

Message 001

Communication from the Commission - TRIS/(2026) 2234

Directive (EU) 2015/1535

Notification: 2026/0435/LU

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késésekét - Non fa decorrere la mora - Atidėjimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħx il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20262234.EN

1. MSG 001 IND 2026 0435 LU EN 17-08-2026 LU NOTIF

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4. 2026/0435/LU - X20M - Arms and munitions

5. Preliminary draft law on the manufacture of defence-related products and amending:

1° the Law of 27 June 2018 on export control, as amended;

2° the amended Law of 2 February 2022 on weapons and ammunition.

6. Establishment of a legal framework for the manufacturing of defence-related products

7.

8. The purpose of this Law is to establish an authorisation scheme for manufacturers of defence-related products in the Grand Duchy of Luxembourg.

Public institutions which are active in the field of research and development of defence-related products shall not be considered to be manufacturers.

The manufacture of prohibited defence-related products is forbidden.

9. Faced with a severely deteriorating, volatile and unstable security environment, and above all with Russia's war of aggression against Ukraine, which represents a threat to the Euro-Atlantic area unprecedented since the end of the Second World War, the need to revitalise deterrence and defence capabilities within the North Atlantic Treaty Organization (NATO) and the European Union (EU) has become clear. This development, together with the challenging security outlook for the years ahead, is consistent with the need to strengthen the Luxembourg Defence Technological and Industrial Base (LDTIB). Production capacity in the defence industry across NATO countries continues to grow, but significant gaps remain to be bridged, particularly in Europe. Efforts must therefore address both demand and supply. In practical terms, this may take the form of demand aggregation, multi-year joint defence procurement, or measures aimed at incentivising and facilitating the expansion of industrial capacity.

Both within the EU and the framework of NATO, the challenges have been identified and initiatives to address them have been initiated. The EU's ambitions for the future development of the defence industry are set out, inter alia, in the EU Strategic Compass, the European Defence Industrial Strategy, the White Paper on the Future of European Defence – Readiness 2030, and the ReArm plan. These ambitions are intended to be implemented through the European Defence Industry Programme Regulation, which provides for measures across several areas, ranging from securing value chains and identifying projects of common interest to supporting Ukraine.

(...)

To date, the only law relating to weapons in Luxembourg is the Law of 2 February 2022 on Weapons and Ammunition ('the 2022 Law'), which essentially regulates the sale and acquisition of so-called 'civilian-use' weapons and their ammunition. In the absence, until now, of any specific need to do so, it does not otherwise regulate the manufacture of defence-related products itself, except through an exemption regime under the 2022 Law, which is insufficient to provide a long-term legal framework for an industry that is expected to develop in the coming years, particularly in view of the current geopolitical situation and Luxembourg's commitments to NATO.

In order to enable the LDTIB to contribute fully to NATO's and the EU's deterrence and defence efforts, to maximise the economic benefits to Luxembourg from defence expenditure, to provide legal certainty for Luxembourg companies operating in the defence sector and those seeking to establish themselves in

Luxembourg, and to ensure appropriate oversight of these activities, it is therefore essential to establish a legal framework governing the manufacture of defence-related products, which is currently lacking.

To this end, the Government has tasked the Ministry of the Economy with coordinating the work to draw up this new legal framework, in close collaboration with the Ministry of Justice, the Defence Directorate of the Ministry of Foreign and European Affairs, Defence, Cooperation and Foreign Trade, and the Office for the Control of Exports, Imports and Transit (OCEIT) (also part of the Ministry of Foreign and European Affairs, Defence, Cooperation and Foreign Trade).

The full explanatory statement will be available in full under 'Supporting documents' – 'Other texts'.

9a. The draft law aims to provide a legal framework for the manufacture of defence-related products. In this context, two articles have been identified which establish technical regulations. One (Article 6(1), points 3° and 4°), relating to the safety to be guaranteed for the premises in which these products are manufactured (1) and the other (Article 7(2)) concerns the marking of the products (2).

(1) Given the sensitive nature of the products covered by the draft law (products/parts for the manufacture of military equipment), it is essential to lay down minimum security and crime-prevention measures (regarding access, burglary, theft, etc.) to ensure the security of the premises concerned.

In the absence of any applicable European or international criteria for such premises, the decision was taken to adopt the same criteria as those already set out in the Law of 2 February 2022 on weapons and ammunition, which primarily regulates the sale and manufacture of weapons and ammunition for civilian use. These criteria are primarily intended to ensure physical access to these buildings is secure, but also to ensure they can withstand attempted intrusion or burglary.

9b. There are currently no regulatory requirements in this area. The purpose of this draft law is to create one. The measures currently proposed have been taken from the aforementioned Law of 2 February 2022 and represent the minimum requirements that must be met, given the highly sensitive nature of the products in question.

9c. This should not, in principle, constitute a significant burden, as the requirements imposed are minimal and entirely reasonable. It is safe to assume that every company operating in this sector already complies with these conditions. They apply to the premises in which these products are manufactured, rather than to the products themselves.

Relaxing these requirements, or imposing none at all, would mean failing to secure these weapons manufacturing sites, which is clearly not an option.

10. References to the basic texts:

11. No

12.

13. No

14. No

15. Yes

16.

TBT aspects: No

SPS aspects: No

European Commission

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