



C/2026/30

16.1.2026

Opinion of the European Economic and Social Committee

a) Proposal for a Regulation of the European Parliament and of the Council on the acceleration of permit-granting for defence readiness projects

(COM(2025) 821 *final* – 2025/0172 (COD))

and

b) Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EC) No 1907/2006, (EC) No 1272/2008, (EU) No 528/2012, (EU) 2019/1021 and (EU) 2021/697 as regards defence readiness and facilitating defence investments and conditions for defence industry

(COM(2025) 822 *final* – 2025/0176 (COD))

and

c) Proposal for a Directive of the European Parliament and of the Council amending Directives 2009/43/EC and 2009/81/EC, as regards the simplification of intra-EU transfers of defence-related products and the simplification of security and defence procurement

(COM(2025) 823 *final* – 2025/0177 (COD))

(C/2026/30)

Rapporteur-general: **Maurizio MENSI**

Legislative procedure	(a) EU Law Tracker (b) EU Law Tracker (c) EU Law Tracker
Referral	(a) European Parliament, 8.9.2025 Council of the European Union, 3.7.2025 (b) European Parliament, 10.7.2025 Council of the European Union, 3.7.2025 (c) European Parliament, 10.7.2025 Council of the European Union, 3.7.2025
Legal basis	Article 114 of the Treaty on the Functioning of the European Union
European Commission documents	COM(2025) 821 <i>final</i> – 2025/0172 (COD) COM(2025) 822 <i>final</i> – 2025/0176 (COD) COM(2025) 823 <i>final</i> – 2025/0177 (COD) Summary of document
Relevant Sustainable Development Goals (SDGs)	SDG 9 – Industry, innovation and infrastructure
Section responsible	Single Market, Production and Consumption
Adopted at plenary	18.9.2025
Plenary session No	599
Outcome of vote (for/against/abstentions)	78/0/0

1. RECOMMENDATIONS

The European Economic and Social Committee (EESC)

1.1. stresses the need to provide for oversight mechanisms regarding the application at national level of the proposed adaptations to the regulatory framework, in order to ensure consistency, effectiveness and speed, and to enable the European defence system to respond in a timely and appropriate manner to the new security and industrial challenges between now and 2030, in accordance with the principles laid down in Articles 4 and 114 TFEU and the strategy outlined in Communication COM(2013) 542 final;

1.2. recommends strengthening the Regulation on the acceleration of permit-granting, by making binding not only the 60-day time limit – to be extended only in exceptional circumstances – but also the online and centralised management of documentation by means of a mandatory single point of contact, in line with the organisational model provided for in Article 5 of Directive 2009/43/EC ⁽¹⁾;

1.3. recommends that general transfer licences be prioritised and used systematically for all projects financed or coordinated at EU level, and that this system be extended and harmonised across the national systems, by empowering the European Commission to adopt delegated acts (under Article 290 TFEU) for new exemption cases and uniform conditions, as per the proposal to amend Directives 2009/43/EC and 2009/81/EC ⁽²⁾;

1.4. recommends reviewing the effectiveness of the simplification measures, such as increasing the thresholds for the applicability of Directive 2009/81/EC (from EUR 443 000 to EUR 900 000 for supplies/services and from EUR 5,5 million to EUR 7 million for works) and of extending the innovative instruments provided for in Articles 28, 30 and 31 of that Directive, by means of regular audits and ten-year framework agreements, in order to promote stability and predictability for operators;

1.5. recommends that the possibility for Member States to authorise national exemptions for chemical substances ‘in the interests of defence’ be subject to appropriate environmental verification and compatibility procedures under Articles 2 of the REACH Regulation (EC) No 1907/2006 ⁽³⁾, 1(2) of the CLP Regulation (EC) No 1272/2008 ⁽⁴⁾ and 2(2) of the Biocidal Products Regulation (EU) No 528/2012 ⁽⁵⁾, and to the safeguards for persistent organic pollutants under Regulation (EU) 2019/1021 ⁽⁶⁾;

1.6. recommends making the operation of the European Defence Fund more flexible and transparent, allowing for different sets of selection criteria, multi-annual calls for proposals, and indirect management, and facilitating retroactive simplifications and the eligibility of testing activities conducted outside the EU, including in Ukraine;

⁽¹⁾ Directive 2009/43/EC of the European Parliament and of the Council of 6 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community (OJ L 146, 10.6.2009, p. 1).

⁽²⁾ Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security, and amending Directives 2004/17/EC and 2004/18/EC (OJ L 216, 20.8.2009, p. 76).

⁽³⁾ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1).

⁽⁴⁾ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 153, 31.12.2008, p. 1).

⁽⁵⁾ Regulation (EU) 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products (OJ L 167, 27.6.2012, p. 1).

⁽⁶⁾ Regulation (EU) 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants (recast) (OJ L 169, 25.6.2019, p. 45).

1.7. recommends that interpretative clarifications for instruments such as InvestEU (Regulation (EU) 2021/523 ⁽⁷⁾ and its delegated regulations) and the sustainable finance framework be provided, by means of guidelines and regular reviews of the eligibility criteria, and that the procedures be simplified and the confidentiality of sensitive information protected in accordance with Regulation (EU) 2016/679 ⁽⁸⁾;

1.8. recommends that the Commission coordinate and oversee the establishment of academies, centres of expertise and excellence, mobility and Erasmus+ programmes focused on the defence industry, promoting structured dialogue between institutions, businesses and education, and setting specific quantitative targets for STEM ⁽⁹⁾ skills and vertical skills, in line with Communication COM(2020) 274 final and Regulation (EU) 2021/817 ⁽¹⁰⁾.

2. EXPLANATORY NOTES

Arguments in support of recommendation 1

2.1. The success of the defence strategy and omnibus package will hinge on the European Commission's ability to transform the policy intentions into directly applicable and effective, accessible and interoperable regulatory instruments, so as to remove bureaucratic bottlenecks and ensure timely responses to both economic operators and institutional players. These requirements are consistent with the principle of sincere cooperation enshrined in Article 4 TFEU, as well as with the objective of completing the single market, as reiterated on several occasions by the Commission itself (COM(2013) 542 final) and repeated in the legislative proposals under consideration. The effective application of the package must be checked by means of objective tools and shared responsibilities between the European and national levels, so as to avoid differences in application and ensure that defence readiness standards are uniform across the Member States. The EESC also agrees with the Commission on the importance of Member States setting up regulatory sandboxes that can support the flexible and swift development of high-risk artificial intelligence systems for military and defence purposes, to enable legally safe development and testing.

Arguments in support of recommendation 2

2.2. The current procedures at national level for granting permits – as highlighted in the annual reports on the performance of the defence market – are often overly complex and affected by fragmented competences. This risks slowing down strategic investments and undermining the ability of EU industry to respond properly to geopolitical crises.

The Proposal for a Regulation COM(2025) 821 final bolsters the requirements of Article 5 of Directive 2009/43/EC on simplification by introducing mandatory online management, single points of contact and strict time limits (60 days, with justified exceptions). The central role of the human factor is also recognised in the Charter of Fundamental Rights of the European Union (Article 14), which links the quality of public services to proper training and allocation of resources.

⁽⁷⁾ Regulation (EU) 2021/523 of the European Parliament and of the Council of 24 March 2021 establishing the InvestEU Programme and amending Regulation (EU) 2015/1017 (OJ L 107, 26.3.2021, p. 30).

⁽⁸⁾ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

⁽⁹⁾ STEM stands for 'science, technology, engineering and mathematics'. These disciplines are the pillars of the technological, scientific and economic development of contemporary society, as they foster innovation and critical understanding.

⁽¹⁰⁾ Regulation (EU) 2021/817 of the European Parliament and of the Council of 20 May 2021 establishing Erasmus+: the Union Programme for education and training, youth and sport and repealing Regulation (EU) No 1288/2013 (OJ L 189, 28.5.2021, p. 1).

Arguments in support of recommendation 3

2.3. The need for general transfer licences to be systematically adopted is clearly codified in Articles 7 to 13 of Directive 2009/43/EC; this is the preferred means of overcoming the fragmentation of national rules and of helping to ensure that projects financed by EU funds such as the European Defence Fund (Regulation (EU) 2021/697 ⁽¹¹⁾) can be rolled out in a timely manner. The Commission's power to adopt delegated acts (Article 290 TFEU) ensures that the regulatory framework can be adapted rapidly to technological and strategic changes, thereby broadening the scope of the exemptions and harmonising the transfer conditions, including in the context of the proposal for a Directive COM(2025) 823 final. The integration of digitalisation (EU digital registry, common platforms, interoperability) also aims to facilitate intangible transfers of sensitive technologies, thus responding to the needs of the new digital defence and cybersecurity paradigms.

Arguments in support of recommendation 4

2.4. The revision of the thresholds for the application of Directive 2009/81/EC on procurement in the fields of defence and security is based on the need to align the regulatory framework with the requirements of speed, interoperability and innovation outlined in Communication COM(2013) 542 final, in accordance with the procedure laid down in Article 68 of the Directive itself. The extension of innovative procedures (partnerships, negotiated procedures without prior publication – Articles 28, 30, 31) and the use of independent audits and ten-year framework agreements give operators greater predictability and generate economic benefits in the life cycles of procurement programmes, without sacrificing transparency and competition.

Arguments in support of recommendation 5

2.5. Although they are provided for in Article 2 of the REACH ((EC) No 1907/2006), CLP ((EC) No 1272/2008), Biocidal Products ((EU) No 528/2012) and POPs (Regulation (EU) 2019/1021) Regulations, environmental derogations in the defence sector must be applied stringently and consistently, in accordance with the precautionary principle laid down in Article 191 TFEU. Experience shows that uneven national interpretations slows investment and may weaken market confidence. This is why the derogations need to be accompanied by obligations to closely monitor the indirect effects on supply chains, and interpretative guidelines need to be drawn up and regularly updated by the Commission, with prior checks carried out on the environmental impacts.

Arguments in support of recommendation 6

2.6. The current system for the operation of the European Defence Fund, governed by Regulation (EU) 2021/697 (in line with proposal COM(2025) 822 final), shows limitations in terms of transparency, rigidity and consistency with the needs of SMEs, as recognised in the Commission's monitoring reports. The introduction of flexibility in the timeframes for the calls for proposals, the retroactive eligibility of costs and the possibility of funding for testing conducted outside the EU (e.g. in Ukraine) will mean that the instrument is better able to respond to the changing geopolitical and technological landscapes, while maintaining firm public control through platforms for ongoing dialogue between the Commission, industry and the Member States, as provided for in the governance of the Regulation itself.

⁽¹¹⁾ Regulation (EU) 2021/697 of the European Parliament and of the Council of 29 April 2021 establishing the European Defence Fund and repealing Regulation (EU) 2018/1092 (OJ L 170, 12.5.2021, p. 149), with the aim of enhancing the competitiveness, innovation and technological efficiency of the EU's defence industry and fostering cross-border collaboration between Member States in the field.

Arguments in support of recommendation 7

2.7. It is proving difficult to make full use of financial instruments such as InvestEU (Regulation (EU) 2021/523) and the sustainable finance framework (Regulation (EU) 2020/852 ⁽¹²⁾, Regulation (EU) 2019/2088 ⁽¹³⁾) in the defence sector because of uncertainties when it comes to interpreting the rules and because the eligibility conditions are overly rigid; this has emerged from public consultations carried out by the European Commission. Interpretative guidelines therefore need to be published, and periodic reviews carried out, while ensuring the confidentiality of information subject to security constraints (in full compliance with the GDPR – Regulation (EU) 2016/679). It is crucial to encourage synergies between public and private capital and EU funds, building on the strategic nature of the defence industry for European industrial growth.

Arguments in support of recommendation 8

2.8. Increasing STEM skills and industrial and managerial skills in the defence sector is one of the priorities identified in Communication COM(2025) 90 final (*The Union of Skills*), which is being implemented in the Erasmus+ framework and in structured programmes under Regulation (EU) 2021/817. Directly linking up the Commission, industry, the training sector and civil society by setting up academies and centres of expertise and excellence would enhance the resilience of the European defence technological and industrial base (EDTIB), and is a prerequisite for modernising the production systems and protecting health and safety in the workplace, in line with the latest guidelines adopted by the Council on lifelong learning. Specialised skills and innovative talent are crucial not only for the defence industry, including those involved in the supply chain, and primarily small and medium-sized enterprises, but also, in general, for the development of innovation and the quality of civil society.

Brussels, 18 September 2025.

The President
of the European Economic and Social Committee
Oliver RÖPKE

⁽¹²⁾ Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088 (OJ L 198, 22.6.2020, p. 13).

⁽¹³⁾ Regulation (EU) 2019/2088 of the European Parliament and of the Council of 27 November 2019 on sustainability-related disclosures in the financial services sector (OJ L 317, 9.12.2019, p. 1).