

According to Article 24(1) of Regulation (EU) 2026/467, in order to finance assistance under the Ukraine Support Loan, the Commission is empowered, on behalf of the Union, to borrow the necessary funds on the capital markets or from financial institutions under the diversified funding strategy referred to in Article 224 of Regulation (EU, Euratom) 2024/2509. With regard to repayment of the loan, Article 20(2), point (a), of Regulation (EU) 2026/467 establishes that the Ukraine Support Loan is to be a limited recourse loan that becomes due and payable upon the occurrence of any of the repayment triggers defined in point (j), which include the receipt of cash by Ukraine for war reparations, indemnities or any financial settlement from Russia up to the amount of such settlement.

Article 1(1) of Council Regulation (EU) 2026/469 makes it possible to mobilise a guarantee for the provision of the financial assistance under Regulation (EU) 2026/467 over and above the ceilings of the multiannual financial framework. The aim of such a guarantee is to ensure that the necessary resources are always available in time to allow the Union to meet all of its financial obligations towards its creditors, as stated in recital 4 of Council Regulation (EU) 2026/469. If the guarantee were to be called in part or in full, contributions from Member States would be provided in accordance with Council Decision (EU, Euratom) 2020/2053 on the system of own resources of the European Union and Council Regulation (EU, Euratom) No 609/2014 on the methods and procedure for making available the traditional, VAT and GNI-based own resources and on the measures to meet cash requirements. In line with Article 4(4) of Regulation (EU) 2026/467, Member States not participating in the enhanced cooperation would be entitled to an adjustment of a call on the guarantee. In this context, whether the guarantee would be called and for how much cannot be determined at this stage.

Finally, Regulation (EU) 2026/467 and Regulation (EU) 2025/1106 set out detailed rules to support the defence industrial capacities of the European Union and Ukraine. For instance, they impose eligibility rules requiring that most of the value of the procured defence products originate in the EU, an EEA-EFTA state or Ukraine. Furthermore, both Regulations provide that, as a rule, legal entities have to be established in the Union, an EEA-EFTA state or Ukraine to be eligible as potential suppliers of defence products. Derogations to the eligibility rules are subject to strict conditions. In the case of the Ukraine Support Loan, procurements from outside the EU, EEA-EFTA states or Ukraine are allowed either based on individual derogations adopted by means of a Commission implementing act, where the industries in those countries cannot deliver the required defence products fast enough and/or in sufficient quantities (Article 13(5) of Regulation (EU) 2026/467), or from a third country that has become eligible for that purpose pursuant to a Commission delegated act or to a Council implementing act (Article 13(10) and (11) of Regulation (EU) 2026/467).