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COUNCIL IMPLEMENTING DECISION (EU) 2026/369

of 11 February 2026

on making the financial assistance under Regulation (EU) 2025/1106 available to Portugal

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to 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 ([1]), and in particular Article 8 thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) The Commission launched a call for expressions of interest to receive financial assistance under the Security Action for Europe (SAFE) through the Reinforcement of the European Defence Industry Instrument (the 'SAFE instrument'), requesting Member States to provide for an indicative maximum and minimum loan amount. By 29 August 2025, 19 Member States had expressed interest in obtaining financial assistance under Regulation (EU) 2025/1106.

(2) On 9 September 2025, the Commission notified the requesting Member States of the tentative allocation of the loan amounts per Member State.

(3) On 29 November 2025, Portugal submitted a request in accordance with Article 7(1) of Regulation (EU) 2025/1106 for financial assistance (the 'request') accompanied by a European defence industry investment plan (the 'plan').

(4) The Commission assessed the request against the applicable conditions laid down in Regulation (EU) 2025/1106.

(5) In accordance with Article 7 of Regulation (EU) 2025/1106, the plan was duly reasoned and substantiated and set out a description of the defence products and of the other products for defence purposes, and where relevant, a description of the foreseen involvement of Ukraine in the planned activities, expenditures and measures, or of foreseen actions for the benefit of Ukraine.

(6) The Commission found that the request fulfils the conditions laid down in Article 4 of Regulation (EU) 2025/1106 for using the SAFE instrument. In particular, it ensures that activities, expenditures and measures related to defence products or other products for defence purposes are carried through common procurements or single procurements. Such activities, expenditures and measures are also to have one or more of the following objectives: speeding up the adjustment of the defence industry to structural changes, improving the timely availability of defence products or ensuring interoperability and interchangeability across the Union.

(7) The Commission also found that the request contains a description of the planned measures aimed at ensuring compliance with Article 16 of Regulation (EU) 2025/1106 and the procurement rules set out in that Regulation, including a description of how that compliance is to be ensured.

(8) As a result, in accordance with Article 8(2) of Regulation (EU) 2025/1106, the Commission found that the request fulfils the conditions laid down in that Regulation, in particular those provided for in Article 4, Article 7(2) and Article 16.

(9) In accordance with Article 8(5) of Regulation (EU) 2025/1106, the Commission has considered the existing and expected financial needs of Portugal as well as requests for financial assistance pursuant to that Regulation already submitted or planned to be submitted by other Member States, while applying the principles of equal treatment, solidarity, proportionality and transparency.

([1]) OJ L, 2025/1106, 28.5.2025, ELI: http://data.europa.eu/eli/reg/2025/1106/oj.

(10) This Decision should be without prejudice to the outcome of any procedures under Regulation (EU) 2024/1263 of the European Parliament and of the Council [2] and under Council Regulation (EC) No 1467/97 [3].

(11) This Decision should be without prejudice to the relevant rules adopted pursuant to Article 322 of the Treaty on the Functioning of the European Union, in particular Regulations (EU, Euratom) 2024/2509 [4] and (EU, Euratom) 2020/2092 [5] of the European Parliament and of the Council.

(12) In accordance with Article 10(2) of Regulation (EU) 2025/1106, the loan agreement to be entered into with Portugal should set out all appropriate measures necessary for the protection of the Union's financial interests,

HAS ADOPTED THIS DECISION:

Article 1

It is hereby confirmed that the Commission has assessed the request for financial assistance under the Security Action for Europe (SAFE) through the Reinforcement of the European Defence Industry Instrument submitted by Portugal on 29 November 2025 and found that the request fulfils the conditions laid down in Regulation (EU) 2025/1106, in particular those in Article 4, Article 7(2) and Article 16. Financial assistance shall be made available to Portugal accordingly.

Article 2

1. The Union shall make available to Portugal a loan amounting to a maximum of EUR 5 841 179 332.

2. The Commission shall make loan support available to Portugal. An amount of EUR 876 176 899,80 shall be made available as a pre-financing payment.

Article 3

This Decision shall take effect on the date of its notification.

Article 4

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 11 February 2026.

For the Council

The President

K. KALLAS

(2) Regulation (EU) 2024/1263 of the European Parliament and of the Council of 29 April 2024 on the effective coordination of economic policies and on multilateral budgetary surveillance and repealing Council Regulation (EC) No 1466/97 (OJ L, 2024/1263, 30.4.2024, ELI: http://data.europa.eu/eli/reg/2024/1263/oj).

(3) Council Regulation (EC) No 1467/97 of 7 July 1997 on speeding up and clarifying the implementation of the excessive deficit procedure (OJ L 209, 2.8.1997, p. 6, ELI: http://data.europa.eu/eli/reg/1997/1467/oj).

(4) Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council of 23 September 2024 on the financial rules applicable to the general budget of the Union (OJ L, 2024/2509, 26.9.2024, ELI: http://data.europa.eu/eli/reg/2024/2509/oj).

(5) Regulation (EU, Euratom) 2020/2092 of the European Parliament and of the Council of 16 December 2020 on a general regime of conditionality for the protection of the Union budget (OJ L 433 I, 22.12.2020, p. 1, ELI: http://data.europa.eu/eli/reg/2020/2092/oj).