Council of the European Union

Brussels, 3 February 2026
(OR. en)

16849/25

Interinstitutional File:
2025/0414(NLE)

INDEF 184
COTRA 56
POLMIL 431
COPS 682
ECOFIN 1746
FIN 1559
UEM 633
FISC 375
COMPET 1359
MAP 162
IND 622
CSC 676

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject:	COUNCIL DECISION on the signing and provisional application of the Agreement between the European Union and Canada laying down the conditions for the participation of Canadian legal entities and products originating in Canada to procurement under the SAFE Instrument

COUNCIL DECISION (EU) …/…

of …

on the signing and provisional application of the Agreement between the European Union and Canada laying down the conditions for the participation of Canadian legal entities and products originating in Canada to procurement under the SAFE Instrument

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 212, in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) On 23 June 2025, the Union concluded a Security and Defence Partnership with Canada. Canada has made a formal requested to the Union to enter into negotiations for the conclusion of a bilateral agreement, pursuant to Article 17 of Council Regulation (EU) 2025/1106[1], establishing the Security Action for Europe (SAFE) through the Reinforcement of the European Defence Industry Instrument.

(2) On 18 September 2025, the Council authorised the Commission to open negotiations with the United Kingdom of Great Britain and Northern Ireland and with Canada for the conclusion of two distinct agreements allowing for the participation of legal entities established in those countries and products originating in their territories to procurement under the SAFE Instrument established by Regulation (EU) 2025/1106 (the 'SAFE Instrument').

(3) The negotiations between the Union and Canada were successfully concluded by the initialling of the Agreement. The Commission has negotiated a bilateral Agreement between the European Union and Canada laying down the conditions for the participation of Canadian legal entities and products originating in Canada to procurement under the SAFE Instrument.

[1] 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) The conclusion of this Agreement enables increased defence industrial cooperation and reflects the shared desire to deepen the relationship between the European Union and Canada in the security and defence realm and to foster a closer, balanced and mutually beneficial partnership between the European Union and Canada to support practical defence cooperation.

(5) Therefore, the Agreement should be signed.

(6) The Agreement should be applied on a provisional basis, pending its entry into force,

HAS ADOPTED THIS DECISION:

Article 1

The signing of the Agreement between the European Union and Canada laying down the conditions for the participation of Canadian legal entities and products originating in Canada to procurement under the SAFE Instrument (the 'Agreement') is hereby authorised, subject to the conclusion of that Agreement[2+].

Article 2

1. The Agreement shall be applied on a provisional basis, in accordance with Article 15 of the Agreement, and subject to the notifications provided for therein as from the later of the dates on which each Party has notified the other of the completion of its internal procedures necessary for that purpose.

2. The date from which the Agreement is to be applied on a provisional basis shall be published in the *Official Journal of the European Union*.

Article 3

This Decision shall enter into force on the date of its adoption.

Done at …, …

For the Council
The President

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[2] The text of the Agreement is published in OJ L, …, ELI: …
[+] Delegations/OJ: see document ST 15810/25.