Official Journal
of the European Union

EN
L series

2026/2364

27.10.2026

COUNCIL DECISION (CFSP) 2026/2364

of 26 October 2026

amending Decision (CFSP) 2022/338 on an assistance measure under the European Peace Facility for the supply to the Ukrainian Armed Forces of military equipment, and platforms, designed to deliver lethal force

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 28(1) and Article 41(2) thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

(1) Council Decision (CFSP) 2021/509 ([1]) establishes the European Peace Facility (EPF) for the financing by Member States of Union actions under the common foreign and security policy (CFSP) to preserve peace, prevent conflicts and strengthen international security pursuant to Article 21(2), point (c), of the Treaty. In particular, pursuant to Article 1(2) of Decision (CFSP) 2021/509, the EPF is to be used for the financing of assistance measures such as actions to strengthen the capacities of third States and regional and international organisations relating to military and defence matters.

(2) On 28 February 2022, in response to the war of aggression by the Russian Federation against Ukraine, the Council adopted Decision (CFSP) 2022/338 ([2]) which established an assistance measure to cover the financing of the provision to the Armed Forces of Ukraine of military equipment, and platforms, designed to deliver lethal force.

(3) The financial reference amount under Decision (CFSP) 2022/338, as last amended by Council Decision (CFSP) 2023/810 ([3]), is EUR 4 120 000 000.

(4) On 26 October 2026, the Council adopted Decision (CFSP) 2026/2363 ([4]), amending the financial reference amount set out in Decision (CFSP) 2023/927 ([5]), and noted that the remainder of the initial financial reference amount set out in Decision (CFSP) 2023/927 should be allocated to the assistance measure under Decision (CFSP) 2022/338 to cover the financing of the provision of military equipment designed to deliver lethal force.

(5) In light of the ongoing war of aggression by the Russian Federation against Ukraine, the financial reference amount of the assistance measure under Decision (CFSP) 2022/338 should therefore be increased by an additional EUR 1 798 856 325,22 intended to cover the financing of the provision to the Armed Forces of Ukraine of military equipment designed to deliver lethal force.

([1]) Council Decision (CFSP) 2021/509 of 22 March 2021 establishing a European Peace Facility, and repealing Decision (CFSP) 2015/528 (OJ L 102, 24.3.2021, p. 14, ELI: http://data.europa.eu/eli/dec/2021/509/oj).

([2]) Council Decision (CFSP) 2022/338 of 28 February 2022 on an assistance measure under the European Peace Facility for the supply to the Ukrainian Armed Forces of military equipment, and platforms, designed to deliver lethal force (OJ L 60, 28.2.2022, p. 1, ELI: http://data.europa.eu/eli/dec/2022/338/oj).

([3]) Council Decision (CFSP) 2023/810 of 13 April 2023 amending Decision (CFSP) 2022/338 on an assistance measure under the European Peace Facility for the supply to the Ukrainian Armed Forces of military equipment, and platforms, designed to deliver lethal force (OJ L 101, 14.4.2023, p. 64, ELI: http://data.europa.eu/eli/dec/2023/810/oj).

([4]) Council Decision (CFSP) 2026/2363 of 26 October 2026 amending Decision (CFSP) 2023/927 on an assistance measure under the European Peace Facility to support the Ukrainian Armed Forces through the provision of ammunition (OJ L, 2026/2363, 27.10.2026, ELI: http://data.europa.eu/eli/dec/2026/2363/oj).

([5]) Council Decision (CFSP) 2023/927 of 5 May 2023 on an assistance measure under the European Peace Facility to support the Ukrainian Armed Forces through the provision of ammunition (OJ L 123, 8.5.2023, p. 27, ELI: http://data.europa.eu/eli/dec/2023/927/oj).

(6) Assistance measures are to be implemented taking into account the principles and requirements set out in Decision (CFSP) 2021/509, in particular compliance with Council Common Position 2008/944/CFSP ([6]), and in accordance with the rules for the implementation of revenue and expenditure financed under the EPF.

(7) The Council reaffirms its determination to protect, promote and fulfil human rights, fundamental freedoms and democratic principles and to strengthen the rule of law and good governance, in compliance with the Charter of the United Nations, with the Universal Declaration of Human Rights and with international law, in particular international human rights law and international humanitarian law.

(8) Decision (CFSP) 2022/338 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

In Decision (CFSP) 2022/338, Article 2 is amended as follows:

(1) paragraph 1 is replaced by the following:

'1. The financial reference amount intended to cover the expenditure related to the Assistance Measure shall be EUR 5 918 856 325,22.';

(2) paragraphs 3 and 4 are replaced by the following:

'3. In accordance with Article 29(5) of Decision (CFSP) 2021/509, the administrator for assistance measures may call for contributions of up to EUR 5 918 856 325,22 following the adoption of this Decision. The funds called for by the administrator for assistance measures shall be used only to pay expenditure within the limits approved by the Facility Committee established by Decision (CFSP) 2021/509 in the related amending and annual budgets corresponding to the Assistance Measure.

4. Expenditure related to the implementation of the Assistance Measure shall be eligible from 1 January 2022 and until a date to be determined by the Council:

(a) the maximum eligible expenditure incurred before 11 March 2022 shall be EUR 446 374 895,54;

(b) the maximum amount eligible for the period from 11 March 2022 to 20 July 2022 shall be EUR 1 386 484 776,34;

(c) the maximum amount eligible for the period between 21 July 2022 and 30 November 2022 shall be EUR 654 326 601,50;

(d) the maximum amount eligible for the period from 1 December 2022 to 10 February 2023 shall be EUR 473 000 113,21;

(e) the maximum amount eligible for the period from 11 February 2023 to 18 March 2023 shall be EUR 159 813 613,41;

(f) the maximum amount eligible for the period from 19 March 2023 to 15 April 2023 shall be EUR 303 502 675,17;

(g) the maximum amount of EUR 1 926 312 719,65 shall be eligible from 16 April 2023;

([6]) Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment (OJ L 335, 13.12.2008, p. 99, ELI: http://data.europa.eu/eli/compos/2008/944/oj).

(h) in addition to the amounts in subparagraphs (a) to (g), the maximum amount of EUR 569 040 930,40 shall be eligible from 9 February 2023 to 31 May 2023 for financing the reimbursement of donated materiel from existing stocks or from reprioritisation of existing orders delivered during that period, regarding ground-to-ground and artillery ammunition, and, if requested, missiles; and,

(i) expenditure related to maintenance and repair shall be eligible from 17 October 2022, and expenditure related to refit shall be eligible from 2 February 2023.'.

Article 2

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

Done at Luxembourg, 26 October 2026.

For the Council

The President

M. HEYDON