

CALL FOR EVIDENCE FOR AN IMPACT ASSESSMENT

TITLE OF THE INITIATIVE	Simplifying defence and sensitive security procurement
LEAD DG (RESPONSIBLE UNIT)	DG. DEFIS A.3
LIKELY TYPE OF INITIATIVE	Legislative
INDICATIVE TIMETABLE	Q3-2026
ADDITIONAL INFORMATION	Website covering the policy area: Defence procurement - Defence Industry and Space - European Commission

This document is for information purposes only. It does not prejudice the final decision of the Commission on whether this initiative will be pursued or on its final content. All elements of the initiative described, including its timing, are subject to change.

A. Political context, problem definition and subsidiarity check

Political context

Europe's security environment has deteriorated dramatically, in particular due to Russia's ongoing aggression against Ukraine, as well as security implications linked to growing global competition in a more conflictual geopolitical environment. In this context, the [Joint White Paper for European Defence Readiness 2030 \(March 2025\)](#) emphasised that peace can only be preserved thanks to credible deterrence and stronger defence capabilities. The [European Council Conclusions of 6 March 2025](#) reinforced this message, calling for the aggregation of demand, harmonisation of requirements, and joint procurement to strengthen Europe's industrial base and operational readiness.

The Defence Procurement Directive ([Directive 2009/81/EC](#)) was adopted in 2009 and [evaluated by the Commission in 2016](#) and [by the European Parliament](#) in 2020. To best address existing issues in implementation and the evolving needs the [Defence Readiness Roadmap](#) of October 2025 announced the upcoming revision of the legal framework following an impact assessment. Despite targeted amendments of the Directive proposed through the [June 2025 Defence Readiness Omnibus](#), it is necessary to assess further potential for simplification, and greater efficiency of the legal framework for the EU defence procurement to tackle persistent issues contributing to the fragmentation, slowness, and low level of transparency of defence procurement in the EU. A legislative initiative to simplify defence and sensitive security procurement is thus included in the [Commission Work Programme](#) for 2026 (along with another distinct [revision of the public procurement directives](#)).

The planned simplification of the Defence Procurement framework fits within the broader strategic push for a European Defence Union, including building on the [European Defence Industrial Strategy](#) and contributing to the objective of achieving European Defence Readiness by 2030.

Problem the initiative aims to tackle

With war at the border of the European Union, the Member States' ability to procure in a **fast and agile way innovative and cost-efficient** defence and sensitive security goods, services and works became a clear pillar of building a strong and defence-ready European Union. At the same time, any EU initiative in this area must respect Member States' legitimate **national security interests** and their **competence in external relations and defence**.

Some of the main problems hindering the fast access to necessary defence equipment were preliminary identified as **production bottlenecks, lengthy procedures and complex legal requirements**, difficulties to **join contracts** and to **adapt to new technologies and evolutions** demonstrated on the battlefield, as well as legal unclarity and low incentivisation regarding **joint procurement**.

Companies active in the defence sector in the European Union, in particular **startups and scaleups**, SMEs and new actors **lack visibility on opportunities and procedures**, notably across borders, given the current limits on **transparency requirements for defence contract** (due to limited visibility notably on the EU [Tenders Electronic Daily](#) platform) and **digitalisation**.

While the combined European Union **defence equipment market** is potentially the second or third largest defence market in the world and Member States defence spending is expected to strongly increase, it remains **strongly fragmented along national lines** (cf [The economic impact of higher defence spending - Economy and Finance, 2025](#)). This **extra spending** in procurements needs to be facilitated by an **adequate, updated and simplified** legal framework, and to benefit the European industry to ensure European Defence Readiness by 2030, calling for aggregation of demand through joint procurement and the possibility of **European preference** .

Basis for EU action (legal basis and subsidiarity check)

Legal basis

Article 114 of the Treaty on the Functioning of the European Union (TFEU) provides the legal basis for the EU to act in the area of public procurement, enabling the establishment and functioning of the internal market. This competence is shared with the Member States, as stated in Article 4(2)(a) TFEU. On this foundation, the EU is empowered to take measures to harmonize and simplify public procurement rules, thereby promoting a level playing field and facilitating the free movement of goods and services within the EU.

Practical need for EU action

The usefulness of EU action in the area of Defence procurement was concretely demonstrated through the Defence Procurement Directive's [evaluation report](#) of 2016, which concluded on the positive outcome of increasing competition, cross-border exchanges, transparency and non-discrimination, with relatively limited added administrative burden and clear EU added value. The same report indicated that important margins of improvement existed.

With respect to the **subsidiarity principle**, purely national actions could lead to a further fragmentation of the market, compromising the EU's and Member States' collective ability to respond effectively to security challenges through the EU Defence industry readiness. Addressing defence procurement challenges, including cross-border issues, exceeds individual Member States' capacities.

B. Objectives and policy options

The simplification of the Defence procurement legal framework (current Directive 2009/81/EC) aims to strengthen the efficiency, transparency, and competitiveness of the EU defence procurement framework, through different possible options, contributing to the establishment of a genuine Single Market for defence products and services. The overarching goal is to ensure that Member States can procure defence and sensitive security equipment in a fast, cost-efficient, and coordinated manner, while supporting the resilience and technological autonomy of the EDTIB.

The initiative will aim to simplify and modernise existing procurement rules to reduce to different possible extents (policy options) legal uncertainty, administrative burden, and fragmentation across Member States. Simplification measures may include streamlined procedures, clearer definitions, and greater use of digital tools to facilitate cross-border participation and reporting. It should also strengthen resilience of the EDTIB, including through the possibility to make joint procurement faster and less complex, make all procedures more transparent and easier, and introduce a European preference mechanism. Particular attention will be paid to the inclusion and competitiveness of small and medium-sized enterprises (SMEs) and mid-caps, as well as new Defence actors, through different possible tools and degrees of exchange of information.

All policy options will be assessed against their capacity to contribute to achieving European defence readiness by 2030, including ensuring agile and fast procurement for Member States and a stronger EDTIB.

C. Likely impacts

- **Simplification** of defence procurement procedures: faster and more agile procedures for Member States to respond to their Defence needs, diminishing administrative burden and legal unclarity, freeing up resources (human and financial) to invest in less administrative tasks;
- **Increased common procurement**: diminishing legal unclarity, simplification and improvement of existing procedures. This will allow Member States cost savings through economies of scale and stronger negotiation standpoints. Strengthening of the EDTIB through diminished fragmentation of the market.
- **Facilitating increased defence procurement** will strengthen the EDTIB and allow Member States and the EU to reach Defence Readiness 2030.

- **Increased transparency and use of digitalisation** in procurement contracts and planning: clarity and easier access to market for companies, notably new entrants including startups, scaleups, SMEs and mid-caps, and easier access to finance on their side with more clarity and predictability for investors;
- possible changes are **not expected to have any significant environmental consequences**.
- In terms of **social impacts**, a reorientation of defence spending in EU Member States through a possible European preference and in general strengthening of EDTIB through joint and increased procurements should have positive effects with an overall increase in quality employment opportunities in the Union.

D. Better regulation instruments

Impact assessment

The Commission will carry out an impact assessment to inform the revision of the defence procurement regulatory framework. This analysis will undergo the review of the Regulatory Scrutiny Board. It will provide a detailed analysis of the problems to address and the objectives to pursue, identify different policy options, assess their expected costs and benefits, and identify a preferred option. It will build on the results of the 2016 [Commission evaluation](#), the 2020 [European Parliament evaluation](#), a public consultation, and targeted consultations and reality checks with Member States, industry, and social partners. Using qualitative and quantitative analysis, it will assess costs and benefits for businesses, including specific focus on SMEs and mid-caps, and public authorities. The process will follow the Better Regulation Guidelines for impact assessments and run over Q4 -2025 and Q2-2026.

Consultation strategy

The **main objective of the consultation** is to strengthen the evidence base of the impact assessment by gathering the views of all relevant stakeholders for the revision of the Directive. It will provide the stakeholders with an opportunity to express their views on and experience with the Directive in order to collect information and expertise to reach an evidence-based and measured judgement on best to support defence procurement in the EU.

A variety of methods and tools will be used to ensure a comprehensive and well-balanced consultation process for the impact assessment and preparation of the policy options. This includes:

- a **public consultation** of 12 weeks from Q4-2025 to Q1-2026 available on the dedicated European Commission's ['Have your say' portal](#).
- **Targeted consultations** from November 2025 until Q1-2026.
- An **Implementation Dialogue** envisaged in Q2-2026.

The information and evidence gathered from the stakeholder consultation activities will be presented in a **synopsis report** that will be annexed to the Impact Assessment report.

Why we are consulting?

The consultation aims to ensure that all relevant stakeholders, industry (established and new companies, tech start-ups and scale-ups, SMEs and midcaps active in defence supply chains), public authorities and individuals can provide their views, evidence and experience regarding Defence procurement in the Single Market to support the preparations for the revision of the Defence Procurement regulatory framework. It will allow to collect in-depth and high-quality information, data and feedback on the abovementioned policy objectives and options.

Target audience

Stakeholder that are likely to be most interested in this call for evidence include: government authorities and international public organisation specialising in Defence issues; Defence public buyers and central purchase bodies; Defence industry and their representatives, including SMEs, start-ups, scale-ups midcaps active in defence supply-chains, as well as New Defence actors; non-governmental organisations; financial services providers; social partners including trade unions; academia and research institutes.