

AMENDMENT N° 01
TO
PROGRAMME ARRANGEMENT (PA) No A- PROJ.GEN.558 [CFM]

between

THE MINISTER OF DEFENCE OF THE KINGDOM OF BELGIUM
THE MINISTRY OF DEFENCE OF THE REPUBLIC OF BULGARIA
THE MINISTRY OF DEFENCE OF THE REPUBLIC OF CYPRUS
THE MINISTER OF DEFENCE OF THE FRENCH REPUBLIC
THE FEDERAL MINISTRY OF DEFENCE OF THE FEDERAL REPUBLIC OF GERMANY
THE MINISTRY OF NATIONAL DEFENCE OF THE HELLENIC REPUBLIC
THE MINISTRY OF THE DEFENCE OF HUNGARY
THE MINISTRY OF DEFENCE OF THE ITALIAN REPUBLIC
THE GOVERNMENT OF THE REPUBLIC OF LITHUANIA
THE MINISTER OF DEFENCE OF THE GRAND DUCHY OF LUXEMBOURG
THE MINISTER OF DEFENCE OF THE KINGDOM OF THE NETHERLANDS
THE MINISTRY OF NATIONAL DEFENCE OF THE PORTUGUESE REPUBLIC
THE MINISTRY OF NATIONAL DEFENCE OF ROMANIA

THE EUROPEAN DEFENCE AGENCY

and

THE EUROPEAN INVESTMENT BANK

REGARDING THE
COOPERATIVE FINANCIAL MECHANISM PROGRAMME
“CFM PROGRAMME”

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Introduction

THE MINISTER OF DEFENCE OF THE KINGDOM OF BELGIUM
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THE MINISTER OF DEFENCE OF THE KINGDOM OF THE NETHERLANDS
THE MINISTRY OF NATIONAL DEFENCE OF THE PORTUGUESE REPUBLIC
THE MINISTRY OF NATIONAL DEFENCE OF ROMANIA
hereinafter referred to as the “CFM Members”:

THE EUROPEAN DEFENCE AGENCY, hereinafter referred to as “EDA”

THE EUROPEAN INVESTMENT BANK, hereinafter referred to as “EIB”

- taking into account the Treaty on European Union, in particular Articles 42.3 and 45 thereof, the Treaty on the Functioning of the European Union (TFEU), in particular Articles 308 and 309 thereof, and the Statute of the European Investment Bank;
- recalling that Article 125 of the TFEU provides that neither the European Union nor any of its Member States, respectively, will be liable for or assume the commitments of any other Member State;
- taking into account the Council Decision (CFSP) 2015/1835 of 12 October 2015 defining the statute, seat and operational rules of the EDA¹ and in particular Chapter IV which refers to the management of ad hoc projects or programmes and associated budgets;
- taking into account the Council Decision (EU) 2016/1353 of 4 August 2016 concerning the financial rules of the European Defence Agency and repealing Decision 2007/643/CFSP;²
- taking into account the December 2013 European Council Conclusions’ call for incentivising defence cooperation by developing incentives for and innovative approaches to defence

¹ OJ L 266, 13.10.2015, p.55

² OJ L 219, 12.08.2017, p.98.

- cooperation, including by investigating non market-distorting measures;
- taking into account the EDA Steering Board Decision (SBD) 2017/11 of 18 May 2017 approving the establishment of a Cooperative Financial Mechanism (“CFM”) as an EDA ad hoc Cat. A Programme;
 - considering that the CFM Programme was established in order to support cooperative projects under Council Decision (CFSP) 2015/1835 and to address concerns of participating Member States regarding, inter alia, cases where unsynchronised defence-budgets hinder or impede the launch or implementation of such projects;
 - considering that the EIB is the Bank of the European Union with a mandate defined in Article 309 of the TFEU to support investments consistent with EU policy objectives;
 - noting that the participation to and use of the CFM Programme is entirely based on the principle of voluntary financial assistance and does not release the CFM Members from their obligation to exercise budgetary discipline;
 - underlining that the use of the CFM Programme and the provision of financial support does not imply the transfer or assumption of debt from one CFM Member to another; and
 - acknowledging that financial support provided under the CFM Programme will be subject to the conditions and requirements set under this Programme Arrangement;
 - Considering Programme Arrangement N° A-PROJ.GEN.558 entitled “Cooperative Financial Mechanism Programme” (CFM), which entered into effect on 20 June 2024;

have agreed the following concerning this Cat. A Programme hereinafter referred to as the:

“CFM Programme”

1. Purpose of the Amendment

The purpose of this Amendment N° 01 is to reflect the admission of the Grand Duchy of Luxembourg as a new CFM Member to the Programme Arrangement No A- PROJ.GEN.558.

2. Signature and date of entry into effect

- 2.1 All other provisions of the Programme Arrangement No A-PROJ.GEN.558 will remain unchanged and applicable.
- 2.2 This Amendment is signed in in two (2) originals, each in the English and French languages, both versions being equally valid.
- 2.3 The originals will be held by EDA, with one certified true copy being sent to each CFM Member.
- 2.4 This Amendment will come into effect upon the date of the signature of the 2nd CFM Member. The CFM Members signing after this date, will join the PA with the date of their signature.

For the MINISTER OF DEFENCE OF THE
KINGDOM OF BELGIUM

Signature

Place.....

Date.....

For the MINISTRY OF DEFENCE OF THE REPUBLIC OF BULGARIA

Signature.....

Place.....

Date.....

For the MINISTRY OF DEFENCE OF THE REPUBLIC OF CYPRUS

Signature.....

Place

Date

**For the MINISTER OF THE ARMED FORCES AND VETERANS OF THE FRENCH
REPUBLIC**

Signature.....

Place

Date

For the
FEDERAL MINISTRY OF DEFENCE OF THE FEDERAL REPUBLIC OF GERMANY

Signature.....

Place

Date

For the MINISTRY OF NATIONAL DEFENCE OF THE HELLENIC REPUBLIC

Signature.....

Place

Date

For the MINISTRY OF THE DEFENCE OF HUNGARY

Signature.....

Place

Date

For the MINISTRY OF DEFENCE OF THE ITALIAN REPUBLIC

Signature.....

Place

Date

For the GOVERNMENT OF THE REPUBLIC OF LITHUANIA

Signature.....

Place

Date

For the MINISTER OF DEFENCE OF THE GRAND DUCHY OF LUXEMBOURG

Signature.....

Place

Date

For the MINISTER OF DEFENCE OF THE KINGDOM OF THE NETHERLANDS

Signature.....

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Date

For the MINISTRY OF NATIONAL DEFENCE OF THE PORTUGUESE REPUBLIC

Signature.....

Place

Date

For the MINISTRY OF NATIONAL DEFENCE OF ROMANIA

Signature.....

Place

Date

For the EUROPEAN INVESTMENT BANK

Signature.....

Place

Date

For the EUROPEAN DEFENCE AGENCY

Signature.....

Place

Date