message directly from NATO. TNB understands this and it is also part of the reason why we also schedule a TNB visit to your country.

The concept is a living document and is amended throughout the establishment process with suggestions from NATO, the Framework Nation (FN) and the prospective Sponsoring Nations (SN). Experience has shown that the framework Nation should be prepared for some level of compromise with respect to the concept as not all of its ideas regarding the manning or the focus of the proposed COE will be shared by SNs.

- c. **Political Support** – As you are already aware, nothing of any importance happens in your country without political support. The establishment of a NATO COE is no exception. You should encourage your respective political leaders (Minister or Deputy) to support the establishment of your NATO COE idea. This support will be put to practical use throughout the establishment process.
- d. **The establishment as a project** – Recently, several Nations have established their NATO COEs by treating the establishment process as a formal national project with a project manager, and the associated resources (including funding). This approach is strongly recommended as it is by far the smoothest way to create a NATO COE in a nation. A properly managed project will give you the estimated Manpower, costs, timelines and milestones that politicians love to see before they will support your idea.
- e. **Establish funding** – Establishing a COE is a costly process and the resources are considerable. In the beginning, you will need money for the following:
 - Travel for the Establishment team
 - The information campaign
 - The hosting of the conferences
 - The building and infrastructureSoon after you will need money for:
 - The first year of operating costsIt is hard to say how much it will cost your nation without seeing your circumstances and facilities available. Costs for establishing previous NATO COEs have ranged from several hundreds of thousands of Euros to over 12 million Euros.
- f. **The TNB Visit** – The NATO COE Establishment subject matter expert (SME) visits your nation to brief FN Political, Military or both leadership and answer questions on the all aspects of the COE process. Many times your leadership would like to hear the same message that you are giving but it is received in a different way when it is delivered by the guy that “wrote the book” on establishing NATO COEs.

During the visit, you should also be prepared to present brief(s) on the project status and plans. The NATO COE Establishment SME can also visit proposed COE location to provide advice on the building requirements, security and IT Infrastructure. TNB will meet with any members of your COE Establishment team. This is also a team building exercise between NATO (TNB) and the FN

establishment team. The visit will finish with an out-brief by the NATO COE Establishment SME to the FN. The visit is normally 3 days.

Topics to be discussed (at a minimum):

- The COE establishment process
- How the TNB establishment expert can assist you in your efforts
- National issues that affect the establishment process
- FN roles and responsibilities
- The legal issues for a NATO COE
- The financial issues of a NATO COE
- The importance of a strong FN establishment team
- HQ SACT roles and responsibilities
- The importance of Sponsoring Nations
- The importance of the “publicity campaign”
- NATO COE C2 Arrangements
- The implications of the COE being an Independent International Military Organisation (IMO) when accredited by the NAC
- The COE accreditation process
- The Concept
- The MOUs
- The way ahead

g. **The COE Establishment team** – To build a successful COE, you must first build the “Framework Nation COE establishment team” consisting of (at a minimum):

- Flag level “Sponsor”
- (Prospective) Director of the COE
- Subject matter experts
- Dedicated Lawyer
- Admin Assistant(s)
- PIO/PAO person for the information campaign and beyond
- The HQ SACT COE Establishment SME
- Involvement of the your HQ SACT NLR

One of the most important things to understand is that the establishment of a COE is a time consuming process requiring total commitment of the establishment team. It is very strongly recommended that the members of the establishment team (except the flag level sponsor and HQ SACT NLR) are dedicated to the COE Establishment “project” and are not given any other national duties or tasks. Even given the fact that it is a full time task to establish the COE, there is another important reason to dedicate full time staff to the establishment. If the team are establishing the COE as a secondary duty, potential sponsoring nations will interpret this as a lack of commitment on the part of your nation and the support from other nations will be negatively affected. The team is also the “face of the COE” to the outside world. For this reason, it is strongly recommended not to change personnel. There is also a very practical reason not to change the establishment team. During the first few months the team goes through an intense learning process with the TNB establishment SME to build the knowledge to be able to establish the COE. TNB regretfully cannot keep investing resources to train new members of the team.

h. **Visits to other COEs** - The establishment team should be prepared to visit 2 or 3 of the established NATO COEs in order to get different perspectives on the challenges of establishment and operating a NATO COE. TNB can assist those visits by arranging introductions and invitations. You should take as many of the establishment team with you as practical.

i. **The formal Offer to NATO** – The formal offer of a COE is a letter (TNB can provide examples) from someone in your nation with sufficient authority (normally CHOD level or Political level) to offer the COE. The letter is addressed to SACT (4*) and will have your COE concept as an attachment or annex. Upon receipt of the formal

offer SACT, through TNB, will determine if the offer meets the minimum criteria for a NATO COE. TNB will then draft a formal reply to the offer for signature by SACT. It should be noted that if the establishment process detailed in this manual has been followed up to this point, you can have a high degree of confidence that your concept will gain acceptance by NATO because TNB will not advise you to submit a concept that we know will not be accepted.

- j. **The information campaign** – After your nation receives a positive reply to your Formal offer of a COE, it is time to begin the difficult task of attracting other nations to sponsor the centre with manpower and money. In the current economic climate, this is even harder and the importance of the Information Campaign cannot be stressed enough. It is no longer possible to establish a COE and attract sponsoring Nations with a good idea and by spending a few Euros. This is where you are glad if you followed the TNB advice and now have a POI/PAO expert to help guide the campaign.

The information campaign is broken down into two distinct but inter-related areas:

(i) The internal information campaign – Conduct an internal (national) information campaign aimed at telling everyone what the COE is and how they will be expected to support it. Of critical importance is to educate your national representatives such as MILREPS, NLRs, NMRs and National reps so that they can also support your COE by passing on information to their colleagues in working groups, committees and meetings. Ensure everyone has the same information or knows where to get the latest information. Have briefs, printed materials etc. prepared for your countrymen to act as ambassadors for your COE. Make sure you do not forget to educate the politicians too and give their aides plenty of material to distribute. One of the beneficial side effects of an internal information campaign is that it will minimise the inevitable “power plays” when certain factions in your nation will look at the political support, the funding (rare in this economic climate) and above all the prestige of the NATO COE and will want it under their command. Normally in your information campaign you will have already educated them that the COE is independent and therefore not in the C2 arrangements of either NATO or your nation.

(ii) The external information campaign - Potential sponsoring Nations need to see the benefit to their capabilities and to their budget. To promote the COE to prospective sponsoring nations, the information campaign should be pursued on all levels (SMEs, Working Groups, NLRs, NMRs, CHOD and Ministerial) in order to attract nations to the conferences and ensure that nations have a “maximum awareness” of the initiative. A brief to the Military Committee is also desirable, but experience has shown that the brief is better given by a COE Subject matter expert rather than a FN military representative. The future Director of the centre is an ideal choice for this brief. The information campaign should utilize all forms of communication (Briefs, Web, Emails Printed materials etc.). However there is no substitute for face to face communication. This is where the Flag Level Sponsor and the future Director can best be utilised. The Flag level Sponsor and the future Director make a short list of approximately 5 nations that are “good” in the COE’s chosen subject and may be likely to support the idea of a COE. You should also examine your nation’s support for other NATO COEs. The Flag level Sponsor should then arrange meetings with the Flag level decision makers in the target nations. The Flag Level Sponsor and the future Director then travel to the target nation to persuade them to support the COE as a team. One thing to avoid would be to produce an initial “burst” of information and then have an “information Vacuum.” It is better to keep up constant flow of information being as transparent as you can.

- k. **The Infrastructure** – Now is the time to start thinking about a building for the COE and everything that will be needed for accreditation. If your nation is lucky, you will already have a building that is ready to move into. In most cases this is not the

case and either an existing building needs renovation or a new building is constructed incorporating NATO Standards. In either case, it is normally a long process to plan, design and implement a building plan. Ideally, the building should be ready for the accreditation visit which takes place soon after the MOUs are signed. However this is not always possible. As an alternative, the building could be ready when you expect the first multi-national staff members. This normally happens during the summer rotation period immediately following the signing of the MOUs. The COE personnel would still need temporary offices until the designated building is finished. If your nation chooses this option, the temporary offices will be assessed during the accreditation visit along with your plans for the new building. In practical terms this means that the temporary offices also need to meet NATO standards for the accreditation to be successful, but it does give you more time to finish the building. For these reasons it is critical that the building project is funded early on in the COE establishment process. This requires a “leap of faith” on the part of your leadership to fund a building before you have concrete (Sponsoring Nation) support from other nations for the COE, but remember that your nation submitted your COE concept officially to NATO and offered to establish the COE. The building is a key part of that offer.

TNB are able to pass on best practices from other COEs regarding the infrastructure at your request. One of the best practices that TNB has identified is to have a separate building for your COE whenever possible. The COE is an independent entity not in the C2 arrangements of either the FN or NATO. It will operate under NATO security rules. For accreditation this will be checked. Having lodgers in your building from a National command will confuse these security rules and create un-necessary problems. Furthermore it is very important that the COE is viewed by visitors and staff members as an independent NATO entity rather than a National entity. Again having staff members from a national command in your building will confuse this and not give the right impression to the visitors. If you must share a building, TNB recommends a separate area with a separate entrance. Please remind your politicians that the NATO flag looks much better outside its own building than hidden in the corridor of a larger building. After all, they will be the ones posing with that flag in front of the television cameras.

- I. **The political dimension** – As much as we would like to deny it, support for NATO COEs has political dimensions. One of these dimensions is the unwritten reciprocal arrangements that go on between nations. For example a nation may agree to support your COE if you support theirs. You are advised to closely examine and evaluate your nations support for other COEs and determine what leverage this gives you. Whilst it should not make a difference, in practical terms your nation may have the best idea for a COE but without support from other nations this idea will fall short. In another political dimension, many of the recent NATO COEs have come into being because of a strong commitment and involvement of senior politicians. The Lithuanian ENSEC COE is a good example here. During the information campaign, both the Minister of Defence and the Minister of Foreign Affairs were actively promoting the centre and soliciting support through their personal contacts. Additionally, both Ministers attended the first conference and made speeches that promised support and resources.

- m. **Testing the information Campaign** – Because the information that you present in the information campaign will determine if a prospective sponsoring nation has any interest in your COE initiative, it is important that the information presented be tested. To do this, take one of the officers in your nation that has not been exposed to the COE initiative and present him with the package to read. With only this information he/she should be able to write a (simulated) CHOD level report to support the idea. If the information package contains the right information, this will be possible. A good package will make this possible because it gives basic information on the following:
 - What is a NATO COE
 - Your Vision for the COE

- The benefits of your COE to NATO
- The benefits of your COE to prospective Sponsoring Nations
- What makes your nation “Excellent” in this field
- Location of the COE
- Local living conditions, schools etc.
- Draft structure (Org Chart)

Remember that at this stage you are “selling” the idea to other nations and you have to give them good reasons to invest manpower and money into your COE.

- n. **The Memoranda of Understanding (MOUs)** – At the same time the information campaign is under way, the two MOUs have to be drafted. This work is done by a subject matter expert who is very familiar with the focus of the COE and your legal advisor or lawyer. The MOU templates are supplied by TNB. TNB, together with SACT Legal, will assist in the preparation of the draft MOUs. The MOUs are not classified. The MOU is normally drafted in English with an authoritative French version if required.

It should be noted that NATO document D-D(51)86 (Final) and a Bi-SC (strategic Command) Directive (15-3) states that the two official languages of NATO are French and English. It does make provision for documents drafted in languages other than French or English but clearly states that ONLY the French and/or English version can be “Authoritative”. In practical terms, this means that there is nothing to stop the MOUs being officially translated into any other language for reference, but they will NOT be authoritative and will not therefore be signed.

The MOUs will go through many versions over many months. It is therefore essential to determine a robust version control system from the start.

- o. **Scheduling the First conference** - The first conference should be scheduled when you have enough potential sponsoring nations to make it worthwhile. Experience has shown that the conference can be scheduled when you have an informal positive indication of interest from about five prospective sponsoring nations (more is always better). This obviously relies heavily on the Information Campaign and should underline the importance of the Campaign. The proposed dates of the conference should not be announced until you are sure that TNB can provide full support.
- p. **Invitations to the First Conference** - The invitations are simple letters to all NATO Nations inviting them to the first conference. PfP and other Nations may also be invited.

The Invitation letters to each nation should:

- Describe the COE
- Establish FN credibility and sincerity in the COE specialty
- Describe the advantages of becoming a Sponsoring Nation in the particular COE.
- Ask for SN POCs
- Provide your COE POCs (the COE Establishment team)
- Provide the draft COE concept and MOUs as an attachment
- Provide the general goals of the conference
- Provide further information about the COE developed by the “information campaign”.
- Be signed by your CHOD or Senior Politician
- The timing of the invitation must allow potential SN enough time to staff the letter and attached documents prior to the conference. The minimum suggested is 45 days.
- You should also prepare a generic form of the letter to be posted on the TNB hosted, [TRANSNET Web Site](#), or your site.

- q. **The First Conference** - The first conference is where your Nation opens up the concept of your COE to potential Sponsoring Nations. The information campaign

and the political “arm twisting” has brought the nations to the table and now the real work of selling the idea to them starts. They are at the conference because they have an interest in your project. This is the first chance you get to explain why an idea is in the concept and accept ideas from other nations. Additionally this is an opportunity for your COE Establishment team to address family oriented aspects of the Framework Nation and the COE.

Not only does the first conference educate the potential sponsoring nations on all aspects of the COE, it also gives them a chance to feel a sense of ownership by putting forth their ideas regarding your COE concept. Because of this, you must be prepared to make changes to the COE concept, manning and cost share (to name a few). In this respect it is vital that there is one position (voice) from the your nation and that all representatives from your nation attending the conference must have full understanding and agreement on all issues that are to be presented at the Conference. This conference is NOT the forum for your nation to conduct internal COE discussions. Potential sponsoring nations will see any division in your nation as a lack of commitment or sincerity.

The first conference will not address legal aspects of the COE in any great depth and therefore it will not be necessary for potential SNs to send legal representatives to the conference. TNB will not bring any legal assistance to the first conference. The second conference will cover the legal aspects in great detail.

This conference will be attended by the HQ SACT COE Establishment SME, the FN COE establishment team, representatives from the potential SNs, and if applicable an ACT/ACO SME designated and invited by TNB.

The conference is normally co-chaired by the COE Director and the HQ SACT COE Establishment SME. The opening speeches are normally given by the FN Flag Level Sponsor and your political sponsor to establish FN commitment. The rest of the briefs are given by HQ SACT and the FN Establishment team. The COE Establishment SME acts as the Moderator, guides the discussion and directs the agreed changes to the concept.

Participation from the potential SNs is normally 1-2 people at the OF-4-6 level. The FN is not expected to provide airfare or free hotel accommodation for the conference participants. However at your discretion you may wish to offer military accommodation to some of the participants.

It is TNB's strong advice not to set a conference fee as this sends the wrong message to prospective nations. (A potential sponsoring nation was once heard to comment, “If they can't afford a conference, why should I believe they can afford a COE”)

Important: The delegates at the conference will return to their nations and write a report which normally reaches the CHOD. The contents of this report will play a large part in that nation's decision to support your COE or not. Therefore it is imperative to give the delegate all the information they need to write a positive report and at the same time keep them happy - A happy delegate writes happy reports!

The HQ SACT COE Establishment SME will meet with the COE Establishment team the day before the conference starts to discuss the conference arrangements, issues and strategies. Following the conference the HQ SACT COE Establishment SME will meet again with the COE Establishment team for a full day. During this (minimum) 8-10 hour day, the Concept and MOUs will be prepared in order to send them to the delegates as soon as possible.

The COE could make arrangements with a local hotel and be prepared to host the meeting in the hotel or other venue. It is recommended that the COE contact the

hotels in the area and negotiate a special COE rate as this will benefit the COE in future events also.

r. The First conference goals:

- Establish FN credibility and sincerity in the specialty of the COE
- Establish FN solidarity, credibility and sincerity in your efforts to set up the COE
- Gather Nations ideas about what the COE should do (amend Concept)
- Answer the question “What is in this for MY nation” for prospective nations
- Educate prospective SNs about:
 - What is a COE
 - Benefits of your COE to NATO
 - MOUs and the associated process
 - Legal aspects of a COE
 - What is TNB and how do we work with COEs
 - Requests for Support and POW
 - Rules and Policy
 - Local living conditions, schools etc.
- Educate FN and prospective SNs that the COE is not subject to a single nation’s desire, it must satisfy all SN (and NATO’s) requirements to be effective.

s. The First Conference Agenda – The work of the first conference will take 2 full days the ice breaker and Social events are in addition to that work. An example 2 day agenda may look like this:

- Monday (Travel day for attendees) Casual Ice-breaker in the evening
- **1st Day (Tuesday)**
- Registration
- Admin issues
- Opening Remarks – prospective Director of the COE
- Welcome Address – (Minister, Deputy Minister, Flag level Sponsor or Rep. from the CHOD or MoD).
- FN Brief - to establish FN credibility and sincerity in the COE speciality + Establish FN solidarity, credibility and sincerity in their efforts to set up the COE
- ACT Brief – Introduction to NATO COEs - 15 Minutes
- ACT Brief - What is TNB and how do we work with COEs – 15 Minutes
- Coffee break
- ACT Brief – The benefit of a this specific COE to NATO - 15 Minutes
- FN Brief -COE’s environment – Educate Nations with respect to local living conditions, schools etc.
- ACT Brief - MOUs and other legal aspects of the COE – 15 minutes
- Lunch
- FN introduction of the COE Concept of Operation
- Discussion & Review of the Concept – FN, TNB Moderates at this point
- Coffee break
- Discussion & Review continued
- End of 1st day
- Hosted Dinner or other social event
- **2nd Day (Wednesday)**
- Admin issues
- FN Brief – Living and working in <insert COE Location here>
- FN Brief – Overview of the COE Facilities (or planned facilities)
- Discussion & Review of concept continued
- Coffee break
- COE organisation – Discussion – FN, Potential SNs, ACT

- Lunch
 - Introduction of the MOUs
 - Way ahead – FN, ACT
 - Coffee break
 - Conclusion and closing remarks
- Thursday (Travel day for attendees)

t. Best practices for the first conference:

- Politicians at your conference always create a good impression. Often the TNB staff is asked by potential sponsoring nations if there is political support for the project. When Politicians attend to give a welcome address, those questions disappear.
- The location of the conference should have adequate power outlets for laptops and other electronics that delegates will be using during the conference.
- The location should be suitable for the security level of the discussions. (unclassified in most cases)
- Delegates should be seated at a table, not auditorium seating. They need to talk write notes and use their laptops.
- The Facility has sufficient screens for all attendees to participate in “on screen editing” of your COE concept. People at the back must be able to view the screens comfortably.
- Your admin support must be fluent in the English language and be able to spell in NATO English.
- A Conference folder with paper and electronic copies of the Concept and MOUs and the information package should be provided to each participant.
- TNB will lead/Moderate the discussions and go through the Concept paragraph by paragraph. The output will be the original document with “tracked” changes.
- TNB will request permission from the Attendees to update the MOUs to reflect the changes made to the concept
- Wireless Internet access at the conference is very useful for the delegates to communicate with their nation should questions arise.
- Conference scheduling should be flexible, keeping in mind that coffee breaks are an opportunity for COE discussion and networking between nations. A lot of questions are asked and answered during the breaks
- A lack of FN internal planning prior to the conference can lead to national representatives not agreeing with each other at the conference. The COE budget, staffing, national perspective, financial aspects and other concerns must be de-conflicted prior to the conference so that FN representatives speak with one voice during the conference. This shows commitment and unity.
- The nature of the conference should be conducive to open discussion and suggestions.
- The TRANSNET Web Portal could be used as a vehicle to advertise the conference and inform potential participants of all arrangements.
- Your Admin person should record all questions and be able to identify which nation was asking.
- Written comments about the conference facilities and hotels should be requested.

u. After the first conference

- The day after the Conference, the COE Establishment team and the TNB meet to discuss the way ahead and any actions. It will be a full day of work as the MOUs are updated to reflect any changes to the concept
- Minutes of the conference should be sent to all participants
- Agreed upon changes to the Concept should be sent to all participants with the revised MOUs
- Nations are asked to provide comments to the (Now revised) concept and MOUs - Allow 2-3 months after sending.

- The questions asked (and noted by admin) at the conference should be used to refine the information campaign and the campaign should continue until the second conference.
 - FN Establishment team and the HQ SACT Establishment SME maintain close coordination as preparations are made for the second conference.
- v. **Comments on the MOUs and concepts** – Each nation that is interested to become a sponsoring nation of your COE will be sending you comments on the MOUs and concept. **Do not distribute any changes to the versions of the documents that you sent out to the nations after the first conference.** The nations are expecting to come to the second conference to discuss the version that you sent and this is the version they have staffed in their nation. It is therefore unacceptable to make any changes to the documents between the conferences. You need to collect all the suggestions for amendment from the different nations (Including any FN suggestions) and ACT and assemble them into one document. The document (a table) will have at least 4 columns – Column 1 lists the paragraph number or other reference of where to find the text in the document (In order). Column 2 lists the original text and column 3 the proposed change with the final column listing who suggested the change. In this way we can go through the documents quicker and ignore the parts that no nation commented on. There will of course be 3 such documents (Concept, OP MOU and FUNC MOU). In this way we are able to see the proposed changes (often two nations propose the same change) and ask the nation – or ACT – to explain why they would like to see that change. If the group agrees, we will make the change (with cut and paste) to the clean version and accept the change. By doing it this way, the nations can see that all their comments are given a fair hearing and the process of negotiation is transparent but perhaps MOST importantly, that no changes were slipped in by the FN. The 3 documents detailing the proposed changes should be part of the welcome package for the second conference attendees. Please do not forget to staff the documents in your own nation (all applicable Ministries) and add the resulting comments to those of the other nations.
- w. **Scheduling the Second conference** – Sufficient time must be given to potential sponsoring nations for them to staff the documents that resulted from the first conference. A minimum of 2 months should be allowed between the first and second conferences. Participation in the first conference, holiday periods and availability of participants are all factors that could affect the scheduling of the second conference. The proposed date of the conference should be coordinated with TNB to ensure full support.
- x. **Invitations to the Second conference** – Use the same basic principles as you did with the invitations to the first conference. Obviously you are going to acknowledge the nation's support in the first conference and ask for further support and commitment, but this time individualise the invitations for each nation. From the first conference, you have a record of the questions that were asked and therefore know what is important to each of the nations. Using this information, you can make each invitation unique and the prospective sponsoring nation will be happy to see that its concerns have been heard.
Important: The invitation should mention that the second conference is also the venue to bid for posts in the COE. Of course by this time you should have all the job descriptions written and posted to the web site so that potential sponsoring nations can choose their posts. Additionally, the invitation should make it clear that the second conference will address legal aspects of the COE in great depth and therefore it will be necessary for potential SNs to send legal representatives to the conference.
- y. **The Second conference-** The second conference is primarily geared to discussing legal matters and any SME comments to the Concept and MOUs. It is the last chance for potential sponsoring nations to come and discuss any changes and last

minute details before the MOUs are finalized. It is also the time when nations are asked to declare their intentions to be a sponsoring Nation and which COE posts they would like to fill. The work of the conference will take THREE full days.

As was the case with the first conference, it is vital that there is one position from the FN and that all FN representatives attending the conference must have full understanding and agreement on all issues that are to be presented at the Conference. This conference is NOT the forum for the FN to conduct internal COE discussions.

This conference will be attended by the HQ SACT COE Establishment SME, HQ SACT Legal representative, the FN COE establishment team, representatives from the potential SNs, and if applicable an ACT/ACO SME designated and invited by TNB. Again, it is TNB's strong advice not to set a conference fee.

The conference is normally co-chaired by the COE Director and the HQ SACT COE Establishment SME. The welcome address is normally given by the highest ranking Politician or Military officer you can get to establish FN commitment. Participation from the potential SNs is normally 2-3 people at the OF-4-6 level. The COE Establishment SME acts as the Moderator, guides the discussion and directs the agreed changes to the concept and MOUs.

The HQ SACT COE Establishment SME and HQ SACT Legal representative will meet with the FN COE Establishment team the day before the conference starts to discuss the conference issues and will also meet again after the conference in order to produce the final draft of the MOUs and concept and to discuss the way ahead and actions.

z. The Second conference goals:

- Establish FN continued commitment to the project.
- Discuss and negotiate proposed changes to the Concept and MOUs.
- Ensure the COE Concept and MOUs are legally acceptable to all parties.
- Nations to declare support for COE by offering to be SNs resulting in a finalised manning chart with SN bids for posts.
- A close estimate of the annual costs for SNs and the FN (including the dates of financial commitment for the SNs)
- Announcement of when the FN will be ready to accept SN personnel in the COE Building
- Educate prospective SNs about:
 - Way ahead
 - Possible NATO requests for support
 - COE accreditation and activation as an IMO
 - The first SC meeting

aa. The Second conference agenda - The work of the second conference will take 3 full days the ice breaker and any Social events are in addition to that work. An example 3 day agenda may look like this:

- **Monday** (Travel day for attendees) Casual Ice-breaker in the evening
- **1st Day (Tuesday)**
- Registration
- Admin issues
- Opening Remarks – prospective Director of the COE
- Welcome Address – (Minister, Deputy Minister, Flag level Sponsor or Rep. from the CHOD or MoD).
- FN Brief – Designed to reinforce FN continued commitment to the project and update the nations in their efforts to set up the COE

- ACT Brief – The MOUs and the Concept
- Coffee break
- Discussion & Review of the Concept – TNB Moderates at this point
- Lunch
- ACT Brief – Possible NATO Requests for support to the COE
- Discussion & Review continued
- Coffee break
- Discussion & Review of the Operational MOU - TNB Moderates at this point
- End of 1st day

- **2nd Day (Wednesday)**
- Admin issues
- ACT Brief – The COE and how the POW is built
- Discussion & Review continued
- Coffee break
- COE Manning - Nations bid for posts (Nations are asked to give official positions)
- Lunch
- Discussion & Review continued
- Visit to COE facility
- End of 2nd day

- **3rd Day (Thursday)**
- Admin issues
- ACT Brief – MOU signing and the accreditation process
- Discussion & Review continued
- Coffee break
- Lunch
- Discussion and review of FUNC MOU - TNB Moderates at this point
- Coffee break
- Discussion and review of FUNC MOU completed
- Way-ahead discussion
- Conference wrap up

bb. **Best practices for the Second conference** – These are the same as the first conference except for the following points:

- Use the written comments from delegates regarding the Hotel and conference facilities from the first conference to improve their experience at the second conference.
- It is entirely possible that the legal representatives will wish to discuss very detailed legal issues that will not interest the entire group. For this reason there should be a separate break-out room for the legal reps to hold these important discussions.
- If the legal experts do form a conclave then it is a good idea for the COE establishment team to have some brief, film or other form of entertainment ready to keep the rest of the room from getting bored. It often helps to discuss Programme of Work or life support issues here.

cc. **After the Second conference**

- Your Establishment team, HQ SACT Establishment SME and the HQ SACT Legal representative meet for a full day after the conference. The day after the Conference, the COE Establishment team and the TNB meet in order to produce the final draft of the MOUs and concept and to discuss the way ahead and actions. It will be a full day of work as was the case in the first conference.
- Minutes of the conference should be sent to all participants
- FN Establishment team with assistance from HQ SACT is the coordinating authority for any changes, additions or deletions to any of the documents.
- Agreed upon changes to the Concept and MOUs should be sent to all meeting participants and a short period (1-2 weeks) allowed for any last minute changes.

- Final versions of the Concept, OP MOU and FUNC MOU are then formally sent to the SNs for final staffing.
 - FN Establishment team, the HQ SACT Establishment SME and the HQ SACT Legal representative maintain close coordination as preparations are made for the MOU signing ceremony at HQ SACT.
 - HQ SACT Establishment SME will determine availability for SACT to perform the signing ceremony.
 - HQ SACT Establishment SME will advise on how to schedule the ceremony.
- x. **The MOU Signing Ceremony** - The formal signing ceremony is a short event and will usually be held at HQ SACT. Flag and General Officers from SACT HQ, and appropriate SMEs are invited to attend, but the audience is relatively small. The Sponsoring Nations (SN) are normally represented by their National Liaison Representatives (NLR) here at HQ SACT. The COE Framework Nation (FN) will normally send a small delegation consisting of the COE Director and the Flag level sponsor. On their arrival to the formal ceremony, the FN and SNs will ceremonially sign the display posters. A typical ceremony lasts approximately 30 minutes and will be conducted with SACT providing an introduction and five minutes of remarks. After SACT's remarks, the FN and SNs are invited to sign the MOUs. Once the MOUs have been signed the FN is asked to give approximately 5 minutes of closing remarks. Immediately following the ceremony a vin d'honneur will take place in the SACT Staff Mess. Responsibility for arranging the details of the ceremony is a shared between the FN NLR and TNB.

The timing of the ceremony is dependent on many factors, but the two main things to consider are the availability of SACT and the authorization of the NLRs to sign the MOUs. The signing date should not be set without taking both of these factors into account.

6 – The Accreditation process

- a. **Accreditation** – To become a NATO COE, a Centre, offered by (a) sponsoring Nation(s), must be assessed against a set of MC approved criteria in order to achieve accreditation. SACT is responsible for developing these criteria, based on the COE principles as defined in MCM 236-03 and the NATO Centres of Excellence Accreditation Criteria as defined in IMSM 0416-04. TNB, is responsible for the accreditation process of the COE and to prepare candidates for MC approval. Upon Military Committee approval, an accredited COE receives final endorsement from the North Atlantic Council. TNB has been considering the accreditation of your COE throughout the entire establishment process. In part this drives the advice and guidance that TNB provides with regard to all aspects of the COE establishment. In this way the establishment process can ensure a successful accreditation if the advice and guidance is followed. A major milestone in the accreditation process is a formal assessment being performed by HQ SACT.
- b. **Preparation for Accreditation** – Prior to the formal accreditation visit, the Director of the centre should meet with TNB to discuss the accreditation and in particular the questionnaire. The discussion will take at least one day. Many Directors visit HQ SACT to accomplish this and in the same visit are able to clarify the NATO Requests For Support in order to prepare the Programme of Work for the first Steering Committee meeting that immediately follows the formal accreditation visit. This 2-3 day visit has proved to be very beneficial for other Directors.
- c. **Accreditation Questionnaire** – TNB will provide the prospective NATO COE with a questionnaire to determine (in part) the readiness of the Centre to be accredited. The Centre will produce a draft of the answers to the questionnaire for comment by TNB prior to the accreditation visit. Several iterations of draft answers and comments may be necessary before the accreditation visit.

- d. **Accreditation Visit** – The Centre and TNB will agree on an accreditation visit schedule that immediately precedes the First SC meeting. The accreditation visit will last two days and will include a tour of the facilities, briefings on the Centre, finalization of the questionnaire and informal interviews with members of the staff. At this time your permanent or temporary location will be assessed to NATO standards. All of the Centres that have gone through this process have found it to be beneficial and good preparation for the First SC meeting.
- e. **Accreditation Request** – Part of the accreditation package that SACT will send to the Military Committee will be a letter from your nation to request accreditation and (if appropriate) activation as an International Military Organisation. TNB can supply details of this letter and provide a template. The letter is normally signed by your CHOD, but could be signed by your Minister if the COE is not established by the MoD. You will send TNB a high quality colour scan of the signed letter (pdf format preferred) and retain the original for your records. TNB will then integrate the letter into the accreditation package.
- f. **Accreditation Package** – TNB will prepare a complete accreditation package for the consideration of the Military Committee and the North Atlantic Council. The package consists of:
- A Cover Letter
 - The TNB Accreditation report
 - The Accreditation Questionnaire
 - The MOUs and Concept
 - The accreditation and activation request by your nation
- g. **Accreditation Results** – Many people think there is a formal declaration about the accreditation and activation of a new NATO COE. In reality, there is just a silence procedure (in the MC and then the NAC) closing without any “break of silence”. The only resultant documentation is the end of silence report to your MILREP. It is nothing you want to hang on the wall and proudly display.

7 – The First Steering Committee meeting

Adequate preparation for the First Steering Committee meeting is critical, since this meeting will establish the decisions necessary to enable the COE to function as an independent entity which is not under the command and control of the Framework nation or NATO. Coordination with all the Sponsoring Nations (SN) is essential to ensure that they understand the reason for the meeting and that each has a chance to be represented at the meeting understanding both the subject matter of the COE and the strategic intentions of their nation. The COE should contact the sponsoring nations early asking them to nominate an SC representative. TNB provides one non-voting member of the COE Steering Committee.

Preparation for the First Steering committee begins by selecting dates. The dates are selected in cooperation with HQ SACT, TNB as the First SC meeting is held immediately after the Accreditation visit. The Accreditation visit will normally take place on a Monday/Tuesday or Tuesday/Wednesday with the First SC meeting the following two days. The Accreditation team from TNB will address the SC meeting and give them a report on their findings from the accreditation visit and the way ahead. The First SC meeting is normally scheduled for two full days as there is a great deal of work to go through and typically there is a lot of discussion.

With the representatives identified, the invitations can be distributed, together with any documents that require SC decisions (such as POW, Budget, Financial accounting procedures, Job descriptions etc.) Invitations to observers should not be distributed until the COE has determined that the SC members have no objections. This will avoid any embarrassment where an observer is asked to leave the SC meeting on the first day due to any SC member objections. The invitation can give a

certain timeframe for objections. The timing of the invitation must allow potential SN enough time to staff the letter and attached documents (at least 30 days) prior to the conference. The COE should also post the SC information on their website. If the COE does not have this ability, they can also send the invitation and all relevant documentation to the TNB for posting on the TRANSNET website.

Deadlines set in the invitation should be realistic. For example, in the invitation letter, you should ask for any SN inputs to the draft COE POW. You have to give enough time to the SN for this but also enough time for you to analyse the request for resource implications inside the COE.

As the SC is meeting for the first time, it is beneficial for the members to meet in a social atmosphere prior to the meeting. To this end, many COEs arrange an “Ice Breaker” on the evening before the meeting starts.

As the Director cannot chair the SC meeting or represent the FN, your Flag level sponsor that assisted in the creation of the COE and signed the MOUs is an ideal choice for the chairman of the Steering Committee. Remember to Brief the Chairman before the meeting – SC decisions are made either unanimously or by consensus (check your MOU!). Please also feel free to use the experience of TNB who have advised many SC meetings, including all of the recent First SC meetings.

It is important to “set the standard” here in the first SC meeting. There will be many more SC meetings, but all will follow the basic principles and documentation that you established in the first meeting. TNB are able to provide detailed advice together with examples of the Invitation, Decision sheet, minutes and Agenda.

8 – Opening Ceremony

Some nations choose to have an official opening ceremony for the COE. This is entirely a national decision. Some opening ceremonies have involved heads of state while other COEs have just quietly gone to work. If you do have an opening ceremony, TNB would appreciate an invitation.

9 – Working

- a. **Coordination with ACT** – After the successful establishment of the COE, the TNB establishment SME will introduce you to the TNB staff officer that will be your primary point of contact for all coordination. At that time, the TNB establishment SME will move on to assisting other nations to establish their COEs. A successful COE is one that maintains close coordination with their TNB staff officer. Emails, Phone calls, VTCs and personal visits are an essential part of that coordination.
- b. **COE Workshop** – The workshop focuses on gathering initial inputs and estimates for the COE POWs development cycle. It also formulates new procedures using best practices and lessons learned. The COE will be invited and should plan on attending.
- c. **COE Directors Conference** – An Annual conference that brings the COEs Directors together. The overall aim of the conference is to discuss NATO - COEs cooperation, determine a desired way ahead and broaden Directors networking in order to increase the individual and collective effectiveness of the Centres. The Director will be invited and should plan on attending.
- d. **NATO Direction and Guidance** – All COEs have in their MOUs a phrase similar to: The XXX COE will adhere to all NATO policies, regulations and standards that are appropriate to the functions of the XXX COE and in particular to established HQ SACT guidance and directives providing for the overall COE Network efficiency and effectiveness. TNB will ensure the COE is aware of existing and future guidance. For example, there is already guidance on Document markings, NATO Travel orders and NATO ID cards.

10 – Framework Nation Best Practices

- a. **Ministerial Decree** – Governmental or Ministerial approval - It is very important that FN governmental or ministerial approval for the project to establish the COE is sought in the early stages. The best examples of COEs have presented the establishment of the COE as a project for Governmental or ministerial approval. In this way the full implications, the support required and the resources necessary are known, understood and agreed prior to presenting the COE to prospective sponsoring nations. This high level approval can be used as the mandate to implement the COE establishment project and secure the resources necessary to ensure success. This high level decision will also serve to convince potential sponsoring nations that the FN is fully committed to establishing the COE. An example of a Ministerial Decree can be found in the Annexes of this manual.
- b. **Flag Level Sponsor** – The Flag level Sponsor (FLS) is essential to the establishment and efficient running of the COE. In the establishment phase, the FLS is part of the “Sales Team” that attracts other nations to support the COE. The FLS uses their Rank, influence, personality and connections to accomplish this. The FLS should support the conferences and is the best candidate to be the chairman of the COE steering committee.
- c. **Agreements with FN units** – Many times a COE can benefit from support provided by FN units. For example a neighbouring unit may provide transport support. It is TNB’s strong advice to get all such agreements in writing. The reason is simple, in these times of economic hardship, commanders are constantly being pressured to cut back. Undocumented support to a COE is very vulnerable. There is also the jealousy factor, where national units have their budget and staff cut and they see the COE being funded and staffed without problem. In these situations it is not good to rely on a verbal agreement between the COE and national unit as these rarely survive a change of command on the national side.
- d. **FN Responsibilities** –
 - **Infrastructure** – The FN is responsible for all the initial infrastructure such as
 - i. Building
 - ii. Initial Communications (CIS, Telephones etc.)
 - iii. Furniture
 - iv. Security infrastructure
 - **Start-up Costs** – The cost to run the centre for the first year of operation are typically paid by the FN, however if SNs agree, some of that cost can be shared.
 - **Operating Costs** – The FN is responsible for the day-to-day operation and maintenance costs of the COE, unless otherwise agreed by the SNs. The building is “loaned” to the NATO COE. If the COE ever closes, then the FN gets the building back. Rent is not paid for the building.
 - **Manning Costs** – The FN provides the bulk of the manning for the COE and therefore covers the majority of the manning costs.
 - **Support** – The FN is responsible for all administrative and support costs for the COE. This includes the costs for the administrative and support personnel assigned to the COE. The support staff required for a successful NATO COE are as follows:
 - **Command group support**

- a. **Legal Advisor** – Actually does 3 main tasks – 1. Acts as the legal advisor for all COE business with external entities; 2. Acts as a legal SME for POW projects; 3. Provides legal support to the staff members (especially foreign officers).
 - b. **Admin assistant** - to the Director and Deputy Director. (secretary or ADC)
 - c. **Financial Controller** – Responsible for the NATO budget and any national support budget. (must have NATO financial experience) Directly briefs the Steering committee and explains complex financial issues in simple terms to the SC
 - d. **Public affairs officer** – Fields all enquiries to the COE. Ensures COE image and reputation. Secondary duty as COE webmaster.
- **Support Branch**
 - a. **Support Branch head** (chief)
 - b. **Protocol officer(s)** – To enable visits, meetings, conferences etc.
 - c. **Admin and registry staff**
 - d. **Personnel officer*** (to handle personnel issues for FN staff in the COE)
 - e. **Logistics officers(s)*** to support events and the COE
 - f. **Security officer** – responsible for the NATO security within the COE and also the liaison to the FN force protection and external security
 - g. **IT support staff** – administrators and technicians

* It may be possible to have a written agreement with a neighbouring unit to provide logistical and / or personnel support. However caution should be used in the case of logistical support as the FN units often do not want to use the NATO procedures and rules that you own staff could take advantage of. This is one of the reasons that TNB recommends having as many functions as possible under the direct control of the Director as these functions can be detailed in SOPs etc. to ensure that NATO procedures and rules are followed.

- **Preserving the independence of the COE** - The COE will be an International Military Organisation (IMO) and as such is not under the command and control of the FN or NATO. At the same time the centre relies on cooperation and support from within the FN armed forces. The best examples of COEs are those that are recognised from an early stage as an organisation independent of the FN armed forces. The same internal FN decisions and documents that establish and state the independence of the centre also detail the support that the centre will receive from the FN armed forces. It should also be noted that the director of the established centre, whilst still a serving member of the FN armed forces, is responsible only to the COE Steering Committee (SC), not to any FN chain of command. As is the case with any NATO Body, no one nation can task the COE directly.

11 – Sponsoring Nation Responsibilities

- a. **Cost sharing** – To be a Sponsoring Nation, that nation must pay its share of the COE budget. Each SN will pay a share of the COE budget for each COE billet it fills. The terms, conditions and formula for the cost share are detailed in the OP MOU.
- b. **Manning** – To be a Sponsoring Nation, that nation must (in addition to paying the cost share) have at least one person physically present on a full time basis to fill an assigned billet in the COE. Each SN will be assigned a number of COE billets as agreed upon in the Operation MOU. It is the responsibility of the SN to fill these

billets as soon as feasible. SNs are encouraged not to populate a COE at the expense of NATO billets in the NCS.

- c. **Virtual manning** – Virtual manning (participating from a distance) does not meet the requirement for a sponsoring nation to have a person physically present on a full time basis to fill the assigned billet. However if a sponsoring nation has already met the requirement by having at least one full time person physically present filling an assigned post, virtual posting can be implemented without jeopardising Sponsoring Nation Status provided the COE steering committee approves.
- d. **Rotational Posting** – Rotational posting in conjunction with another nation does not meet the requirement for a sponsoring nation to have a person physically present on a full time basis to fill the assigned billet. However if a sponsoring nation has already met the requirement by having at least one full time person physically present filling an assigned post, Rotational posting can be implemented without jeopardising Sponsoring Nation Status provided the COE steering committee approves.
- e. **Travel** – Travel costs and per diem for SN personnel assigned to the COE remain the responsibility of the SN unless otherwise agreed in the OP MOU. The approximate number of days travel associated with a post should be detailed on the Job Description. When a sponsoring nation agrees to accept a post, they are also expected to accept the travel requirements associated with that post (as detailed on the JD).
- f. **Steering Committee** - SNs will provide a representative from their nation to attend the COE steering committee meetings. The representative should be empowered to make decisions on behalf of their nation with respect to programmes of work and budget. COE Staff members cannot be SC representatives because of the conflicts of interest involved.

12 – Participation of Non-NATO Nations

- a. **The Military Committee Concept** –as defined in MCM 236-03, involvement in COE activities is open to all Allies. Access by Partners, other nations and international organisations to COE products and services is the responsibility of sponsoring nations, taking into account security requirements. HQ SACT encourages this access by partners and can provide assistance with formal arrangements if requested.
- b. **Contributing Nation** – The Non NATO nations who wish to participate in a COE may do so with the agreement of the SNs, but will not have a vote on the Steering Committee.
- c. **Technical Arrangement** – In order for a Non-NATO Nations to contribute to a COE, a Technical arrangement is signed between the COE (SNs) and the contributing Nation. TNB can supply a template for the TA.

13 – Is the COE a NATO Body?

- a. **Short Answer** – A NATO COE that is granted International Military Organisation (IMO) status by the NAC is a NATO Body.
- b. **Long Answer** – The lawyers among you may wish to review the HQ SACT Legal Memorandum on this subject at Annex A.

14 – Security in a COE

- a. **Security Policy** – As NATO Bodies, the COEs are obligated to follow NATO Security Policy and this is further reinforced in the MOUs which state:
 - i. External security and force protection are the responsibility of the FN.

- ii. Security administration within the facilities of the NATO XXX COE, including visits, security clearances and information security are the responsibility of the Director of the NATO XXX COE, acting as the security authority in accordance with the applicable FN and NATO security regulations. Respecting the SNs' relevant competences, the Director of the XXX ENSEC COE may in particular take the measures necessary to ensure personnel, physical and information security.
 - iii. Classified information stored, handled, generated, transmitted or exchanged as a result of the execution of this MOU will be treated in accordance with C-M (2002) 49 "Security within the North Atlantic Treaty Organisation", dated 17 June 2002, in the respective authorised edition, including all supplements and amendments thereto, and existing international agreements and arrangements.
 - iv. Unclassified information stored, handled, generated, transmitted or exchanged as a result of the execution of this MOU will be treated in accordance with C-M (2002) 60 "The management of non-classified information," dated 24 July 2002, in the respective authorised edition, including all supplements and amendments thereto and existing security agreements and arrangements.
 - v. In NATO XXX COE activities where involvement of contractors is needed, the NATO XXX COE will conclude special non-disclosure agreements with these contractors.
 - vi. In the event of termination or withdrawal from this MOU, the Participants will ensure that the provisions relating to security, disclosure of information, and confidentiality remain in effect.
- b. There is a clear distinction between internal and external security. The FN responsibilities lie in the external security and force protection of the COE, while the Director (together with his security officer) is responsible for all internal security.
 - c. **It should be noted that the Director of the NATO COE is in fact the Security Authority for the NATO COE.** As such the Director is responsible for all CIS security. This means in practical terms that the Director can issue waivers and Interim Authority To Operate (IATO) orders.
 - d. At the time of writing this manual the Military Committee are considering exactly how NATO security oversight is implemented for COEs.

15 – How to join an existing COE

- a. **Notes of Joining** – This procedure is used when Alliance Nations wish to join an existing COE. Details on the process can be found in ANNEX D. TNB can supply templates upon request.
- b. **Technical Arrangement** – Used for Non-NATO and other contributors. TNB can supply templates upon request.

16 – COE Budget and Financial procedures

- a. **Overview** – As a NATO Body, the COE adheres to NATO Budget and Financial procedures.
- b. **NATO Common Funding** – The MC Concept is very clear about this and you will not receive any direct NATO Common Funding.

- c. **Financial Accounting Procedures (FAP)** – The Centre must use Steering Committee approved FAPs that comply with NATO Budget and Financial procedures. TNB can supply an example upon request.
- d. **CISI CODES** – In NATO accounting procedures, funds are grouped in a structure that includes Chapter Items and Sub Items, with each having a unique numeric identifier. In NATO Terms it is referred to as the CISI Code. – TNB can provide the full CISI Code list upon Request.
- e. **Financial controller** – Each NATO Body has a Financial Controller (FC) and COEs are no exception. Basically the job of the FC is to make sure that NATO Budget and Financial procedures are adhered to.
- f. **Mid Term Financial plan** - This plan which is approved by the SC projects the spending (by CISI Code) for the next 5 years. This enables the SNs to be able to see how much they have to budget to support the COE in the future.
- g. **Audits** – Financial audit procedures are detailed in the MOUs, but generally follow the same intent that an audit could be performed by anyone that the SC agrees but the preferred auditing agents would be the International Board of Auditors for NATO (IBAN). It is also normally stated in the MOUs that any SN may request an audit of it's contributions.

17 – Periodic Assessment Process

HQ SACT has the obligation in MCM 236-03 to perform a periodic assessment of all accredited COEs. The purpose of such an assessment is to ensure that COEs still meets the MC approved criteria for accreditation as a NATO Centre of Excellence.

In order to perform the periodic assessment, the HQ SACT COE Establishment SME will send the COE a self-assessment questionnaire containing both generic questions and some COE Specialty specific questions. These questions are based on the original accreditation criteria and work done by the COE. The draft answers will be discussed and finalised during an HQ SACT COE Establishment SME visit to the COE.

Based on the answers to the questionnaire, HQ SACT will recommend remedial action to bring the COE in line with the MC approved Criteria, or it will inform the MC that the COE continues to meet the criteria.

18 – Supplementary Agreement (SA)

What is an SA? – The Paris Protocol (PP) authorizes the Supreme Headquarters to conclude agreements with receiving States to supplement the provisions of the Paris Protocol; the need for complementing arrangements was already identified during the negotiations of the PP and at least two areas were named as subject for further agreements: Functional immunities to be granted to flag- and general officers and the operation of post offices by nations and an IMHQ.

SHAPE and HQ SACT have over the years concluded SAs with more NATO Nations. The SAs principally accords the same status and entitlements to IMHQs, but more are worded differently as they have occurred over a period of nearly 50 years. Within the past two years, Legal Advisors in ACT and ACO have developed a master template SA, representing an analysis of state practice, SAs in effect, and NATO regulations and policy, where such apply.

Generally, the SA confirms the status granted under the Paris Protocol and NATO SOFA, and it:

- explains the immunity enjoyed by an IMHQ, the inviolability of its premises, the functional immunities to be afforded to flag- and general officers;
- addresses allocation and operation of facilities; security and force protection; reporting of assigned personnel; operation, registration and licensing of vehicles; carrying and storage of arms; access to banking facilities; measures to be considered with regard to public hygiene, environmental protection, health and safety; evacuation of IMHQ personnel;
- provides procedures for application of status and entitlements, e.g. identifies responsibilities of the hosting state in regard to representing the IMHQ should it become involved in legal proceedings, provides an opportunity for an IMHQ to contract through the authorities of the hosting Nation, identifies the relevant authority to handle claims;
- confirms the exemption from taxes enjoyed by an IMHQ, and the right to operate canteens and other facilities, and identifies fiscal entitlements of the IMHQ members;
- defines the rights for an IMHQ to hold, install, and operate communications equipment; protects the correspondence and communications of an IMHQ;
- recognizes the operation of morale and welfare programmes; access to health and dental services, and to military clubs, travel concessions, sports clubs as well as dependants' access to education;
- elaborates on definitions, extends entitlements and waivers for example on visa and residency requirements for civilians and dependants, and supplements and details the status to be afforded to the IMHQ and its personnel;
- identifies and defines contractors and defines their status.

Further information regarding SAs can be obtained through TNB.

19 – Further reading

All NATO Unclassified Documents are available from TNB

- a. **MCM 236-03** – MC CONCEPT FOR CENTRES OF EXCELLENCE
- b. **IMSM 0416-04** – NATO CENTRES OF EXCELLENCE ACCREDITATION CRITERIA
- c. **C-M(69)22** – Procedures for the Activation and Reorganization in Peacetime of NATO Military Bodies and Rules for Granting them International Status and International Financing
- d. **ACO Directive 45-1** – Allied Command Europe Military Personnel Management And Administration

Annex A

HQ SACT Legal Memorandum

01—This Memorandum outlines the legal framework governing NATO Centres of Excellence (COEs). It addresses the establishment of COEs, the accreditation and activation of COEs as NATO Military Bodies (also known as International Military Organisations), the act of granting of International Status, as well as associated questions regarding the legal personality and capacity to act of COEs.

Introduction

02—Centres of Excellence are established through a process defined by the NATO documents C-M(69)22 "Procedures for the Activation and Reorganization in Peacetime of NATO Military Bodies and Rules for Granting them International Status and International Financing" and MCM-236-03 "MC Concept for Centres of Excellence", documents supplemented by IMSM-0416-04 "NATO Centres of Excellence Accreditation Criteria".

03—As a matter of policy, COEs are not part of the NATO Command Structure. This policy decision is embodied in MCM-236-03, was originally confirmed by MC 324/1 and is now reflected in MC 324/2. COEs are part of the NATO Command Arrangements and as such coordinated by HQ SACT.

04—To date, twelve COEs were established, accredited, activated, and granted international status by the North Atlantic Council in accordance with the documents referred to above.

Preliminary Remarks on Establishment, Accreditation and Activation of, as well as Grant of Status to, COEs

05—The process referred to above is designed to enable the North Atlantic Council (NAC) to exercise the authority vested in by Article 9 of the North Atlantic Treaty and Article 14 of the Paris Protocol, respectively.

06—Article 9 of the North Atlantic Treaty authorizes the NAC to establish subsidiary bodies.

07—Article 14 of the Paris Protocol authorizes the NAC to apply the whole or part of the said protocol 'to any international military Headquarters or organization ... which is established pursuant to the North Atlantic Treaty'.

08—The NATO documents quoted above indicate through appropriate references that the process established thereby is intended to give effect to Article 9 of the North Atlantic Treaty and Article 14 of the Paris Protocol. Express references to the Paris Protocol are contained in paragraph 1 of the Annex to C-M(69)22 and paragraph 6(a) of MCM-236-03. The Paris Protocol itself, as quoted, contains the reference to the North Atlantic Treaty.

09—Taking into account that the NATO documents quoted above were adopted by consensus of all NATO Nations members of the organisation at the time of their adoption, and that they were not questioned by any new members after their accession to the organisation, these documents reflect subsequent agreement between the Parties to the North Atlantic Treaty and, as applicable, the Paris Protocol, in part regarding the interpretation of these treaties and in part the application of their relevant provisions (Article 31(3)(a) of the Vienna Convention on the Law of Treaties).

Establishment of COEs

10—For the Military Committee (MC) to be able to accredit a COE and for the NAC to be able to activate it, the COE needs first to be established.

11—The establishment of a COE is achieved through the Memorandum of Understanding concerning the Establishment, Administration and Operation of the COE in question (Operational MOU). The requirement to agree upon such an MOU is set out in paragraph 8 of MCM-236-03.

12—To date, all relevant Operational MOUs were agreed upon among multiple defence sector entities (Ministers/Ministries/Departments of Defence, General Staffs). As a rule, Operational MOUs refer to the participating entities both as 'Participants' and as 'Sponsoring Nations', the latter phrase reflecting language in MCM-236-03 ('sponsoring Nations', though without capitalisation of the first word).

13—Operational MOUs contain references to all relevant NATO documents quoted above, indicating thus that they are crafted to implement the policy decisions embodied in these documents, that is, ultimately, to enable the North Atlantic Council to give effect to Article 9 of the North Atlantic Treaty and Article 14 of the Paris Protocol. They are hence so crafted as to become part of the subsequent practice in the application of these treaties which establishes – or even reinforces – the agreement of the parties regarding their interpretation (Article 31(3)(b) of the Vienna Convention on the Law of Treaties).

14—Operational MOUs do not address the legal nature of the COE prior to its activation and grant of status. This practice is based on the understanding, expressed by representatives of various participating defence sector entities at various Conferences, that prior to activation and grant of status the participating entities may consider a COE as either a national unit to which multinational personnel are attached, or as a multinational unit. This differentiation pertains exclusively to the interpretation of the relevant domestic laws.

15—Operational MOUs do not expressly specify whether a COE has legal personality and capacity to act prior to its activation and grant of status. This question is also considered to pertain exclusively to the interpretation of the relevant domestic laws.

16—Establishment of a COE does not make the COE a NATO Military Body aka International Military Organisation. Accordingly, Operational MOUs do not technically establish any COE in that capacity.

Accreditation and Activation of as well as Grant of Status to COEs

17—Accreditation and activation of a COE are achieved upon an offer by the Sponsoring Nations. This offer is usually embodied in the relevant Operational MOU. It is accompanied by the Memorandum of Understanding concerning the functional relationship regarding the COE in question, concluded among the Sponsoring Nations as well as HQ SACT (Functional Relationship MOU). The Functional Relationship MOU, like the Operational MOU required by paragraph 8 of MCM-236-03, establishes the clarity regarding HQ SACT's coordinating authority which is required by paragraphs 5(e) and 7(a) of MCM-236-03.

18—The offer of a COE is communicated to the MC and the NAC through a request made by the Framework Nation with support by HQ SACT. Both Memoranda of Understanding, as well as supplementing documentation established to confirm that the COE meets the accreditation criteria, form an integral part of the request.

19—To date, the MC has endorsed all requests for accreditation, activation and grant of status. It has run these requests through the Military Budget Committee to obtain its advice on the financial implications, which are usually none since – in accordance

with paragraph 5(c) of MCM-236-03 – COEs are funded by the participating defence sector entities. With that in mind, the MC has recommended approval of accreditation as well as activation of and grant of status to all COEs offered to date.

20—The NAC has followed the MC recommendation in all cases. It has employed a silence procedure for this purpose, silence procedure whose decision sheet usually indicates that the decision sought is the COE's 'activation as an IMO' (and may even contain a reference to at least C-M(69)22), i.e. – technically speaking – its activation as a NATO Military Body (Article 9 of the North Atlantic Treaty) and grant of status as an International Military Organisation (Article 14 of the Paris Protocol).

21—As a result, the NAC decision – usually evidenced through an end of silence report – approves the accreditation of a COE, activates it as a NATO Military Body and grants international status. Since, through the references contained in the relevant decision sheets, the Operational and Functional Relationship MOUs are part of this decision, they inform the interpretation thereof. Accordingly, the Operational and Functional Relationship MOUs are integrated in the subsequent practice regarding the North Atlantic Treaty and Paris Protocol by virtue of the respective NAC decision and hence, for the purposes of international law, share the legal nature of this NAC decision.

22—It follows that the NAC decision transforms the COE, whatever its legal nature may have been prior to activation and grant of status, into a NATO Military Body possessing the status of an International Military Organisation. The COE's existence in this capacity is exclusively dependent on this NAC decision; standing on their own, the Operational and Functional Relationship MOUs lack the legally binding force to create the mentioned effects. As a result, the NAC decisions discussed here meet all requirements under international law for the creation of entities which form part of NATO, though outside of its Command Structure, on the territory of the NATO Nation whose appropriate (defence sector) entity has offered to assume the role of Framework Nation.

23—On a more general note, NAC decisions regarding the activation of NATO Military Bodies and the grant of international status, including those regarding COEs, represent consolidated practice on the basis of consensually agreed policy supplementing the North Atlantic Treaty and the Paris Protocol. Accordingly, they have also become part of the interpretation and application of these treaties vis-à-vis NATO Nations for the purposes of establishing the scope of their legal obligations under these international agreements. It would seem prudent to assume that these obligations also should be covered by the rules which specify that a treaty must be performed by its parties in good faith (Article 26 of the Vienna Convention on the Law of Treaties) and that a party to a treaty may not invoke the provisions of its internal law as a justification for its failure to perform a treaty (Article 27 of the Vienna Convention on the Law of Treaties).

24—At the same time, NAC decisions regarding the activation of NATO Military Bodies and the grant of international status, including those regarding COEs, are without prejudice to the interpretation and application of NATO Nations' domestic constitutional and statutory law as it governs the domestic acts required to perform the North Atlantic Treaty and the Paris Protocol. Related questions may arise regarding the delineation of competence between the executive and legislative branches of government, the scope of authority assigned to different stakeholders within a given sector of the executive branch of government, or the potential need that certain authority must be granted expressly rather than can be implicitly contained in the nature of a particular official function or office.

Questions Regarding the Legal Personality and Capacity to Act of COEs

25—As far as legal personality and capacity to act are concerned, international and domestic law need to be strictly distinguished.

26—To date, no questions regarding a COE's potential international legal personality and capacity to act has arisen. Accordingly, no relevant practice exists. Whilst it may be assumed that all COEs, once activated as NATO Military Bodies, form part of NATO as an international organisation through the NATO Command Arrangements, it would be speculation rather than cogent analysis to determine what precise nature the NAC wanted to attach to COEs. Neither the NATO documents referred to above nor the Functional Relationship MOUs contain definitive guidance. Accordingly, it may be assumed that this question was deliberately left open for future determination in light of practical needs.

27—Questions regarding COEs' legal personality and capacity to act in NATO Nations' domestic law have thus far mainly, if exclusively, concerned the domestic law in the NATO Nation whose appropriate (defence sector) entity has offered to assume the role of Framework Nation. From an international law perspective, provisions contained in Operational MOUs which enable a COE to perform activities coming within the ambit of that NATO Nation's domestic law suffice to interpret the NAC decision regarding approval of accreditation, activation, and grant of status as confirmatory of the COE's having legal personality and such capacity to act as specified in the relevant provisions.

28—In particular, it can be assumed that all national entities participating in a COE are aware of the development of international law since the International Court of Justice's Advisory Opinion, dated 11 April 1949, "Reparation for Injuries Suffered in the Service of the United Nations" (ICJ Rep. 1949, 174) that where international organisations – which would include their subsidiary bodies unless determined otherwise – possess legal personality they have such capacity to act as required to perform their functions. In the context of a COE, the Operational MOU defines what actually is required to perform its functions. In addition, it can equally be assumed that all national entities participating in a COE possess the authority to create entities which possess legal personality and capacity to act, and in particular to do so within the specific legal and policy framework applicable within NATO. As a result, by establishing a COE the participating national entities confer on the COE such dormant legal personality as required for the purpose of the transformation of the COE into an IMO by the NAC, and such dormant capacity to act as required to exercise the COE's functions in its capacity as a NATO Military Body possessing the status of an International Military Organisation.

29—The exercise of a COE's capacity to act, in particular through the conclusion of private law contracts, is contingent on the actual terms of the Operational MOU, in particular the TOR of the Steering Committee and the Director, respectively. Multiple models for the delineation of authority have emerged; they are a matter of the Sponsoring Nations' choice. Criteria guiding this choice may involve the availability of support through the Framework Nation's Armed Forces administration.

30—The foregoing is without prejudice to the terms and conditions of a Supplementary Agreement to the Paris Protocol (see Article 16 thereof) which may be applicable, and to a requirement, rooted in a request by the receiving State, making the exercise of such capacity subject to special arrangements as envisaged in Article 10 of the Paris Protocol.

Annex B



REPUBLIC OF
HUNGARY
MINISTER OF
DEFENCE

19/2010 (II.19.) DECREE by the Minister of Defence

on the setting up of a Preparatory Committee and a Preparatory Working Group coordinating the establishment of a NATO Logistic Centre of Excellence

Based on Article 52. (1) f)) of Act CV 2004 on the Hungarian Defence Forces, and in accordance with the agreements arrived at with NATO Allied Command Transformation (hereafter ACT), in order to support NATO transformation activities I issue the following

Decree

on the creation of a Preparatory Committee and a Preparatory Working Group in order to coordinate the establishment of a NATO Logistic Centre (hereafter Centre), which is to be set up and operated by the Hungarian Republic along with various other NATO members, and which is to be accredited by NATO:

General Provisions

1.§ The jurisdiction of the Decree includes the Ministry of Defence (hereafter MoD), the organizations subordinated to the Defence Minister and the organizations of the Hungarian Defence Forces (HDF).

2.§ In order to develop proposals regarding the setting up of the Centre, to conduct national and international negotiations and to coordinate the relevant tasks, I set up a Preparatory Committee.

3.§ (1) The name of the Preparatory Committee is the following: Preparatory Committee of the NATO Logistic Centre of Excellence (hereafter Preparatory Committee).

(2) The purpose of the Preparatory Committee is the coordination of the preparatory works of the establishment of the Centre and the preparation of the relevant ministerial decisions.

(3) The opening session of the Preparatory Committee will be held within 10 days of the Decree's coming into force.

4.§ (1) I set up a working group to prepare the creation of the Centre with the following name: NATO Logistic Centre of Excellence Preparatory Working Group (hereafter Working Group) located in MoD II.

(2) The Working Group will hold its opening session within 5 days following the opening session of the Preparatory Committee.

Make-Up of the Preparatory Committee and the Working Group

5.§ (1) The head of the Preparatory Committee is the Head of the Cabinet Office of MoD. Its secretary is Dr. Károly Nagy, Senior Advisor to the Minister of Defence.

(2) The members of the Preparatory Committee are the following:

- a) Head of MoD Planning and Coordination Department
- b) Head of MoD Department for Force Planning
- c) Head of MoD Department for Defence Planning
- d) Head of MoD Department for Defence Economy
- e) Head of MoD Department for Operation and Training
- f) Head of MoD Personnel Department
- g) Head of MoD Legal Department
- h) Head of MoD Communication Department
- i) Head of MoD Information Technology and Information Security Department
- j) Head of MoD Department for Defence Policy
- k) Chief of CHOD Secretariat
- l) Commander of 'Dr. Radó György' Honvéd Medical Centre, HDF
- m) Chief Executive Officer of MoD Economic and Financial Agency
- n) Chief Executive Officer of MoD Development and Logistic Agency
- o) Chief Executive Officer of MoD Infrastructural Agency
- p) Commander of Joint Forces Command, HDF
- q) Director General of Military Security Office of Hungarian Republic
- r) Chief Executive Officer of MoD Electronics, Logistics and Property Management Co.
- s) Commander of Support Brigade, HDF
- t) Rector of Zrínyi Miklós National Defence University

(3) The head of the Preparatory Committee has the right to invite the representatives of other agencies and organizations to the meetings of the Committee at the proposal of the secretary of the Committee.

6.§ (1) The leader of the Working Group is Dr. Károly Nagy, Senior Adviser to the Minister of Defence.

(2) The members of the Working Group are delegated by the following organizations:

- a) Department for Defence Economy
- b) MoD Development and Logistic Agency
- c) MoD Economic and Financial Agency
- d) MoD Infrastructural Agency
- e) Information Technology and Information Security Department
- f) Joint Forces Command

(3) Transfers regarding the personnel of the Working Group will be prepared by the leader of the Working Group with the consent of the leaders of the MoD organizations, other organizations and HDF military organizations involved.

(4) Suggestions regarding the make-up of the Working Group will be made by the leader of the Working Group to the head of the Preparatory Committee at the opening session of the Committee.

Main Tasks of the Preparatory Committee and the Working Group

7.§ The Preparatory Committee

a) expresses its opinion on the proposal developed by the Working Group concerning the execution of the tasks related to the tasks, organizational structure and setting up of the Centre and submits it for approval by 10 April 2010;

b) within the framework of the setting up of the centre ensures the uninterrupted cooperation of the Ministry of Defence with the institution appointed for the hosting of the Centre, the Ministry for National Development and Economy, the secretariat of the Prime Minister's Office responsible for ethnic minority and national policy decisions and the relevant NATO organizations;

c) expresses its opinion on the bilateral cooperation agreement concluded between Pannon University, Veszprém, and the Ministry of Defence in order to set up the Centre and submits it for approval;

d) coordinates the preparation of NATO accreditation.

8.§ The Working Group

a) develops the tasks and organizational structure of the Centre as well as the timing of the implementation of the tasks related to the setting up of the Centre through cooperation with the relevant MoD organizations and HDF military organizations by 15 April 2010;

b) identifies the material and human resources required for the start of the operation of the Centre and makes a proposal concerning their supply in accordance with the decisions made by the Preparatory Committee regarding the setting up and operation of the Centre;

c) prepares the bilateral cooperation to be concluded between Pannon University and the Ministry of Defence with the purpose of setting up the Centre;

d) cooperates with ACT and other NATO organizations and the relevant organizations of NATO and NATO Partner countries to promote the setting up of the Centre;

e) ensures the organizational and operational conditions required for NATO accreditation;

f) carries out the task set by the Preparatory Committee for the Working Group.

The Operation of the Preparatory Committee and the Working Group

9.§ (1) The Preparatory Committee holds its meetings monthly. The head of the Committee may have the right to convene a meeting out of turn if he deems it necessary.

(2) The Preparatory Committee makes a schedule of the implementation of its tasks and submits it for approval to the Minister of Defence while informing the Chief of Defence Staff at the same time within 15 days following its establishment.

(3) The head of the Preparatory Committee reports to the Minister of Defence and the Chief of Defence Staff in writing on the work of the Committee, on the tasks planned for the next period, and on issues requiring decision monthly.

10.§ (1) The Working Group carries out its work based on the decisions made by the Preparatory Committee.

(2) The leader of the Working Group sends a written report to the head of the Preparatory Committee on the tasks accomplished monthly.

Final Clause

11.§ The Present Decree will come into force on the day following the announcement of the Decree and will become void on the day of the establishment of the Centre.

Budapest, 29 January 2010.

Dr. Imre Szekeres

Annex C

Acronyms

Definitions

- a) Transformation Network – The TN fosters cooperation in support of NATO enhanced capabilities development by providing a coherent network of NATO and national entities able to leverage resources, and share expertise and information from across the Alliance. As a collection of cooperating entities, the TN is not contained within the NATO Command Structure. Participation within it is largely voluntary in accordance with agreed upon conditions of membership as may be found in applicable MOUs.
- b) Entities – These are organizations that voluntarily cooperate within the TN and can be contributors and customers at the same time. They may include ACT subordinate organizations such as the Joint Warfare Centre (JWC), the Joint Force Training Centre (JFTC), the Joint Analysis Lessons Learned Centre (JALLC) (known collectively as the “JJJ”), the NATO Undersea Research Centre (NURC), the NATO School or NATO Training Centres, including the NATO Maritime Interdiction Operation Training Centre (NMIOTC). They may also include NATO agencies, such as NC3A, NCSA, NACMA, other National transformation organizations and IO/NGOs, and other agencies and entities not specifically identified in this Directive.
- c) NATO Centres of Excellence (COEs) – Organizations voluntarily established by national contributors and/or sponsoring nations. The COEs are NATO accredited but are resourced and funded solely by the Framework and Sponsoring nations. They are governed under stipulations found in their Operational and Functional Memorandums of Understandings (MOUs). Their Programs of Work (POW) are developed in response to Bi-SC Coordinated NATO requirements.
- d) Community of Interest (COI) – A collection of entities sharing recognizable common interest within a focused subject area., who leverage each other’s resources’ and share information and expertise with the mutual end goal of capability enhancement.
- e) SME Network – The group of individual subject matter experts that have been designated by ACO/ACT to provide area specific expertise to TNCC in support of NATO COEs.
- f) TRANSNET- The Web-Based information portal dedicated to NATO capability enhancement

Annex D

Joining Process

1. The Joining Process starts between the COE and prospective new Sponsoring Nation (SN). Informal talks should include such issues as personnel and finance contributions, the possible date of joining, the prospective Sponsoring Nation's contributions to, and expectations from the COE
2. Once the COE and the prospective Sponsoring Nation (SN) have reached an informal understanding concerning the terms and conditions of joining, the prospective SN notifies its interest to the COE Framework Nation(s) (FN) and HQ SACT, specifying the proposed terms and conditions of joining. FN will inform the COE Steering Committee.
3. The FN, through the procedures it deems appropriate, reaches a consensus of all current COE SNs concerning the terms and conditions of joining of the prospective sponsoring nation. Once consensus is reached, the FN will incorporate said terms and conditions in the draft NOJ to the Operation MOU using the template at Annex YY. If the intention is to have the NOJ signed by all participants simultaneously then the draft marked "NOJ as a collective instrument" is used. If the NOJ is to be signed in a non-simultaneous fashion then the drafts marked "NOJ composed of individual instruments" are used. It should be noted that the NOJs will only be prepared in the English language and if necessary in the French language. Official translations in other languages are always useful but will not be signed.
4. The FN forwards the agreed draft of the NOJ to the Operation MOU to HQ SACT TNCC. HQ SACT TNCC and Legal review the draft and, if necessary, recommend any modifications to the draft. After reviewing the draft and informing the FN of its findings, HQ SACT also provides a draft NOJ to the Functional Relationship MOU to the FN.
5. The FN shares, through the procedures it deems appropriate, both OP MOU and FUNC MOU NOJ drafts with all other SNs and the prospective SN for the purposes of formal staffing at capitals in accordance with relevant national procedures; it informs the COE Steering Committee of the state of the process.
6. Once all SNs and the prospective SN have agreed to both drafts without modifications, the FN initiates a signing procedure, informing HQ SACT thereof. In the event of modification to the NOJs at this stage by any party the documents would again be reviewed by HQ SACT.
7. There are many ways to conclude the NOJs with the appropriate signatures, the FN and respective SC will decide based on the two general options:
 - a. NOJ signed by all participants simultaneously (Signing Ceremony)
 - i. The FN schedules, organizes, and conducts a signing ceremony with all SNs and the prospective SN at a venue of its choice.
 - ii. The FN then forwards the signed original of the NOJ to the Functional Relationship MOU and provides a certified copy of the signed NOJ to the Operation MOU to HQ SACT. The FN also provides certified copies of the NOJ to the Operation MOU to all other SNs and the prospective SN.
 - iii. HQ SACT staffs the NOJs for Chief of Staff Signature. Once Chief of Staff has signed the original of the NOJ to the Functional Relationship MOU, both NOJ come into effect.
 - iv. HQ SACT provides certified copies of the NOJ to the Functional Relationship MOU to FN who will notify all SNs that both NOJ are in effect.
 - b. NOJ signed by all participants Non-simultaneously (No signing ceremony) (No signing Ceremony)

- i. The FN provides individual instruments to all other SNs and the prospective SN, receiving the individual instruments concerning the Functional Relationship MOU from HQ SACT. All instruments collectively shall constitute the NOJ.
 - ii. Once the SNs and the prospective SN have signed both their individual instruments, they forward them to the FN.
 - iii. Once the FN has all the signed individual instruments, the FN then forwards the signed original of the individual NOJs to the Functional Relationship MOU and provides a certified copy of the individual signed NOJs to the Operation MOU to HQ SACT. The FN also provides certified copies of the individual NOJs to the Operation MOU to all other SNs and the prospective SN.
 - iv. HQ SACT staffs the NOJs for Chief of Staff signature. Once Chief of Staff has signed the NOJ instrument concerning the Functional Relationship MOU, both NOJ come into effect.
 - v. HQ SACT provides certified copies of all NOJ instruments to the Functional Relationship MOU to FN who will notify all SNs that both NOJ are in effect.
8. The FN archives the original of the NOJ to the Operation MOU. HQ SACT archives the original of the NOJ to the Functional Relationship MOU.