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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL IMPLEMENTING DECISION on the participation of the United Kingdom of Great Britain and Northern Ireland in the assistance to support Ukraine's defence industrial capacities pursuant to Article 13(11) of Regulation (EU) 2026/467

COUNCIL IMPLEMENTING DECISION (EU) 2026/...

of ...

**on the participation
of the United Kingdom of Great Britain and Northern Ireland
in the assistance to support Ukraine's defence industrial capacities
pursuant to Article 13(11) of Regulation (EU) 2026/467**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2026/467 of the European Parliament and of the Council of 24 February 2026 implementing enhanced cooperation on the establishment of the Ukraine Support Loan for 2026 and 2027¹, and in particular Article 13, paragraph 11 thereof,

Having regard to the proposal from the European Commission,

¹ OJ L, 2026/467, 26.2.2026, ELI: <http://data.europa.eu/eli/reg/2026/467/oj>.

Whereas:

- (1) Pursuant to Article 13(11) of Regulation (EU) 2026/467, the Council may adopt an implementing act in respect of a third country other than EEA EFTA States and Ukraine. The adoption of that implementing act is subject to that third country not contravening the security and defence interests of the Union and its Member States and not having concluded an agreement with the Union in accordance with Article 17 of Council Regulation (EU) 2025/1106². In that implementing act, the Council determines that that third country fulfils the three cumulative conditions laid down in Article 13(11), first subparagraph, of Regulation (EU) 2026/467, and specifies the defence products to which that implementing act applies. As a consequence, that third country is included among the EEA EFTA States and Ukraine for the purposes of Article 13(4) of Regulation (EU) 2026/467 with regard to the defence products specified in that implementing act.
- (2) By means of a letter dated 4 May 2026, the United Kingdom of Great Britain and Northern Ireland (the ‘United Kingdom’) expressed its interest in being included among the EEA EFTA States and Ukraine for the purpose of Article 13(4) of Regulation (EU) 2026/467 as regards defence products to be specified in accordance with Article 13(11) of that Regulation.
- (3) The United Kingdom entered into a Security and Defence Partnership with the Union on 19 May 2025.

² Council Regulation (EU) 2025/1106 of 27 May 2025 establishing the Security Action for Europe (SAFE) through the Reinforcement of the European Defence Industry Instrument (OJ L, 2025/1106, 28.5.2025, ELI: <http://data.europa.eu/eli/reg/2025/1106/oj>).

- (4) On 13 July 2026, the Union and the United Kingdom signed the Contribution Agreement between the European Union and the United Kingdom of Great Britain and Northern Ireland (the ‘UK’) relating to the contribution to the borrowing costs subsidy under Regulation (EU) 2026/467 of 24 February 2026 implementing enhanced cooperation on the establishment of the Ukraine Support Loan for 2026 and 2027 (the ‘Contribution Agreement’).
- (5) The United Kingdom is providing significant financial and military support to Ukraine. On the basis of official information communicated in that respect, the United Kingdom has made commitments of substantial military and financial support to Ukraine since the beginning of the Russian war of aggression against Ukraine. In particular, since February 2022, the United Kingdom has committed up to GBP 21,8 billion in support for Ukraine, including GBP 13 billion in military support, up to GBP 5,3 billion in non-military support and a cover limit of GBP 3,5 billion in export finance. In addition, the United Kingdom is an active participant in the Ukraine Defence Contact Group and G7 frameworks providing financial and military support to Ukraine.

- (6) Therefore, this Decision should determine that the United Kingdom fulfils the three cumulative conditions laid down in Article 13(11), first subparagraph, of Regulation (EU) 2026/467 and, as a consequence, in accordance with Article 13(11), third subparagraph, of that Regulation, the United Kingdom is considered to be included among the EEA EFTA States and Ukraine for the purpose of Article 13(4) of that Regulation with regard to the defence products specified in this Decision. This Decision does not affect other eligibility conditions set out in Article 13 of Regulation (EU) 2026/467 or any other conditions set out in that Regulation, in particular in Articles 17 and 20 thereof.
- (7) Considering the extremely challenging security situation of Ukraine, its implications for the security of the Union and its Member States and therefore the need to ensure the timely implementation of Article 13(11) of Regulation (EU) 2026/467 in respect of the United Kingdom in order to support Ukraine's defence industrial readiness in response to its urgent defence product needs and to duly respect legitimate expectations, it is appropriate to apply this Decision retroactively as regards the activities, expenditures and measures which comply with the conditions set out in that Regulation and related to the defence products specified in this Decision as from 13 July 2026, which is the date of entry into force of the Contribution Agreement,

HAS ADOPTED THIS DECISION:

Article 1

The conditions set out in Article 13(11), first subparagraph, of Regulation (EU) 2026/467 are fulfilled in respect of the United Kingdom and therefore, pursuant to Article 13(11), third subparagraph of that Regulation, the United Kingdom is considered to be included among the EEA EFTA States and Ukraine for the purpose of Article 13(4) of that Regulation as regards the defence products specified in Article 2 of this Decision for activities, expenditures and measures which comply with the conditions set out in that Regulation.

Article 2

This Decision shall apply to activities, expenditures and measures supported under Regulation (EU) 2026/467 and related to the defence products that belong to one of the following categories:

- (a) category one: ammunition and missiles; artillery systems, including deep precision strike capabilities; ground combat capabilities and their support systems, including soldier equipment and infantry weapons; small drones (NATO class 1) and related anti-drone systems; critical infrastructure protection; cyber; and military mobility including counter-mobility;

- (b) category two: air and missile defence systems; maritime surface and underwater capabilities; drones other than small drones (NATO classes 2 and 3) and related anti-drone systems; strategic enablers such as, but not limited to, strategic airlift, air-to-air refuelling, C4ISTAR systems as well as space assets and services; space assets protection; artificial intelligence and electronic warfare.

Article 3

This Decision shall enter into force on the date of its publication in the *Official Journal of the European Union*.

It shall apply as regards the activities, expenditures and measures which comply with the conditions set out in Regulation (EU) 2026/467 and related to defence products specified in Article 2 of this Decision from 13 July 2026.

Done at ..., ...

For the Council
The President
