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NATO's Impact in the Portuguese National Defence Policy

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ANTI-PLAGIARISM STATEMENT

As per article 20-A of the 2nd Cycle Regulations, I, Laura Pereira de Sousa, hereby declare the dissertation presented is solely of my authorship and that the use of contributions or texts of others are duly referenced.

Lisboa, 15/03/2025

Laura Pereira de Sousa



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To STRIKFORNATO and my fellow interns,

Um sincero obrigada, por tudo!

DECLARATION

- This internship report has 166 412 characters, including spaces and footnotes.
- The citation style utilized is Norma Portuguesa 405.

LIST OF ABBREVIATIONS

AOR	Areas of Responsibility
BTID	Defence Technological and Industrial Base
CAP	Comprehensive Assistance Package
CCP	Public Procurement Code
CEMGFA	Chefe do Estado-Maior-General das Forças Armadas
CJTF	Combined Joint Task Force
CPLP	Comunidade dos Países de Língua Portuguesa
CPR	Constitution of the Portuguese Republic
CRO	Crisis Response Operations
DCD	Defence Cooperation Services
DEAG	Studies and Management Support Division
DGPDN	National Defence Policy General Directorate
DGRDN	National Defence Resources General Directorate
DIANA	Defence Innovation Accelerator for the North Atlantic
DIP	Defence Investment Pledge
DPED	Strategic Defence Planning Services
DRI	International Relations Services
EDBTID	Strategy for the Development of BTID
EDIS	European Defence Industrial Strategy
EMGFA	General Staff of the Armed Forces
EU	European Union
G2G	Government to Government
IdD	IdD Portugal Defence
IDN	National Defence Institute
ISAF	International Security Assistance Force
IRF	Immediate Response Force
GDP	Gross Domestic Product
LOBOFA	Organic Law on the Organization of the Armed Forces
MIL	Military Infrastructure Law
MoD	Ministry of National Defence

MPL	Military Programming Law
NAC	North Atlantic Committee
NATO	North Atlantic Treaty Organization
NDL	National Defence Law
NDP	National Defence Policy
NDPP	NATO Defence Planning Process
NICE	NATO Industrial Capability Expansion
NRF	NATO Response Force
NATSU	NATO Security Assistance and Training for Ukraine
NSPA	NATO Support and Procurement Agency
NUC	NATO-Ukraine Council
PALOP	Portuguese-speaking African countries
PCC	Public Procurement Code
PNDP	Portuguese National Defence Policy
PRC	People's Republic of China
SACEUR	Supreme Allied Commander Europe
SECGEN	Secretary-General
SHAPE	Supreme Headquarters Allied Forces Europe
SMC	Strategic Military Concept
SME	Small and Medium Enterprise
SNDC	Strategic National Defence Concept
R&D	Research and Development
R2P	Responsibility to Protect
SWOT	Strengths-Weaknesses-Opportunities-Threats
TEU	Treaty of the European Union
TFEU	Treaty on the Functioning of the European Union
UDCG	Ukraine Defence Contact Group
UK	United Kingdom
UN	United Nations
USA	United States of America

ABSTRACT

The evolving security landscape that we live today has left National Defence in the agendas of the Western Nations, with Portugal being no exception. The need for a resilient, adaptive and strategically aligned (with the current events) Defence Policy has become a pressing matter. Based in the internship experience at the National Defence Policy General Directorate, this report analyses how NATO impacts the Portuguese Defence Policy and, at the same time, how Portugal aligns itself with NATO's Collective Security and Defence objectives. It focuses on the support towards Ukraine, in Defence Industry development and the fulfilment of current NATO pledges. Overall, the Portuguese National Defence Policy is not developed in isolation but rather shaped by international commitments, by the geopolitical and geostrategic environments and by Portugal's objectives and values as a Nation. Furthermore, this report also finds that there exist the needs to develop a new Strategic National Defence Concept, to invest in the Portuguese Defence Industry, to enhance procurement practices and to maintain strategic cooperation Alliances. At the end, a strategic balance between domestic interests and international obligations is what ensures Portugal in becoming a credible Global Security Partner and Ally.

Key-words: Defence Policy; International Commitments; National Defence; NATO; Strategic Concept.

RESUMO

O atual panorama de segurança deixou a Defesa Nacional nas agendas das Nações do Ocidente, não sendo Portugal uma exceção. É urgente o desenvolvimento de uma Política de Defesa resiliente, adaptativa e estrategicamente alinhada com o ambiente em que vivemos. Baseado na experiência do estágio-curricular desempenhado na Direção-Geral de Política de Defesa Nacional, este relatório analisa o impacto da OTAN na Política de Defesa portuguesa e, simultaneamente, o modo como Portugal se alinha com os objetivos de Segurança e Defesa Coletiva da OTAN. Centra-se no apoio em curso à Ucrânia, no desenvolvimento da Indústria de Defesa e no cumprimento dos compromissos que advêm da mesma organização internacional. De um modo geral, a Política de Defesa Nacional portuguesa não é desenvolvida isoladamente, mas sim moldada pelos compromissos internacionais, pelos ambientes geopolítico e geoestratégico e pelos objetivos e valores de Portugal enquanto Nação. Para além disso, este relatório também considera que existe a necessidade de desenvolver um novo Conceito Estratégico de Defesa Nacional, de investir na Indústria de Defesa Portuguesa, de melhorar as práticas de aquisição no setor da Defesa e de manter as Alianças estratégicas e a Cooperação Internacional. No final, um equilíbrio estratégico entre os interesses nacionais e as obrigações internacionais é o que garante que Portugal se torne num promotor credível de segurança para os seus Parceiros e Aliados.

Palavras-chave: Política de Defesa; Compromissos Internacionais; Defesa Nacional; OTAN; Conceito Estratégico.

INTRODUCTION

With the war back again on the European continent, National Defence has become a central focus for Western nations' agendas. The principles of territorial integrity and national sovereignty are now at the heart of shifting global dynamics, influencing Alliances and Partnerships worldwide.

Hence, an effective National Defence Policy must be resilient, capable of countering threats and risks, efficient in optimizing resources and adapting to an evolving context while also upholding protected values. Moreover, a multisectoral and comprehensive approach (integrating key areas such as military strategy, economic stability, and foreign policy) must be built and planned to ensure a robust and coordinated response to today's security challenges. On the other hand, fostering international cooperation remains essential to actively enhance defence capabilities, interoperability of means and a collective resilient posture.

With this in mind, this report analyses the Portuguese National Defence Policy in its national framework. At the same time, it explores Portugal's broader international security framework, particularly its commitments to NATO.

It follows a logical progression of moving from theoretical foundations to an institutional analysis and then to practical applications, culminating in a case study on 'How can NATO impact the Portuguese National Defence Policy, considering the different commitments contributing to the Alliance's Collective Defence Initiative'.

Overall, the report aims to (i) debunk Portugal's defence policy and strategies, (ii) demonstrate current challenges and opportunities within the defence sector, and (iii) characterize Portugal's role as a NATO Ally. Furthermore, it seeks to prove that the Portuguese National Defence Policy is not developed in isolation, as it aligns with international expectations from, for example, NATO and the EU. This study will only demonstrate how Portugal translates NATO's strategic priorities into a congruent and effective National Policy. Still, notice must be taken on the fact that more international commitments influence Portugal, not only the NATO ones.

To conclude, this research is based on my own professional experience while interning at the National Defence Policy General Directorate in Portugal, which provided practical exposure to national defence tasks, such as the support for Ukraine, military deployments, the improvement of Portugal's BTID and over Defence Investment.

1. Theoretical and conceptual framework

1.1. What is National Defence

The term National Defence, in Portugal, is mentioned in article 273.º in the Constitution of the Portuguese Republic (CPR). Although lacking a *stricto sensu* concept, the Constitution demonstrates a legal description of National Defence by defining its aims in the number 2 of the same article: the aims of maintaining national independence, territory integrity and freedom of the population against any external risks and threats. Alongside this definition is the constitutional attribution of the national defence task to the Portuguese State (number 1 of the same article), where the State is perceived to be an instrument at the service of all, living off the objectives and tasks predefined in its political constitution (Garcia, 1996, p. 71). For this matter, the fact that the National Defence is directly linked to State sovereignty, its treatment and planning represent an instrument for Portugal's affirmation to its partners, its rivals, and especially its people.

In depth, some authors defend that the concept of National Defence can have more meaning than the one explained above. Araújo (2000, p. 244) and Sousa (2008, p. 36) share the idea that the Constitution delimits three realities regarding National Defence:

1. The first one is the aforementioned idea that National Defence refers to the safeguarding of constitutionally protected interests and/or values, such as the ones referred in the number 2 of article 273.º of the CPR (that already are consecrated in the CPR through item a) of the article 9.º and the number 3 of article 5.º, for example). Thus, it is the State's obligation to ensure this safeguarding, as it is the only one with the power to do it.
2. The second reality, and the more restrictive one, is that National Defence refers to the military defence of the Portuguese Republic. Thus, it is the Armed Forces, in its entirety, that are responsible for it (as the only security structure mentioned by the CPR). The Organic Law on the Organization of the Armed Forces (Organic Law n.º2/2021, of August 9th – LOBOFA), in article 1.º, directly mentions that the Armed Forces are an essential pillar of the National Defence, having the mission of guaranteeing the military defence of the Republic. Nonetheless, this second perspective has been somewhat contradicted by article 48.º of the National Defence Law - NDL (Law n.º 31-A/2009, of July 7th), which states in its number 1 that Internal Security Forces also collaborate in matters of National Defence. Even so, we have to keep in mind that this article and the one mentioned in

LOBOFA lacks the constitutional definition on what tasks both the internal security forces and the Armed Forces are prone to take regarding national defence and the military defence of the Republic (Gouveia, 2022, pp. 153-154).

3. Lastly, National Defence concept as the homeland defence (*“Defesa da Pátria”*), which is undoubtedly both a right and a duty for all Portuguese citizens. As per Garcia (2015, p. 99), in a cultural-based community that constitutes a Nation (the Homeland), “National Defence” is its Nation’s own defence activities.

Acknowledging the perspectives above, and taking into consideration general theoretical doubts in Portugal, the Portuguese legislature tried to clarify National Defence in article 1.º of the NDL, assigning it a clearer definition. Moreover, by defining the main objectives to be pursued by the National Defence Policy – NDP (articles 4.º and 5.º - which will be mentioned further on), the National Defence concept expands further: this law demonstrates a larger enumeration of assets/values/interests to be protected (such as the security of the population’s property and of the national heritage, for example) and it also displays some ways the State can pursue its national defence obligations (Gouveia, 2022).

It is safe to say the meaning of National Defence may vary when it is to be perceived by various subjects, either they are military experts, law experts, or any other type. This is simply because this concept is a rather new and current one, even if discussions about it can reach back to around 50 years. Guilherme Belchior Vieira tried to define National Defence to and in Portugal in a 1980 research paper. In this, Vieira reflects on a concept of National Defence based in the military component, although admitting that society was more prone to accept a global or rather enlarged concept of National Defence, one that was not limited to the military sphere – this especially because of the two World Wars, where military strategies and the State’s sectorial strategies were integrated into one global strategy in order to fight the Wars (Vieira, 1980). It is now with no surprise that in 1982, with Constitutional revision, the Portuguese State was obligated to ensure National Defence and, subsequently, created the Portuguese National Defence Ministry (as next chapter will further validate). Garcia (2015, p. 105) shares this sentiment, especially when explaining a new concept of Security (collective/cooperative), which encompasses dimensions other than the military one, and other agencies/organizations other than those of defence.

With this in mind, National Defence is presented as a multisectoral and enlarged

concept, as this is the general consensus in the Portuguese defence literature: National Defence is a set of military, political, economic, social and cultural measures which, properly coordinated and integrated, and developed globally and sectorally, make it possible to strengthen the Nation's potential, while minimizing its vulnerability. Thus, these measures make a Nation capable of fighting all types of threats that could directly or indirectly jeopardize National Security (Cardoso, 1981; Santos, 2000). This definition clearly introduces a link between National Defence and National Security. National defence is the act, an instrument, that promotes the state of National Security (Vieira, 1980; Garcia, 2015). This last concept is defined by the permanent guarantee of survival in Peace and Society (Santos, 2000), where the legally listed objectives of National Defence are achieved and ensured.

Nonetheless, and having already defined National Defence, it is worth mentioning two very important theoretical critics regarding this concept in Portugal, due to its current value and future implications in policy:

1. The fact that the material constitutional definition of National Defence (article 273.º) reduces this concept to external threats (Gouveia, 2022, p. 152).

In current times, there are countless of external and internal threats that can directly or indirectly affect the values and interests that are protected by the Portuguese State. Optimizing the National Defence tasks and measures only for external threats is redundant and ineffective in the long term, as it makes the country vulnerable regarding possible internal threats.

2. The fact, in Portugal, that National Defence matters are still regarded closely linked to the Armed forces activities (Garcia, 2015, p. 99), although they are beyond them.

In Portugal, National Defence matters depend on an interministerial contribution from various Ministries of the State, especially the Ministry of Foreign Affairs (Carreiras, 2022). But nothing is mentioned between military forces and internal security ones. Thus, (i) why is there no record, in Portugal, of the various forms of collaboration between internal security agencies and the military or (ii) why mention that National Defence relates to the military defence of the Portuguese Republic (article 275.º(1) of CPR) if further encompasses internal security forces? Garcia (2015, p. 99-100) advises the

adoption of the concept of National Security, and not National Defence, in the doctrine. This conceptual change is due the fact that National Defence (in its military form) is not enough to reach a state of Security and Peace, but National Security is, as it translates to the need for various policies through various spheres and the coordination of internal and external security actions. Furthermore, as well as being an end in itself, National Security can and should be perceived as a shared activity between security structures in Portugal and other dimensions of the State (Gouveia, 2022, p. 123-124). For these authors, the conceptual change needs to happen, if not to stop the incorrect notion that the current National Defence definition primarily relates to military activities.

Having these critics in mind, this dissertation will henceforth treat National Defence as the multisectoral measures that safeguard constitutional values and interests, as it is demonstrated in article 273.º of the CPR – as an end to be pursued by the State. Therefore, guaranteeing the National Defence task is making decisions, ensuring actions and yielding procedures that point to this goal, even with different capacities and proposals. This is, in a general sense, the Portuguese National Defence Policy (PNDP).

1.2. The Portuguese National Defence Policy

One of the questions to be asked is, without a doubt, why is there a need for a NDP in Portugal? Aguiar (1989, p. 39) entertained this idea in a negative point of view: if the Portuguese political powers do not choose to act and do not decide on a policy regarding these matters, this deliberated non-decision will always imply an advantage granted to the outside world and, for that matter, a reduction in national potential. Furthermore, given the current international environment, the bigger the State's vulnerabilities, the bigger is the need of a NDP, as all resources from that said country should be used in order to contain a threat or maintain an advantage (Ruivo, 2010, p. 14). Nonetheless, let us revisit the context of expressions such as "Policy" and "Defence Policy".

The word "Policy" is defined by Cambridge Dictionary (2025) as "a set of ideas or a plan of what to do in particular situations that has been agreed to officially by (...) a government, or a political party". In other words, it is a course of action decided towards a perceived problem/situation that requires further acknowledgement for various motives

than the action of simply knowing about it. Furthermore, if that course of action is “formulated by a specific political process, and adopted, implemented, and enforced by a public agency” we are presented to a Public Policy (Neill et al, 2017, p. 1). With this in mind, the PNDP is a public policy that aligns itself with the challenges of the defence sector in Portugal (it is a specific public policy), that is framed and shaped by various laws and guidelines and implemented by the Portuguese MoD (a public agency).

Thus, and following article 4.º of the NDL, the PNDP is based in the guidelines defined in key national structural documents, such as the CPR, this precise law – the NDL, the current Government Program of Portugal and the Portuguese Strategic Concept of National Defence. Furthermore, because National Defence is a multisectoral area of expertise, the policy must take into consideration the interests of the country from outside the military component, thus it must integrate the State's sectoral policies whose contribution is necessary for the achievement and fulfilment of National Defence objectives (article 4.º(2) of the NDL). Furthermore, and having had the opportunity to work in this area at the Ministry of National Defence, in this dissertation is important to also mention (i) the Strategic Military Concept (of extreme importance for the Portuguese Armed Forces), the Military Programming Law (MPL) and the Military Infrastructure Law (MIL); and also (ii) two international organization's guidance documents in regards to international security and defence, in which Portugal is part of: the European Union (EU) Strategic Compass and the North Atlantic Treaty Organization (NATO) Strategic Concept.

1.2.1. The CPR and the NDL

Both the CPR and the NDL are the base line for the legal framework that the PNDP observes.

Regarding the CPR, this framework allows us to theoretically integrate the concept of National Defence. Consequently, the CPR guarantees that the NDP is aligned with the values of the Democracy, by establishing principles for National Defence. Previously, it was only mentioned the article 273.º of the CPR regarding “National Defence”. However Title X of the CPR establishes some of fundamental principles that guide the defence policy: it demonstrates that National Defence relates to a right and a duty to all Portuguese population (article 273.º), declares the existence of the Superior Council for National Defence, which is the advisory body for National Defence affairs (article 274.º),

showcases the subordination of the Armed Forces to the Portuguese democracy and the country's political will (explaining part of their task and Mission – article 275.º) and defines the principles of the Military Service in Portugal and Citizen's participation in National Defence matters (276.º). Moreover, the CPR has dispersed articles that also are important for the legal understanding of the PNDP. For example, (i) article 7.º elucidates about foreign affairs (necessary for defence matters); (ii) article 9.º(a) tasks the State of Portugal in ensuring national independence, beyond other fundamental objectives; (iii) articles 120.º, 133.º(p) and 135.º(c) relate to the Portuguese President, in which determine that he is, inherently, the Supreme Commander of the Armed Forces, having competencies to appoint and dismiss high-ranking Armed Forces Officials and to declare war and making peace (with the due obedience to what is written by Law); and (iv) articles 161.º(i)(m) and 163.º(i) reveal the Assembly of the Republic's (in Portuguese *Assembleia da República*) competencies in Defence matters.

In the other hand, the NDL operationalizes constitutional principles of National Defence. Henceforth, this law is considered a baseline, precisely because it:

- (i) Defines the components of the NDP and enumerates its objectives (articles 4.º and 5.º). It reaffirms the importance of the CPR for this specific Policy and introduces the importance of following the updated Government Program and the Portuguese Strategic Concept of National Defence's guidelines and priorities (article 6.º and 7.º);
- (ii) Regulates the structure of the National Defence System (articles 8.º to 19.º), attributing competences to the various Portuguese sovereign bodies responsible for National Defence and the Armed Forces, defining, by consequence, the articulation between those different bodies. Moreover, it instructs the Government as “the body that conducts National Defence Policy and the Armed Forces” and the “highest administrative body for National Defence and the Armed Forces”, subordinating, once more, the Portuguese Armed Forces to the political power (article 12.º(1));
- (iii) It characterizes the Armed Forces' missions (implying the international cooperation, particularly within NATO, the EU and the UN), its composition and its organizational framework, in relation to National Defence (articles 22.º to 35.º).

Taking everything into consideration, both the CPR and the NDL are indispensable for the guaranteeing of National Defence and the NDP, as the first establishes the fundamental principles to be followed by the Portuguese State in matters of Defence, and the second (the NDL) gives substance to those principles, while also defining concrete rules for their implementation.

1.2.2. The XXIV Government Program

The current government Program is dated to the year of 2024, and belongs to the XXIV Constitutional Government of Portugal (led by the Portuguese Prime-Minister Luís Montenegro).

According to article 6.º of the NDL, the prime orientations to the PNDP are also defined in this current program. For instance, the National Defence chapter of the Governmental Program focuses essentially in the international environment and in the Portuguese Armed Forces' capabilities, due to the 2022 Russia invasion in Ukraine, the Middle-East instability, China's affirmation as a world power and (at the time) the uncertainty regarding the United States of America presidential elections.

So, and taken the aforementioned points into consideration, the XXIV Portuguese Constitutional Government Program commits, in general, to (Programa, 2024,):

1. Defend and promote the role of Portugal in NATO, in the EU and in the UN, while increasing, at the same time, the strategic connections with the Community of Portuguese Language Countries (in Portuguese, *Comunidade dos Países de Língua Portuguesa – CPLP*), regarding foreign policy, security and defence matters.
2. Fully capacitate the Portuguese Armed Forces and set them up with competitive abilities (for conventional and non-conventional conflicts). By, for example:
 - a. coordinating planning cycles regarding personnel, investments, budget, training exercises and readiness for international missions;
 - b. negotiating new and better salary conditions as well as complementary social support;
 - c. identifying ways to incrementalize the procurement of essential military assets.

3. Improve and incentivize a strong Portuguese Defence Industry, with the goal of developing cutting-edge technologies and equipment. By:
 - a. capitalizing on possible financial mechanisms available in international organizations that Portugal is part of, like EU funds and the NATO innovation fund;
 - b. conducting studies on how can the Military Programming Law (Organic Law n.º 1/2023 of August 17th) be executed to its fully potential;
 - c. creating fiscal and administrative measures that enable the formation of a strategic environment for the Defence Industry's private sector;
 - d. using the Portuguese Defence Technological and Industrial Base (BTID) to equip the Armed Forces from Portugal and allied countries.
4. Adopt a new SNDC, as the last one is around 10 years old.

1.2.3. The Portuguese Strategic National Defence Concept

According to articles 4.º and 7.º of the NDL, the SNDC is, by definition, an integral part of the PNDP. Article 7.º(1) highlights the need of this concept, because it defines “the State’s priorities in the matters of defence, in accordance with national interests”. Thus, this strategy is linked to the implementation of the course of action decided in PNDP, which is what a strategy should be used to: “it provides overall guidance (...) to ensure that specific decisions and actions are taken in context and are coherent with the organization’s overall aim or purpose (its policy)” (Neill et al, 2017, p. 3), normally including “the necessary instruments to implement [Policy aims], [the guidance on] how these instruments should be employed over a longer period of time and how they should be used together in order to create synergy” (Kundsen, 2012, pp. 136).

One interesting point to make is that these types of national strategies are not indispensable, they may even not exist in various countries. However, if they do exist, they must be valid, useful and must provide substantial guidance, benefiting from the consensus between the organs of sovereignty, the main political forces and, above all, the public opinion (Pinto, 2022, p. 114). This last part is very well described in the Portuguese 2013 SNDC, as in its last paragraph mentions that the SNDC only becomes a national concept from the moment Portugal and the Portuguese population take it as their own

(Council of Ministers Resolution n. 19/2013 of April 5th - SNDC, p. 1995).

With this in mind, the first time this type of strategy was created in Portugal was in 1985 (in the legal framework of the National Defence and Armed Forces Law – Law n.º29/82 of December 11th), proving that the country already had eight centuries of National Defence matters and decisions before this first formal guidance document (Pinto, 2022, p.114). However, the approval of the first strategic concept regarding National Defence (an enlarged concept that incorporated various sectors for that matter) constituted the final stage of the Armed Forces' subordination to the political power, and, after years under a fascist regime, it solidified the country's democratic transition (Viana, 2022, pp. 39-41).

In total, there have been four SNDCs in Portugal. The first one was approved because of internal motives (it was after the fall of the far-right regime in Portugal and when democratization took place). Conversely, the three that followed have emerged due to major global events that have brought structural changes to the international environment and to the national systems: the 1994 SNDC was approved during the post-Cold War era (the threat present in the east no longer existed with the end of the Warsaw Pact); the 2003 SNDC was decided as a result of the 9-11 attacks in the United States of America (the new dimension of the transnational terrorism opened the doors to a global security problem); and, the 2013 SNDC was approved due to the aftermath of the economic crisis that hit the eurozone and Portugal in 2007-2013 (Viana, 2022, pp. 45-61). Another thing to take into consideration is that the 2003 SNDC revision was not included in the XXI Government Program. However, and as it was explained later at the approved 2013 strategic document, alongside the economic crisis, the development of new major powers, the strategic reorientation of the United States of America (both which had implications in the field of security), the new (at the time) NATO Strategic Concept and the new EU Treaty (Treaty of Lisbon) were listed as reasons for the creation of the new SNDC (Council of Ministers Resolution n.º 19/2013 of April 5th - SNDC, p. 1981). Thus, it is safe to report that the international environment and consequent events are essential for the revisions of SNDC.

At present time, the last-approved SNDC (2013) is of extremely importance to the

¹ This law no longer exists in Portugal – as of now, it is the National Defence Law (Law n.º 3/2021, August 9) that frames National Defence matters (alongside the Organic Law on the Organization of the Armed Forces - LOBOFA - Organic Law n.º 2/2021, of August 9th)

current PNDP. This SNDC, in line with the ones from 1985, 1994 and 2003, did not stray far from what it can be considered a global strategy in a national environment, which can be understood as a strategy where all the resources at the country's disposal can be used to the fulfilment of the National Defence objectives. Hence, the SNDC is conducted in order to involve every department of the State and the Portuguese society, either are they military, political, social, economic, diplomatic or technological, for example (Council of Ministers Resolution n.º 19/2013 of April 5th - SNDC, p. 1981; Viana, 2022, p. 40 e 59; Costa&Sampaio, 2022, p. 21). This is the practical side of the enlarged concept of National Defence mentioned in chapter 1.1. Furthermore, Reis (2019, p. 79) notes that this type of holistic and multisectoral strategy was never done before – the approach already existed in theory, but it failed in practice in the other SNDC.

Now, and deepening into the 2013 SNDC itself, this Strategy is what a SWOT (strengths-weaknesses-opportunities-threats) analysis looks like (Palmeira, 2022). Furthermore, it has three action vectors that provide guidance in (i) how and where can Portugal exercise its Sovereignty and neutralize risks and threats against its national security (which is the traditional core of a security and defense strategy); (ii) how can Portugal bypass the obstacles and the country's vulnerabilities; and (iii) how can Portugal enhance its resources and national opportunities to its fully potential. Nonetheless, these vectors are always directed by the fundamental values and national interests described in the CPR, in the NDL and in this Strategy:

“The fundamental values are: national independence, national interest's primacy, the principles of the Portuguese democracy's defence, human rights and international law, the European, Atlantic and Internacional defence and the stability commitment.

Portugal's interests are: the affirmation of its presence in the world, the consolidation of its place in a solid network of alliances, the defence of the Portuguese State's position and external credibility, the appreciation of the Portuguese communities and the promotion of international peace and security.” (Council of Ministers Resolution n. 19/2013 of April 5th - SCND, p. 1982).

With this, it remains the information that, although a never-before-seen strategy, criticism still takes place. It is nevertheless important to mention that the returning commentary that the SNDC would focus too much in the military domain was completely dismissed in the 2013 SNDC. Besides this, there are some critics that should be taken

into consideration when elaborating the next SNDC:

- Santos (2022, pp. 117,120-121) recommends that before a SNDC, the country really needs what it is called a “Strategic National Concept”. This one should be composed of every instrument available to the national power (either political, military, economic and social) in order to define (i) the paths that are important for Portugal’s development and (ii) which action lines should the country implement. For this author, the “Strategic National Concept” is a document that defines the biggest strategy for the fulfilment of fundamental objectives by the State, having into consideration the national and international framework regarding politics, threats, risks, between others. It is more comprehensive than the SNDC and with a bigger degree of development and application. Figure 1 demonstrates the author’s idea and the importance of a bigger concept: in this case, the SNDC would belong to the middle of the pyramid, as it discloses matters related to defence.



Figure 1: Representation of the importance of a “Strategic National Concept” | Source: Santos, 2022, p. 121.

Translation:

[TOP] *Strategic National Concept*
[MIDDLE] *General Strategic Concepts*
[BASE] *Specific Strategic Concepts*

- Regarding now the SNDC, in its formulation phase, the 2013 SNDC lacks the participation of various Portuguese Ministries. This can absolutely be reasoned with the fact that the Portuguese MoD (which has the task to elaborate the SNDC) may be incapable of coordinating at such a high and demanding level – which can mean that Portugal requires a new institutional architecture, one with the capability to effectively enable a high-level strategic process (Viana, 2022, pp. 42, 61-65).
- Caring now to the implementation phase of the 2013 SNDC: after its approval, every Minister should elaborate each own sectorial strategic concept in order to implement objectives and priorities that come from the SNDC – as the

multisectoral strategy. However, there is no record of any type of sectoral strategy besides the one that comes from the Portuguese MoD planning cycle, which is the Strategic Military Concept (SMC) (Viana, 2022, pp. 42, 61-65).

This last commentary validates a very important point: the need for a planning cycle that fulfils the PNDP. Thus, and the only example being the SMC, it is relevant to mention this sectoral strategic document that integrates the Planning Cycle of the Portuguese Ministry of Defence - MoD.

The SMC is defined in LOBOFA, which is the legal text that enables the actions of the Portuguese Armed Forces. It defines the Armed Forces as the essential pillar of the Portuguese National Defence System (article 1.º(1)), as they are directly administrated by the Portuguese State through the MoD (article 1.º(2)). Furthermore, this Organic Law confirms the provisions of the NDL, making it one more weapon in the defence of constitutional values and principles, as it was already mentioned.

As a result, the Armed Forces execute the approved 2013 SNDC. Hence, key instruments are followed by the Armed Forces, that are no more than key sectorial strategies: above all, the SMC; and then, also joining the planning cycle, the document that plans and facilitates the Armed Forces Military Missions and the documents planning the Force's System and the Force's Device² (articles 2.º through 6.º of LOBOFA).

The SMC (LOBOFA's article 3.º) directly relates to the SNDC and defines the conceptual lines for the Armed Forces performance, by framing the national and international environment, risks and threats, use of Forces scenarios and much more – it establishes general guidance for the Armed Forces readiness, its use and deployment advantages and its own sustainability. The last SMC is dated to 2014, following close behind the 2013 SNDC.

One more important observation is that the SMC directly gives guidance to the rest of the documents above mentioned (as it can be seen in the footnotes). This is what makes

² Both the (i) force's system and (ii) the force's device (in Portuguese, *sistema de forças* and *dispositivo de forças*, respectively) are legally constituted in article 5.º of LOBOFA. The first one "defines the set of capabilities that must exist to fulfill the missions of the Armed Forces, identifying the types and quantities of forces and means" and has an operational component and a fixed one; the second one establishes the relation between the operational and the fixed components. The SMC (CEM, 2014, pp. 38-45) specifically claims that the Force's System should frame all three branches' capabilities in a structure based on capability areas (like Command and Control; Employment of Force; Protection and Survival, between others), while also establishing the correlation between the Armed Forces Missions, capabilities/needs and capability areas; whereas the Force's Device shapes the way the various capacities listed in the Force's System are organized and responded to in the operational environment.

the sectoral planning a must: the MoD and the Armed Forces planning cycle is what augments the likelihood of a good Military Programming Law (in Portuguese, *Lei de Programação Militar*), one that effectively responds to the Armed Forces and the country's needs (chapter 1.2.4).

Lastly, but not least, it is important to talk about the current efforts that are being undertaken regarding a new SNDC. As previously demonstrated, the SNDC is closely linked with the political aspects as well as legal/constitutional ones. In order to exist a Strategy (absorbed also in a Policy) there must also exist political unity, defined objectives and goals and the understanding of where the country wants to reach and what is the potential available for that threshold, having into consideration threats, risks, vulnerabilities and capabilities. Thus, time and national/international events also play a role when following a plan of action. For this matter efforts have been made to a new SNDC implementation.

In 2022, under the articles 13.º(2)(g) and 14.º(3)(j) of the NDL, the Prime-Minister and the Minister of National Defence of the XXIII Constitutional Government issued the Order n.º 9986/2022, which constituted a Review Board of the SNDC (in Portuguese, *Conselho de Revisão do Conceito Estratégico de Defesa Nacional*): between 21 experts, three meetings of the review board and a wide range of public debate initiatives of defence matters (promoted by the Portuguese National Defence Institute - IDN), a report as created and delivered to the current government body in January 2023 (Instituto de Defesa Nacional, 2023). Subsequently, this report became the base for the document that precedes the approval of a new SNDC: the “Major Options for the Strategic National Defence Concept” (in Portuguese, *Grandes Opções do Conceito Estratégico de Defesa Nacional*), which, after Portuguese Parliament deliberation and discussion (according to article 7.º(3) and 11.º(d) of the NDL), was approved in May 2023 (Parlamento Português, 2023). Unfortunately, and due to political affairs in Portugal, the SNDC revision process was interrupted, and, as mentioned before, the 2013 SNDC is still in effect.

If it is not yet employed, why are the beginning stages of this revision important? Because it comprehends the beginning of a possible strategy for Portugal after key historical events: the Covid-19 Pandemic, the end of the Peace environment in Europe (with the Russian war of aggression against Ukraine), the competition between world powers, between others. In general, the “Major Options for the Strategic National Defence

Concept” comprehends guidance on the needs (i) to improve national capabilities in all areas, in order to pin Portugal’s strategic autonomy; (ii) to strengthen Portugal’s position as an indispensable partner to the EU and NATO (above all); (iii) to modernize the Portuguese Armed Forces and the Portuguese Defence Industry; and (iv) to confirm Portugal’s status as an international security producer (Parlamento Português, 2023). It gives the country’s priorities for the current environment (and not the environment experience more than 10 years ago).

1.2.4. The Military Programming Law and the Military Infrastructure Law

Both the Military Programming Law (MPL) and the Military Infrastructure Law (MIL) are key instruments in the definition and execution of the NDP as they ensure that Portugal’s defence capabilities are closely aligned with the national defence objectives.

Thus, according to article 1.º(1) of the Organic Law n.º 1/2023, of August 17th, the MPL has the objective of programming the public investment in weaponry/means and equipment in order to modernize, operationalise and sustain the Forces System of the Armed Forces. Portugal, with this law, aims (i) to stimulate the national economy through investment in Portuguese defence areas, namely in the defence industry, in R&D and in the creation of qualified jobs, and (ii) to potentiate the Defence Technological and Industrial Base - BTID (article 1.º(5)). The current MPL has the execution period of 11 years (2023-2034) and plans to invest up about 5.57 billion euros during that time period. Overall, this Law provides a clear vision on resource allocation (by defining the amount of expenditure and to where that spending is going), helps the Armed Forces reach the level of operational readiness through a capacity building vision and facilitates the fulfilment of Portugal’s military and expenditure commitments within NATO and the EU.

On the other hand, the MIL (i) refers to the program of investments towards the infrastructure’s “conservation, maintenance, security, environmental sustainability, modernisation and construction” belonging to the fixed component of the Force System and (ii) establishes inventory, management and valuation’s provisions of national defence infrastructure made available for leasing (according to article 1.º(1) of the Organic Law n.º 2/2023, of August 18th). This ensures infrastructure development, modernization and sustainability, while also maintaining and protecting strategic and historical military infrastructure for Portugal. The MIL also has an execution period of 11 years (2023-2034), and it is important to the PNPD because directly supports the logistical capabilities

of the Armed Forces.

Moreover, it is the Government responsibility to execute both Laws during the set time period, with supervision and direction of the National Defence Minister.

In summary, these two Laws guarantee that the Portuguese Armed Forces have the necessary equipment, infrastructure, and resources to operate effectively. These investment programs try to ensure that the Armed Forces are prepared to safeguard national security in any crisis and help Portugal meet international commitments.

1.2.5. International Guidance Documents – Portugal's commitments

Being part and an effective contributor to international organizations is a commitment that Portugal wants to continue pursuing. Thus, there are two very important documents that must be taken into consideration regarding the PNDP: the EU's Strategic Compass and NATO's Strategic Concept.

Regarding the EU's Strategic Compass, the EU also enables Portugal to become an international security provider in the bigger sphere. As the SNDC describes, Portugal is an European and Atlantic democracy (Council of Ministers Resolution n. 19/2013 of April 5th - SNDC, p. 1982). Notice must be taken upon the fact that being an European country takes precedent, nonetheless. Subsequently, being an EU country is a big part of Portugal's international duty – national interest demands cohesion from all EU countries, and that includes strategic cooperation.

Hence, with the return of the War in Europe in 2022, the European Council approved the EU's Strategic Compass in accordance with what is mandated by law. It consists in an “ambitious plan of action for strengthening the EU's security and defence policy by 2030” (Council of the EU, 2022). In other words, this strategic document intends to make the EU stronger and more capable in regard to the protection of its citizens and to the maintenance of peace.

Furthermore, this compass is structured around four pillars (Council of the EU, 2024): (i) ACT: referring to the engagement on the ground, with quick deployment of civilian and military tools when needed; (ii) SECURE: the pillar that ensures resilience strengthening, threats anticipation, deterrence and also citizens protection; (iii) INVEST: it denotes the need to augment defence expenditure in order to reduce capability gaps and to strengthen the European BTID; and (iv) PARTNER: intention of deepening

partnerships or engagement in new ones with “bilateral, regional and multilateral partners worldwide” to boost international collaboration.

In summary, the EU's strategic compass defined, in 2022, a common strategic vision for all the twenty-seven EU Member States. For Portugal, and in specific to the PNDP, this strategy is impactful, because it goes hand in hand with the country's objectives, especially regarding security capabilities, in instances such as crisis response (to conflict, climate change, between others). Also, this compass further supports the work of European institutions and the use of European tools, which Portugal is fully invested in, such as the European Peace Facility, the European Defence Agency and the European Defence Fund. In another instance, is very important to Portugal the fourth pillar (PARTNER), because geographical Portuguese interests in maintaining its African partnerships are very well in pair within this international guidance document.

Regarding now NATO's Strategic Concept, it is relevant to mention that it is the most important guidance document in the Alliance. It demonstrates NATO's purpose, fundamental security tasks, challenge/opportunities and elements for the political and military approach to security (NATOa, 2022). The fulfilment of NATO's core tasks (deterrence and defence, crisis prevention and management, and cooperative security) is a priority very well stated in the document, as well as Allies' adaption to them, in order to produce collective security (the main objective).

The aim of this report is directly connected to NATO's 2022 Strategic Concept, so this concept will be analysed in detail in chapter 4.

Taking into consideration all the aforementioned laws, directives, strategic concepts and documents, it is important to resume that the NDP complies with the principles, objectives, guidelines and priorities of Portugal, written clearly in all of the above. Furthermore, it takes into consideration the country's institutions, resources and international alliances.

2. Institutional Setting – Internship Location

As specifically written in the last chapter, the Portuguese State ensures that matters related to National Defence are of the utmost interest and importance by creating the Ministry of National Defence after the 1982 Constitutional revision. This institution and one of its central services will receive special attention from this report, as it was where the curricular internship took place.

2.1. The Portuguese Ministry of National Defence

The history Portuguese Ministry of National Defence (henceforth MoD) begins long before its Constitutional accreditation in 1982 (with the subordination of the Armed Forces to the political power, where the government has competencies in matters of National Defence) and advances in time alongside Portugal's own XX century history.

Therefore, it was with the mindset of integrating the 1949 North Atlantic Treaty Organization (NATO), as a founding member, that Portugal begun to assemble and coordinate a political and administrative organization in regard to the State's Defence, creating the States' position of Minister of National Defence and altering the War Ministry. During the following years, changes in the country's administration also brought more competencies to this particular Minister (but not only), relating to both the military coordination and the civilian defence aspects. Although one of the most relevant moments during this time was also the appointment of the Chief of Staff of the Armed Forces (in Portuguese, o *Chefe do Estado-Maior-General das Forças Armadas* - CEMGFA) as a technical advisor to the Defence Minister. However, the Portuguese Armed Forces, in particular the Army and the Navy, had its own bureaucratic structures that allowed the effective function and continuity of each Institution, making them somewhat detached from the country's administration (Portal da Defesa Nacional, s.d.).

It was not until the Portuguese Democratic Revolution in 1974 that transformations were made. This Revolution, a result of a coordinated military operation, and the subsequent Portuguese Constitution (in 1976) caused the Portuguese Armed Forces to be independent from the political powers. This because, the Portuguese Armed Forces had a particularly important role in the overthrow of the Portuguese authoritarian regime and in the Portuguese democratic consolidation itself (which is different, although not un-heard off, from other democratization processes that have existed throughout the history of the

world). For this matter, it was only in 1982, with the Constitutional revision, that the military presence in politics came to an end: (i) the Revolution Council (in Portuguese, *Conselho da Revolução*) was extinct (this institution supported the Armed Forces Movement that came out of the 1974 Revolution and had military personnel in within its body); and (ii) this revision also ensured the subordination of the Armed Forces to the elected political power – the democratic control of the Armed Forces (Teixeira, 2022, p. 30). Moreover, the first National Defence and Armed Forces Law was approved in this year of 1982, having the Government competencies in defence topics, especially the lead of the NDP (Portal da Defesa Nacional, s.d.; Teixeira, 2022, p. 29-31).

Forty years later, the Portuguese MoD is the “government department whose mission is to prepare and execute the National Defence and the Armed Forces policies, as well as ensures and supervises the administration of the Armed Forces and the services and bodies within” (article 20º(1) from the NDL; article 1º from the MoD Organic Law – Decree-Law n.º 183/2014). Furthermore, the MoD operates in accordance with the competencies described the article 2 of the MoD Organic Law: in a few worlds, (i) it ensures the execution of the military component of the National Defence Policy and coordinates as supports other governmental areas in regards to the non-military component of the same policy, in accordance to the SNDC; (ii) attends to international military commitments related to defence matters and coordinates national and international efforts in the context of crisis management; (iii) it has supervisory and inspection competencies towards the Portuguese Armed Forces administrations and supports the Prime-Minister in Defence matters; (iv) it conducts the budget of the National Defence governmental area and plans proposals towards the MPL and MIL; and (v) the MoD promotes R&D initiatives in the defence sector and it designs policies related to the Portuguese BTID (Portal da Defesa Nacional, s.d.).

With this in mind, due to the various tasks and competencies, the MOD is composed by all the organisms described in articles 4 through 7 of the MoD Organic Law, which are institutions, central services and other organisms that are all either directly

administrated³(with administrative autonomy) or indirectly administered⁴ by the State, advisory bodies⁵ or other relevant entities⁶.

Due to the essence of this internship report, the focus will be only on the National Defence Policy General Directorate (DGPDN), which is a central service within the MoD, directly administrated by the Portuguese State (number 2/ c) of article 4 of the MoD Organic Law – Decree-Law n.º 183/2014). And, with further acknowledgement, is where my six months internship took place.

2.2. The National Defence Policy General Directorate

The National Defence Policy General Directorate (DGPDN) is mandated to coordinate and execute the NDP (which encompasses the strategic planning and the external defence relations spheres) and to promote and coordinate the Defence Cooperation Policy –article 2(1) of the Regulatory Decree n.º 14/2015, of July 31st and article 13 of the MoD Organic Law. It is essential do mention that the “2020

Defence Reform” which demonstrates the structural changes related to National Defence resulting from the 2013 SNDC, led to a strengthening of the competencies of this General Directorate (Dias&Freire, 2023, p. 678) – MoD Organic Law enumerates the different duties and responsibilities attributed to this central service, which go hand in hand with the general competencies of the Portuguese MoD. Moreover, the DGPDN (between its different departments) leads, at a national level, the Defence Planning Process’ implementation, by monitoring of the various activities while safeguarding the highest national interests and guidelines.

Overall, the DGPDN, with both civilian and military personnel, produces a varied range of work, in which its previous Director Carlos Lourenço frames in four categories (Lourenço, 2021):

- (i) Conceptual work (related to policy-planning, for example);

³ As per described in article 4.º of the aforementioned MoD Organic Law, directly administrated by the State are the Portuguese Armed Forces (the three branches –Navy, Army and Air Force – and the General Staff of the Armed Forces) and six central services: (i) the General Secretariat, (ii) the National Defence General Inspectorate, (iii) the National Defence Policy General Directorate, (iv) the National Defence Resources General Directorate, (v) the National Defence Institute, and (vi) the Military Judicial Police.

⁴ The Armed Forces Social Action Institute (article 5.º of the MoD Organic Law).

⁵ As per article 6.º of the MoD Organic Law, the Superior Military Council, the Council of Chiefs of Staff of the Armed Forces, the Council for Higher Military Education and the Council for Military Health.

⁶ Article 7.º of the MoD Organic Law describes the following to be also operating within the MoD: the National Maritime Authority, the National Aeronautical Authority and the Portuguese Military History Commission.

- (ii) Political-Strategic work (regarding the planning and the advisory stages);
- (iii) Political-Military work (mostly known as Military/Defence Diplomacy);
- (iv) Executive work (related to the administrative, financial and legal aspects of this central service, and more: as an example, Lourenço (2021) speaks about the day-to-day running of the military advisory services in the various Portuguese-speaking African countries (known in Portuguese as *PALOP*).

Furthermore, this General Directorate follows a hierarchical structure (as demonstrated in Figure 2). At the time of the internship, the Director-General and the Deputy Director-General were (and still are) Army Lieutenant-General Nuno Lemos Pires and Air Force Major-General Ana Baltazar, in accordance with article 3 of the Regulatory Decree n.º 14/2015, of July 31st. Subsequently, the DGPDN has 4 nuclear units (each one with its own Services' Director), namely: (i) the Strategic Defence Planning Services (DPED); (ii) the International Relations Services (DRI); (iii) the Defence Cooperation Services (DCD); and (iv) the Studies and Management Support Division (DEAG) – articles 1.º and 5.º of Ordinance n.º 319/2015, of October 1st.

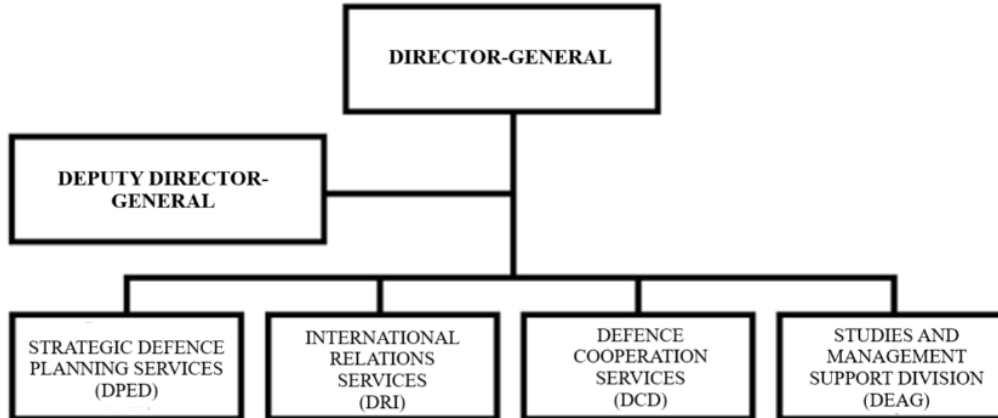


Figure 2: DGPDN Organic Structure | Source: *Portal da Defesa* (translated).

2.3. The Strategic Defence Planning Services

The Strategic Defence Planning Services (DPED) is a unit formed by both civilian and military personnel that, at the time of the internship, was (and still is) led by Navy Commander Luís Policarpo.

In accordance with article 2.º of Ordinance n.º 319/2015, of October 1st, this

department is responsible for:

“a) Study and prepare reports, proposals, and recommendations about the defence policy principles aimed at defining national objectives in the field of security and defence;

b) Monitor and analyse international developments, producing situational studies and forward-looking analyses on the strategic implications for security and defence, contributing to the national defence policy's responsiveness;

c) Ensure, in this area of defence strategic planning, the alignment of strategically defined priorities with the positions adopted by Portugal in the international organizations that is part of, coordinating their implementation;

d) Guarantee Portugal's participation in all stages of NATO's defence planning cycle;

e) Develop methodology to monitor the implementation of actions related to sectoral strategies identified in the SNDP, ensuring their application;

f) Contribute to drafting proposals for the Military Programming Law and the Military Infrastructure Law;

g) Prepare reports on the scope of deployment of military personnel in international missions and monitor the execution of measures determined by higher authorities in this regard;

h) Provide support to the Minister of National Defence in managing ministerial activities related to the National Defence policy and Armed Forces activities, in articulation with the General Staff of the Armed Forces (EMGFA), the MoD central services and other ministries, especially for non-military components of defence policy and their role in supporting military operations;

i) Assist the Minister of National Defence in preparing national military responses within the framework of the international organizations where Portugal is a member, related to Crisis Management;

j) Collaborate within international organizations to develop crisis management systems and participate in its exercises, applying best practices to national response mechanisms;

k) Monitor the development of the national cyber defence strategy, including capabilities, while ensuring its alignment with the positions adopted by Portugal in the international organizations that Portugal is part of;

l) Participate in multidisciplinary working groups, providing support for meetings involving the MoD”.

In short, DPED personnel supports the Minister of National Defence, acts accordingly with national and international security and defence developments, coordinates with International Organizations that Portugal is part of if needed, monitors the implementation of actions related to national defence legal framework and the SNDC and surveys the scope of military deployments to international missions.

During my time serving as an Intern to this department, I had tasks related to Portugal's bilateral support for Ukraine, related to the Portuguese and European Defence Industry and our Defence procurement legal framework, related to the Portuguese national contingent deployed overseas and, lastly but not least, related to Portugal as a NATO member. Each of one of these tasks falls directly into DPED's responsibility and will be mentioned further in the next chapter, where I will provide an overview of my time in DGPDN.

3. Internship at DGPDN

My internship at DGPDN had the duration of six months (from March 2024 to September 2024), as regulated by Annex II of Regulation n.º 27/2024 of NOVA School of Law (Regulations for the Assessment of Knowledge and Skills in the Non-Teaching Phase of Master's Degrees). During this time, key national and international events took place, which enabled me to be part of a wide range of topics. Examples of those events are:

- The ongoing War in Ukraine (since February 2022);
- *Megatrends for Portugal in terms of Security and Defence Seminar* – March 2024, in Portugal (which DGPDN had a direct participation and elaboration action in key documents);
- The launch of the new *European Defence Industry Strategy – EDIS* – March 2024, by the EU (joint work from the European Commission and High representative of the European Union for Foreign Affairs and Security Policy);
- The 11th *Annual European Cyber Security Conference* – March 2024, in Belgium;
- Meeting of NATO Ministers of Defence – June 2024, in Belgium;
- *Economic and Defence Seminar* – June 2024, in Portugal (which joint public and private security and defence actors in discussions regarding Defence Industry in Portugal);
- The 2024 NATO Summit – July 2024, in Washington;
- REPMUS 2024 (Robotic Experimentation and Prototyping using Maritime Uncrewed Systems) exercise – September 2024, in Portugal (it is a NATO exercise that focuses on capability development and interoperability between NATO Allies) (NATO, 2023);
- The NATO Military Committee Conference – September 2024, in Czech Republic;
- The NATO Operations Policy Committee (OPC) Visit to Portugal – September 2024 (which the DGPDN performed a key host role).

These events demonstrate the different types of topics I had to work with regarding defence and security matters during my curricular internship, either they were related to Portugal or to international affairs (bilateral support and agreements and obligations to International Organizations – the EU, NATO, UN). This because, for each one, DPED had an active role in creating documental briefings, knowledge-sharing, analytical

reports, between others, beforehand. Moreover, my background in Law further allowed me to take part in meetings that otherwise it would not be possible. Thus, in the next few sub-chapters, a broaden analysis on the different topics is shared.

3.1. Support towards Ukraine.

In February 2022, the Russian war of aggression against Ukraine put an end to the peace period in the European continent. Apart from the conflicts in the Balkans (1991-2001), in Georgia (2009) and the annexation of Crimea by Russia in 2014, Europeans were living a ‘security perception’ bubble that drastically conflicted with what was happening in other parts of the world. Thus, and due to the Russian-Ukrainian War, principles like state-sovereignty, independence and territorial integrity were put into question, making Democratic States and International Organizations act, promoting the safeguard of core pillars, rights, international principles and objectives.

Hence, Portugal was not indifferent to the War nor to the events that followed (such as the international condemnation towards Russia, the refugee crisis, the international sanctions, the international support packages (humanitarian, military and financial support) towards Ukraine, and others). This section will review Portugal’s support towards Ukraine, complementing, if needed, with the European and NATO support packages and pledges.

Portugal and Ukraine’s diplomatic relations have come a long way. In January 1992, Portugal recognized the independence of Ukraine (proclaimed in 1991), and since then, has maintained for more than 30 years a solid diplomatic relationship with this country, by establishing agreements in various fields as well as cooperation actions (Portal Diplomático, s.d.). This has demonstrated a keen interest from the Ukrainian side in the European democratic values and Portugal’s support of the Ukrainian path towards a possibility of joining the EU and NATO (Ohnivets, 2021, p. 331).

The demand to provide international aid, from Portugal, other countries and international organizations is prone to increase in times of need. There are many reasons why, either because of economic development/economic benefits, geopolitical dynamics, and national interests in new connections and partnerships (Löfgren, 2022, pp. 14-15). Moreover, the R2P doctrine (Responsibility to Protect) adopted by the UN in the 2005 World Summit demonstrates a possible political will in protecting the civilians from mass atrocity crimes. This doctrine moves on three pillars (UNA–UK, s.d.): (i) a “state’s

obligations to protect all populations within its own borders”; (ii) other states’ roles in helping to fulfil the obligation in (i) (which can be translated to the support given to Ukraine); and (iii) “the international community’s responsibility to use appropriate diplomatic, humanitarian, peaceful or coercive means to protect civilian populations where a state manifestly fails to uphold its obligations”. Thus, and reasoning with the various degrees of action, each one of these pillars come with responsibilities for the countries that decide to act on it (especially when regarding the use of force/coercive measures, as it does not have consensus from the international players).

With this in mind, the ongoing aid towards Ukraine from Portugal was a topic covered during the curricular internship at DGPDN. DPED’s involvement, and the overall General Directorate one, was centred around the support that this one could give towards the MoD and the Portuguese Armed Forces. Hence, receiving the inputs from Ukraine, NATO and the EU, as well as having in mind national objectives and interests, Portugal build (and still is building) a support front that encompassed humanitarian, financial, and military aid. ANNEX 1 demonstrates the latest data of the full support given to Ukraine during the period of the War (until August 2024 - Portal Diplomático, 2024; Portal da Defesa Nacional, 2024).

Noting that ANNEX 1 demonstrates a multi-ministerial support, is relevant to mention the support commitments that I came across at the time of my internship:

a. Ukrainian Bilateral Requests:

Foreign aid to Ukraine quickly increased after the war started, whereas of its nature (financial, military or humanitarian aid). It also demonstrated an opportunity to build alliances between States, while contributing to a joint purpose (Soloviova, 2024, p. 16). Therefore, bilateral aid packages between states on the official level [are] increasing (Johansson-Nogués&Lesó, 2024). And Portugal, in May 2024, signed an *Agreement on Security Cooperation* with Ukraine⁷, that establishes the unwavering support for the freedom, independence, sovereignty, and territorial integrity of Ukraine, recognizing its inherent right of self-defence (President of Ukraine, 2024, paragraph 2). This is a commitment on security and defence actions (defence cooperation, industry cooperation, enhancement of Ukraine’s military and non-military capabilities and

⁷ This agreement can be consulted at <https://www.president.gov.ua/en/news/ugoda-pro-spivrobitnictvo-u-sferi-bezpeki-mizh-ukrayinoyu-ta-91181>

participation in trainings and exercises), on humanitarian actions and on threat's response actions (but not only) and it is currently valid for 10 years. Moreover, as part of this commitment and even before this agreement was officially signed, Portugal allocated a minimum of €126 million in military aid for 2024, encompassing both financial assistance and the provision of defence equipment. Furthermore, Portugal committed €100 million to a Czech-led initiative dedicated to supplying ammunition, addressing Ukraine's pressing battlefield needs (President of Ukraine, 2024, paragraphs 13-14). Nevertheless, Portugal also follows a Financial Cooperation Agreement (signed in 2022, with former prime-minister António Costa) where Portugal granted a total of 250 million euros in assistance to Ukraine in a 3-year period, as demonstrated in ANNEX 1.

b. The Ukraine Defence Contact Group (UDCG) Capability Coalitions

The UDCG, also known as 'Ramstein Group' (as it was where the group was constituted in 2022 – figure 3), was established in response of Russian's invasion of Ukrainian territory and currently represents 57 states (on which are the 32 NATO Allies) (Rasmussen Global, 2024; Maksak, 2024). The group's mission is to rapidly enhance capability deliveries to Ukraine by coordinating international procurement, production, and sustainment efforts (U.S. Department of State, 2024). For that matter, eight capability coalitions came out of UDCG (Figure 3): (i) Air Force capability coalition – led by the USA, Denmark, and the Netherlands; (ii) Armoured capability coalition – led by Poland, Germany, and Italy; (iii) Artillery capability coalition – led by France and the USA; (iv) Demining capability coalition – led by Lithuania and Iceland; (v) IT capability coalition – led by Estonia and Luxembourg; (vi) Drone capability coalition – led by Latvia and the United Kingdom; (vii) Integrated Air and Missile Defence capabilities coalition – led by Germany and France; (viii) Maritime Security capability coalition – led by United Kingdom and Norway (Rasmussen Global, 2024; Maksak, 2024). The Coalitions vary in their specific focus and the participating nations. Henceforth the coalition's actions do not require unanimous agreement from all UDCG members.

Hence, is relevant to mention that Portugal is part of two coalitions (the Air Force and the Maritime Security capability coalitions) and has donated several lethal and non-lethal military equipment under these commitments (which can be seen under the 'Military Aid' in Annex 1). Moreover, Portugal has given ammunition to Ukraine (mentioned above) under programmes related to the Artillery Coalition.



Figure 3: Visual representation of Ukraine Capability Coalitions | *Source: Rasmussen Global, 2024.*

c. The NATO Comprehensive Assistance Package (CAP) for Ukraine:

CAP is NATO trust-fund (belonging to NATO's common funding) that helps Ukraine with (i) "urgently needed, non-lethal military assistance based on Ukraine's requests for support and (ii) "longer-term capacity-building projects designed to assist Ukraine with its reforms in the defence and security sector and post-war recovery" (NATO, 2025a). This package was launched in 2016 in the Warsaw Summit (after the 2014's Russian annexation of Crimea), but it was both strengthened in both the 2022 Madrid Summit and the 2023 Vilnius Summit. Reasoning with Ukraine's long-term objectives, this initiative focuses on rebuilding its security and defence sector while ensuring a smooth transition to

full NATO interoperability (NATO, 2025a).

In December 2024, following the Council of Ministers Resolution n.º 174/2024, of December 3rd, CAP was among the international commitments assumed by the Portuguese State that would be receiving monetary funds until the end of 2024. Moreover, the Portugal National Defence Minister delegated on the Secretary General of the Ministry of National Defence, Lieutenant General Fernando Serafino, powers to authorize payments up to three million euros to the CAP (Order n.º 14762/2024, of December 13th). This Council of Ministers Resolution actually goes in line with the commitment that will be talked about in chapter 4.2.3.

Portugal's response to the War in Europe is shaped by both bilateral commitments and multilateral obligations. The bilateral security agreement between Portugal and Ukraine demonstrates a state-to-state commitment to the latter's defence, complementing Portugal's participation in the EU, NATO, and, for example, in UDCG initiatives. These efforts collectively reinforce Portugal's role in safeguarding democratic values, state sovereignty, and territorial integrity within the European continent, working alongside policy aims and objectives. By aligning its national policies (which the national defence one is incorporated) with broader international frameworks, Portugal showcases an effective approach to crisis response, demonstrating both strategic interests and solidarity with Ukraine. Lastly, the Council of Ministers Resolution n.º 174/2024, of December 3rd approves the "expenditure and the donation of lethal and non-lethal equipment, as well as other movable property in the private domain of the State,(...) belonging to the Portuguese Armed Forces, until the end of 2024, for a maximum overall amount of € 86,446,421.00" (eighty-six million, four hundred forty-six thousand, four hundred twenty-one euros), which helps fulfils the commitment in chapter 4.2.1.

3.2. The Portuguese Defence Technological and Industrial Base

One of the most important tasks during my time at DPED was regarding the Defence Economy environment that we lived in the last few years (exacerbated even more with the war in Ukraine and Portugal's and Allies' contribution towards this country).

Following the current SNDC, the constant promotion of a Defence Technological

and Industrial Base (BTID) based on scientific and technological innovation is a part of the strategic vector of national resources and opportunities valorisation (SNDC, 2023, p. 1995). Moreover, the opportunities' seeking actions in the international sphere that could endorse the Defence Economy in Portugal is also present in the Strategic Concept of 2013, specifically in the strategic vector of exercising sovereignty (Council of Ministers Resolution n. 19/2013 of April 5th, SNDC - 2023, p. 1995). Thus, it is with no surprise that DPED is aligned with the activities that can boost and/or promote the Defence Economy and Industry in Portugal (in accordance with item e) of the article 2.º of Ordinance n.º 319/2015, of October 1st – that enumerates the department's responsibilities). However, this is a multisectoral topic, one that can and will fall upon the National Defence Resources General Directorate (DGRDN), the IdD, Portugal Defence, S.A. (IdD)⁸ and other actors.

Hence, in Portugal, the Defence Economy is all the ecosystem that comprises the State (as a buyer, as a regulator and as a supplier), national buyers and suppliers and international buyers and suppliers – noting that the different actors can act as both buyers and suppliers (IdD Portugal Defence, 2021, p. 33). Moreover, it is this strategic sector that covers economic activities of the Defence Industry (like the ability to capacitate the Armed Forces). Nowadays, the Defence Economy in Portugal is “recognized for its competitive advantages, its growing importance in knowledge creation and technological development, its contribution to higher productivity levels, its role in stimulating the productive sector's restructuring for the production of higher value-added goods, for boosting exports and the internationalization of the Portuguese economy” (EDBTID, 2023, paragraph 1.1.). For this matter, the Defence Industry in Portugal is a sector that generates value and return to the economy and represents exports, innovation, research, development and knowledge, alongside as presenting itself as an area that generates qualified jobs (EDBTID, 2023, paragraph 1.3.). However, it lacks in sized and economic return when compared to other countries.

Thus, a Defence Industry Base comprises a network of public and private industries that develop, produce, and supply various defence-related products, services, and

⁸ IdD Portugal Defence, S.A. is a public entity that oversees the state-owned defence companies and connects the defence industry to the Armed Forces and Academia (BTID). It facilitates collaboration between the Defence Industry and Universities in R&D, strengthens public-private partnerships within the sector, enhances profitability, and guides the industry regarding the defence procurement decisions of the Armed Forces. Moreover, it is an intermediary that connects the defence industry to international co-operation opportunities (IdD Portugal Defence, s.d.2; Weiss et al., 2024, p. 794).

materials to domestic governments, with the aim of also reaching international markets (Nicastro, 2023). In Portugal, there exists the BTID, which is a set of companies and entities, public and/or private, with recognized capacities to act in various stages of the logistical life cycle of Defence equipment - in 2023, it comprised 363 companies and 61 R&D, Innovation and Education entities from 40 different sectors (IdD Portugal Defence, s.d.1; EDBTID, 2023) – the BTID has the possibility to deliver high-end technologies, innovative solutions and dual-use capabilities. In 2023, the Council of Ministers Resolution n.º 52/2023, of June 5th outlined a development strategy for BTID, based on strengthening national defence capabilities and increasing the competitiveness of Portuguese Industry at the international market, in line with the new EU and NATO guidelines (attentive to what is happening in Ukraine). Overall, this strategy is a multi-ministerial effort that intends to potentiate the opportunities that the new strategic environment brings, focusing now on the response to the Portuguese Armed Force's necessities through technological development and innovation, R&D and dual-use products. It intends to create synergies between defence and civilian sectors (such as the technological sector involved in the Cyberspace, for example), to promote modernization and to strengthen the Portuguese industry (EDBTID, 2023).

However, in order to do so, the BTID and the Portuguese Defence Industry in general have to tackle a few obstacles:

- Gaspar (2021) identifies gaps in the Portuguese defence industry that causes the industry to fail to meet the needs of the Armed Forces, forcing them to seek supplies in supranational markets. This reduces industrial strategic autonomy in Portugal;
- The Military Programming Law (MPL) requires even more funding to compete with Defence Industry investments made by other countries (some in their own Industrial Defence Bases). However, the current MPL, approved in July 2023, aims at acquiring new equipment worth 5.57 billion euros, which is an historical number for Portugal;
- There is the need to make better use of NATO and EU funding mechanisms (Nunes, 2022), to foster more R&D and innovation within Portugal.
- Procurement processes are lengthy and highly bureaucratic. Moreover, some may dispute that the current legal framework does not yield positive outcomes to the Portuguese Defence Industry (Gaspar, 2021; Nunes, 2022);

During the internship, the task involved reviewing the Defence Procurement Law in Portugal. The aim was to identify gaps and propose improvements to enhance the effectiveness of the Law, while also trying to boost the Portuguese defence industry. Particular attention was given to the application of the Public Procurement Code (CCP), Decree-Law n.º 104/2011 of October 6th, and the Directive 2009/81/EC of the European Parliament and Council, dated July 13th, 2009.

3.2.1. The Portuguese Public Procurement Law in the Defence Sector

Before starting on the theme of public procurement, it is necessary to mention the relation between the EU legal system and the Portuguese one, as the topic of public procurement in the defence sector is situated at between the sovereignty of EU Member-States and the continuous construction of a single European market.

The EU legal framework is a form of international law accepted in the legal systems of its Member-States (in Portugal's case, the dispositions from the EU Treaties (TEU and TFEU) and the legal norms from its institutions are applicable in the internal law, according to article 8.º(4) of the CPR). Hence, this international framework divides itself in primary law (the EU Treaties) and in secondary law (such as directives, regulations, decisions or international agreements – article 288.º from TFEU). The focus of this chapter centres around an EU Directive (Directive 2009/81/EC of the European Parliament and Council, of July 13th), as it is the Directive that sets an European competitive and transparent Market with procurement rules to the Defence sector (without putting at risk internal security interests). This Directive applies to all contracts related to acquiring military equipment⁹, executing works and services related, as well as confidential procurements, when it involves classified information – articles 2 and 8 of the Directive.

Due to being a Directive, this EU framework binds the Member-States to the result to be achieved (its scope). Therefore, and according to article 112.º(8) of the CPR, Portugal transposed the directive to the internal legal framework as a Decree-Law, to

⁹ Here “military equipment” translates to the product types included in the list of arms, munitions and war material adopted by the Council in its Decision 255/58, of April 15th 1958. The list has to be interpreted having in mind the technological and the military capability's requirements evolution (article 1.º(3) of the Decree-Law n.º 104/2011) and can be consulted at: https://www.eumonitor.eu/9353000/1/j4nvgs5kjg27kof_j9vvik7m1c3gyxp/vj6iphyztvvu/f=/14538_08.pdf

adapt the internal law to the objectives and scope of the Directive. When this happens, Member-States are obliged to the useful effect of the EU law, under the provision of the 'sincere cooperation' principle - article 4(3) of the TEU. Nonconformity with this principle can lead to legal consequences within the EU.

With this in mind, the Decree-Law n.º104/2011, of October 6th approves the legal framework for public procurement in the fields of defence and security, transposing to the Portuguese legal system the Directive 2009/81/EC of the European Parliament and the Council, of July 13th. This Decree-Law aims at the regulation of the procurement contracts that may fall within the provisions of articles 1.º through 4.º and with the thresholds delimited by article 8.º (it is applied in contracts (i) for the supply of goods and services equal to or greater than 443.000 euros and (ii) for public works contracts equal to or greater than 5.538.000 euros). Moreover, it regulates the procedures for awarding these contracts (comprising four distinct types (Article 14.º)), their proper processing, and the necessary actions in case of contractual invalidity, for example.

This Decree-Law regulates a specific topic that it is not specified in the general regime of public procurement contracts in Portugal (the Portuguese Public Contracts Code (PCC) – in the latest version of the Decree-Law n.º 54/2023, of July 4th). Thus, while extending guidelines to the public contracts in the fields of security and defence, the Decree-Law n.º 104/2011 is nonetheless supported by the PCC, as this code acts as a subsidiary regime to anything that is not expressly regulated by the first framework (article 73.º).

However, not every defence related public procurement contract falls into the dispositions of the Decree-Law n.º 104/2011, as its article 5.º defines the contracts that are excluded from the dispositions of the Law. They are:

- Contracts formed under international agreements with specific procedural rules (items a) and b) of article 5.º(1));
- Contracts formed according to specific procedures of an international organization making acquisitions for its benefit (item c) of article 5.º (1)). As an example, the contracts within the NATO's framework through the NSPA;
- Contracts covered by article 346.º of the TFEU (item a) of article 5.º(2));
- Contracts for the purpose of intelligence-related activities (item b) of article 5.º(2));
- Contracts regarding R&D (items c) and j) of article 5.º(2)), when:

- it is a contract awarded under a concerted program based on R&D, carried out jointly by at least two member states for the development of a new product;
- it is a contract for the purchase of R&D and the results, although intended exclusively for the contracting authority/entity's use, are not remunerated or not entirely remunerated by the said contracting authority/entity;
- Contracts awarded in a third country, including civil procurement, when forces are deployed outside the territory of the European Union and the operational needs are required (item d) of article 5.º(2))
- Service contracts for the acquisition or rental, by whatever financial means, of land, existing buildings or other immovable property, or relating to rights thereon (item e) of article 5.º(2))
- Government to Government (G2G) contracts, related to (i) the supply of military equipment or sensitive equipment; (ii) public works contracts and services directly related to such equipment; and/or (iii) public works contracts and services specifically for military purposes (item f) of article 5.º(2))
- Contracts of arbitration and conciliation services' acquisitions (item g) of article 5.º(2));
- Contracts of financial services' acquisition, with the exception of insurance services (item h) of article 5.º(2));
- Employment contracts (item i) of article 5.º(2));

Having in consideration the dispositions above, some key ideas must be retained. Although most contracts fall under Decree-Law n.º 104/2011 and the European Directive, it is important to recognize that applying exceptions, when legally permissible, can bring significant advantages to countries.

First, the use of the exceptions can be a matter of national security, as it plays a crucial role, particularly when sensitive information must be protected. This includes information regarding new technologies and the technical specifications of defence products. Secondly, exceptions can streamline procurement processes, reducing bureaucracy and formal requirements, ultimately shortening the time from contract approval to final product delivery. Thirdly, they can support the National Defence Industry. In Portugal, for instance, the BTID is largely composed of SMEs. While the

directive and its transposition promote transparency and a competitive European market, the general procurement regime in the defence sector often forces competition with companies that may have greater production capacity and lower costs. In certain cases, an exception can be more beneficial for protecting and strengthening the Defence Industry. Fourthly, and in relation with the third point, greater flexibility in selecting suppliers allows contracting entities to prioritize quality and security over simply choosing the lowest bidder (if the Decree-Law is used).

However, the use of exceptions also carries significant risks. Lack of transparency can lead to corruption, undermine fair competition within the European market, and potentially restrain innovation by reducing competitive pressure. Additionally, if exceptions are invoked without solid justification, they may result in audits and legal challenges against the contracting parties.

With these considerations in mind, it is essential to promote best practices in the public procurement sector and framework in the general regime and its exceptions—across the EU and in Portugal. When applied responsibly and in conjunction with know-how, innovation, and high industry standards, these exceptions can serve as a valuable tool while ensuring accountability and efficiency.

Furthermore, and having particular interest in these matters, related to the task that I had in hand at the internship, there are three topics that were deemed relevant to be addressed regarding public procurement in the Defence sector in Portugal:

a. The application of article 346.º from TFEU to Defence Procurement

This article is a known exception to the use of the Public Procurement framework mentioned above. It allows to disregard European dispositions dependent on the verification of special conditions. Number 1 mentions:

“The provisions of the Treaties shall not preclude the application of the following rules:

- (a) no Member State shall be obliged to supply information the disclosure of which it considers contrary to the essential interests of its security;*
- (b) Any Member State may take such measures as it considers necessary for the protection of the essential interests of its security which are connected with the production of or trade in arms, munitions and war material; such measures shall not adversely affect the conditions of*

competition in the internal market regarding products which are not intended for specifically military purposes”.

In depth, there existed two reasons for the Directive 2009/81/CE: one was to give answers and to align procedures between the EU Member States, regarding the necessities of the defence sector; the other was to restring the use of article 346.º, when used in relation to defence matters (the use of the article was intended to only truly exceptional situations, based on “the protection of the essential interests” regarding the country’s security) (IdD Portugal Defence, 2021b). In reality, the EU and national jurisprudence¹⁰ demonstrate that this article should be restrictively interpreted, due to various ill uses of it. Hence, requisits to invoke article 346.º of the TFEU are:

- The object of the contract has to be included in the list of arms, munitions and war material adopted by the Council in its Decision 255/58, of April 15th 1958;
- The “essential security interests” have to be fully justified in every case, and can only relate to military security (not civilian);
- Dual use products do not fulfil the provisions of item b) of the article. They can only be the object of the contract when invoked through item a) ‘s considerations of information security (if applied).

If not followed, Member-States may have to answer to the European Commission in Court of Justice of the European Union.

b. Innovation partnerships as a pre-contractual procedure

In accordance with the revision of the European Directive 2004/18/EC¹¹ on public procurement, the Directive 2014/24/Eu of the European Parliament and of The Council of 26 February 2014 introduced, among other things, the “Innovation Partnerships” procedure, aiming at “the development of an innovative product, service or works and the subsequent purchase of the resulting supplies, services or works, provided that they correspond to the performance levels and maximum costs agreed between the contracting authorities and the participants” (articles

¹⁰ Case C-414/97 from 16/09/1999 (Commission v Kingdom of Spain); Case T-26/01 from 30/09/2003 (Fiocchi Munizioni v Commission); Case C-337/05 from 08/04/2008 (Commission v Italian Republic); Case C-601/21 from 07/09/2023 (Commission v Republic of Poland); Acórdão n.º 27/2022 from 18/10/2022 – Tribunal de Contas.

¹¹ This directive preceded the 2009 one, and it refers to the Public Procurement in general.

26(3) and 31, and the memorandum 49, of the 2014 EU Directive above mentioned). Thus, and as imposed by the European legislator, the PCC in Portugal, in its 2017 revision, incorporated these dispositions in article 30.º-A.

The question here is whether this procedure can be applied to the special defence sector regime of the Decree-Law n.º 104/2011.

After some analysis the answer is Yes. First of all, article 73.º of the Decree-Law (already explained before) allows the PCC to be applied to everything that is not regulated in the Decree-Law. Moreover, the report on the implementation of Directive 2009/81/EC, concerning procurement in the fields of defence and security, dated to 2021, admits “some aspects of the implementation of the Defence Procurement Directive could be improved, such as the Member States’ use of (...) innovation partnerships (...) as provided for in Directive 2014/24/EC” (Parlamento Europeu, 2021).

Thus, in a context where innovation in the Defence sector is actually given a lot of thought, Portugal should not forget to use this procedure, even if it is not typified by the Decree-Law n.º 104/2011.

c. The Offsets regime

In Portugal, the offsets regime has been abolished in its totality since 2011. Nonetheless, it is a regime used in other countries, where the Offset is seen as an instrument for the investment and development of industrial capabilities from different countries.

Decree-Law n.º 154/2006, of August 7th represented in the past the Offsets regime in Portugal. It defined Offsets as “the compensations agreed between the State and a supplier of defence material, likely to contribute to the industrial development of the Portuguese economy and consequent increase in the economic value associated with the acquisition” (article 1.º). Hence, the aim of using this instrument was to positively contribute for the development off the Portuguese Industry.

According to Santos&Água (2021, pp. 222-223) and article 5.º of the Decree-Law n.º 154/2006, there exists three types of Offsets:

1. Direct Offsets: when they incorporate goods and services related to the goods and services being purchased and which are produced by local companies;
2. Indirect Offsets (linked to the defence industry): when Offsets incorporate goods and services that are not related to the acquisition, but are related to the defence industry;
3. Indirect Offsets (non-linked to the defence industry): when Offsets incorporate goods and services that are not related to the acquisition nor are they related to defence the defence products.

In 2011, through the Decree-Law 105/2011, of October 6th (and officially after the transposition of the Public Procurement in the Defence sector Directive), the Offsets regime to the defence sector ended in Portugal. This happened because the regime was deemed by the Portuguese State incompatible with the Directive (which furthermore does not mention nor it measures a possible offset regime). Ferreira (2017, p.19) goes even further and mentions that this regime was not a success in Portugal.

However, not every country revoked the use of Offsets in defence contracts: offset practices and their rules vary from country to country. The Guidance Note regarding Offsets elaborated by the Directorate General of Internal Markets and Services in 2016 tries to standardize the use of Offsets, as they are considered “restrictive measures which go against the principles of the Treaty” and they “discriminate against economic operators, goods and services from other Member-States and impede the free movement of goods and services”, violating primary law (European Commission, 2016, paragraph 2). Because of it, the use of offsets is intended by the EU to be extremely restrictive and is admitted only for cases that fall upon article 346.^o from TFEU (there is a justification obligation for its use) (European Commission, 2016, paragraphs 3-4 and 20-26). In these cases (always reviewed case-by-case in terms of legality), a double justification is required: one to explain why the use of the exceptional regime of article 346.^o and another to justify the intent of opting for a contract with offsets.

The use of offsets is related to, on one-side, the protection of a national industry and, on the other side, it is an instrument to develop it. Doctrine may diverge, nonetheless Portugal should rethink the Offset regime, evaluating it case-by-case.

In conclusion, this is not in-depth research regarding the Public Procurement Law in the defence sector in Portugal. Nonetheless, it was a rather new matter to me that piqued my curiosity into how could Portugal use the Law to its advantage, in a positive and legally accepted point of view. The current environment that we live today, however, asks for a review of the Directive 2009/81/EC of the European Parliament and Council, of July 13th in a European level (with the subsequent effects to the Portuguese framework). A new Directive should be able to accommodate characteristics that appeared after 2009 and must be considered in the defence procurement world, while at the same time, be able to effectively respond to the new security world needs such as the commits in support of Ukraine. Furthermore, Portugal could also reform its practices to try and develop/strengthen its BTID having in mind good practices of Public Procurement Law.

3.3. International Missions – Portuguese Military Deployment

Another task that DPED has to elaborate every three months are the reports on the scope of military personnel deployment in international missions, as well as it has to monitor the execution of measures determined by higher authorities in this regard – according to article 2(item g)) of the Ordinance n.º 319/2015, of October 1st.

Portugal has a long-standing commitment to international security and stability, actively participating in military missions worldwide. After the end of the Colonial War in 1974, its engagements align with the Portuguese defence policy objectives (as well as the foreign-affairs one) which emphasizes multilateralism, strategic partnerships, and external commitments under organizations such as the UN (peacekeeping operations), the EU (training and stabilization missions) and NATO (crisis management missions and (after the Ukraine invasion) deterrence and defence ones). Additionally, Portugal contributes to Defence Cooperation Programs, particularly with the Portuguese-speaking countries (EMGFA, 2024).

Figure 4 demonstrates Portugal's external commitments: in 34 missions (12 from NATO, 10 from the EU, 2 from the UN, 9 from Bilateral/Multilateral Missions and 1 from FRONTEX) and 51 commitments/deployments (divided between the missions), around 1700 military personnel were deployed for the year of 2024 (not at the same time) in four different continents (EMGFA, 2024). For further acknowledgement, Annex 2 enumerates the 34 missions that Portugal participated in 2024.

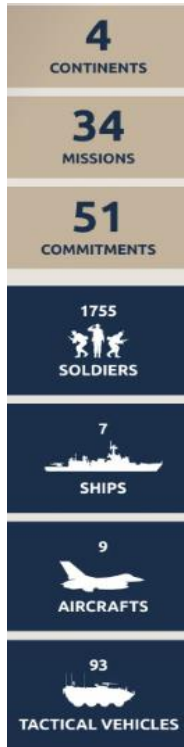


Figure 4: Deployed Portuguese Forces in 2024
| Source: EMGFA, 2024.

Having all three branches – Army, Navy and Air Force – engaging all over the world is essential to Portugal's assertion of its role in the international environment (as a co-security producer) as well as establishes the Portuguese Armed Forces credibility to its Allies and Partners. Hence, Portugal operates in multi-annual missions and operations that include matters such as: (i) maritime security; (ii) combating terrorism; (iii) training and capacity building; (iv) air policing; and (v) the use of rapid reaction forces, stabilization forces, the monitoring of ceasefire agreements and the intelligence gathering efforts (DGPDN, 2023).

Regarding personnel, data from 2023 – figure 5, demonstrates that the average of military staff abroad is increasing in the last few years (with clear exceptions for the years of the COVID-19 Pandemic (2020-2022)). This indicates higher contribution to military operations through the years, a commitment that is endorsed by the SNDC.

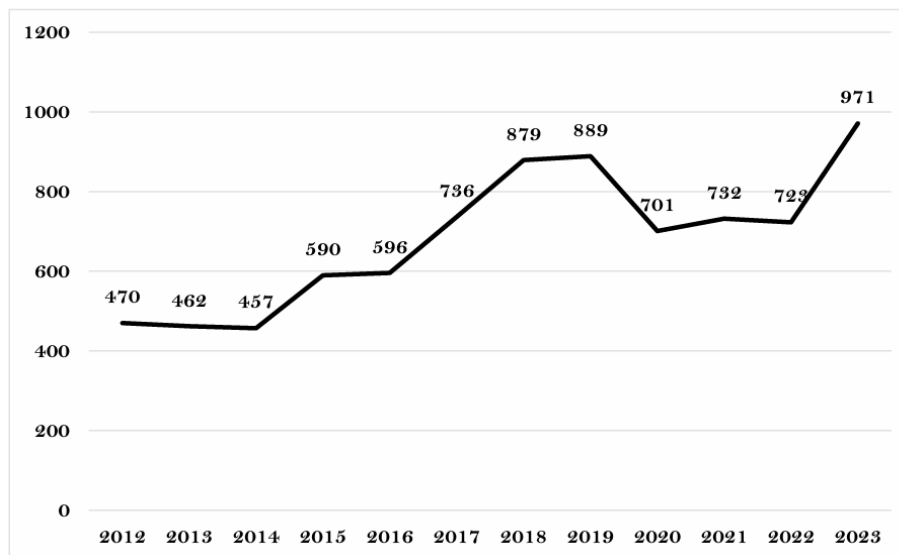


Figure 5: Average of the annual commitment of military staff abroad. 2023 data refers to the first three trimesters of the year | Source: DGPDN, 2023.

In conclusion, Portugal's active participation in international military missions reflects its firm commitment to global security, multilateral cooperation, and collective defence stances. By deploying personnel across NATO, the EU and the UN missions as well as taking part in bilateral/multilateral cooperation missions, Portugal reinforces its dedication to addressing evolving security challenges, from crisis management to peacebuilding to training missions. Moreover, the 360° strategic approach ensures that the Portuguese Armed Forces remain versatile, engaging in various domains and increasing interoperability with its Allies, above all.

Looking ahead, Portugal is likely to further solidify its presence in the European and Atlantic security, to deepen defence cooperation with Portuguese-speaking nations, and to adapt to emerging threats, including cyber warfare and hybrid security challenges, for example. After Russia's war towards Ukraine, being a member of NATO will make Portugal act towards a persistent threat in Europe, sharing efforts with Allies and, hopefully, augmenting personnel contributions and defence expenditure (which are matters talked about in chapter 4). These efforts not only strengthen national defence but also enhance Portugal's strategic influence in the international security landscape, which aligned with the country's interests – mentioned in chapter 1.2.3 (*the affirmation of its presence in the world, the consolidation of its place in a solid network of alliances, the defence of the Portuguese State's position and external credibility, the appreciation of the Portuguese communities and the promotion of international peace and security* - Council of Ministers Resolution n. 19/2013 of April 5th - SCND, p. 1982).

3.4. NATO Commitments

During my curricular internship at DGPDN, I was also involved in tasks related to NATO, which fall under the direct management of DPED. These responsibilities align with the provisions in Article 2(c), (d), and (g) of Ordinance n.º 319/2015, dated October 1st. Additionally, due to the significance of the NATO Washington Summit, DPED played a role in preparing reports on NATO affairs. This effort was undertaken in collaboration with the Ministry of Foreign Affairs and corresponds to the provisions set out in Article 2(b) of the aforementioned Ordinance.

Recognizing the relevance of NATO, an in-depth analysis was conducted in order to analyse its potential impact to Portugal and National Defence. This examination focused on various dimensions, including, but not exclusive to, international defence

cooperation, military capability development, defence industry and other aspects. Accordingly, Chapter 4 of this Report presents research based on (i) the practical work carried out during the duration of the curricular internship, (ii) academic sources, and (iii) additional relevant materials that contribute to a comprehensive understanding of NATO's influence in Portugal's policies.

4. The Context of NATO

The NATO has now been around for more than 75 years. On record, it has been the longest operating military Alliance in history, seconded only by the Delian League, an ancient alliance led by Athens, established in 478 BCE to counter Persian threats (the Athenian control of the league lasted around 74 years, after a Sparta won the second Peloponnesian War (432-404 BCE)(Cartwright, 2016)). Hence, throughout its history, NATO has achieved an alliance of thirty-two countries that commit now, more than ever, to reach and accomplish internal objectives and external goals and aspirations. These countries, that are different in location, in their territorial extension, population, economy and strategic potential (Barrento, 2020), fight collectively in the international stage against threats to the international rules-based order.

ANNEX 3 represents a timeline of key events that shaped the Alliance to this day. It is important to comprehensively understand its history in order to understand the present and to try and explain what is still to come.

The post World-War II era left a dark path in Europe: 36.5 million Europeans had died in the conflict, being 19 million of them civilians; communist parties aided by Soviet Union threatened democratic governments across the continent; crisis encompassing homeless and displaced people, orphans and refugees were the day-to-day life in the post-war (NATOb, 2022). Thus, a proactive stance form was implemented with the Marshall Plan (funded by the USA), that marked the beginning of the recovery road in Europe. Nonetheless, the international relations' bipolarization with the USA and the Soviet Union confronting each other set the path to the need of a security agreement that could serve three purposes: (i) stop the expansion of the Soviet ideology; (ii) prevent the comeback of European national militarisms (with the presence of American troops in the continent) and (iii) encourage European political integration (Borrego, 2020, p. 82-83; NATO, 2022). Walt (1987, p. 22-25) also outlined four interesting and combined factors that the Soviet Union brought into play, which also helps explain the rationale behind the formation of military alliances such as the ones like NATO: its aggregated military power, great offensive capabilities, its geographical proximity to Western Nations and aggressive intentions (accompanied by the desire to expand its influence).

With this in mind, in April 1949, twelve founding Members¹² signed and ratified the North Atlantic Treaty¹³, also named the Washington Treaty, that aimed at safeguarding the “the freedom, common heritage and civilisation of [the] peoples, founded on the principles of democracy, individual liberty and the rule of law” (preface of the Washington Treaty, 1949). The rock of the Alliance – Collective Defence – is demonstrated in the famous article 5, where “an armed attack against one or more (...) shall be considered an attack against them all”, and the Parties can protect themselves using the actions “deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area”. Hence, equal dignity between all members.

Collective Defence, especially in the Cold-War Era, reinforced the liberal order in the political, economic and military stages. This because, it provoked a synergy of actions that promoted the Alliance’s success and effectiveness throughout the time - NATO’s collective defence safeguarded democratic institutions and ensured the protection of individual rights; in turn, these rights fostered economic growth and accredited economic integration; and as economic growth accelerated, it reinforced collective defence efforts and drove technological advancement at a faster pace (Marshall, 1972; Ruggie, 1982; Sloan, 2016; Gilli et al, 2022).

Nowadays, NATO’s anniversary is celebrated amidst an extremely volatile international environment. Not only the War as returned to Europe (and conflict remains and starts in other parts of the world), but also because threats and attacks can come from everywhere – from identifiable, unidentifiable and unimaginable actors (the triad of known-knowns, known-unknowns and unknown-unknowns from Donald Rumsfeld¹⁴). Thus, in the next section, an exploration of the NATO Strategic Concepts throughout its history will be developed (encompassing Portugal’s historical stances as well). This

¹² The twelve parties were Belgium, Canada, Denmark, France, Iceland, Italy, Luxembourg, the Netherlands, Norway, Portugal, the UK and the USA. It is paradoxical having Portugal included in this group: the country was under a dictatorship – ‘*Estado Novo*’. Borrego (2020, p. 83) points out two reasons for this membership: (1) NATO was interested in the geographic position of Portugal (it formed a strategic triangle in the Atlantic: the mainland and the archipelagos of Madeira and Azores); and (2) National interest of Portugal determined that entering NATO would be an asset for the Regime on both nationally and internationally spheres.

¹³ Document available at https://www.nato.int/cps/en/natohq/official_texts_17120.htm.

¹⁴ Donald Rumsfeld, USA’s Defense Secretary in 2002, mentioned this triad in the context of the preparation for the invasion of Iraq in 2003, following the 9/11 attacks. Part of the interview is available at <https://www.youtube.com/watch?v=REWeBzGuzCc>

because it demonstrates the dichotomy of how the Alliance has changed and how, simultaneously, has remained the same through the years.

4.1. The Strategic Concepts of NATO

Through its existence, the Alliance always prided itself by having two identities: NATO – the defence Alliance (in the safeguard of the collective defence, it is a military Alliance) and NATO – the community of values (the political side of the Alliance) (Borges, 2020, p. 248; Flockhart, 2025, p.27). Hence, NATO's complexity is evident in its multifaceted approaches, actions and strategies developed through its existence. As described by Borrego (2020, p. 84), NATO's Strategic Concepts are (i) structural documents showcasing the evolution of the Alliance's military strategy; (ii) help comprehend NATO's vision through out every moment that a new Concept was needed (as every single one of them are born out of political/ geopolitical/ economical/ technological circumstances) and (iii) are the reason as to why the Alliance is still relevant and persistent in its goals even after 76 years of existence. Hence, they are the most important NATO strategical document in each period of time, seconded only by the Treaty itself (Berti&Spatafora, 2023).

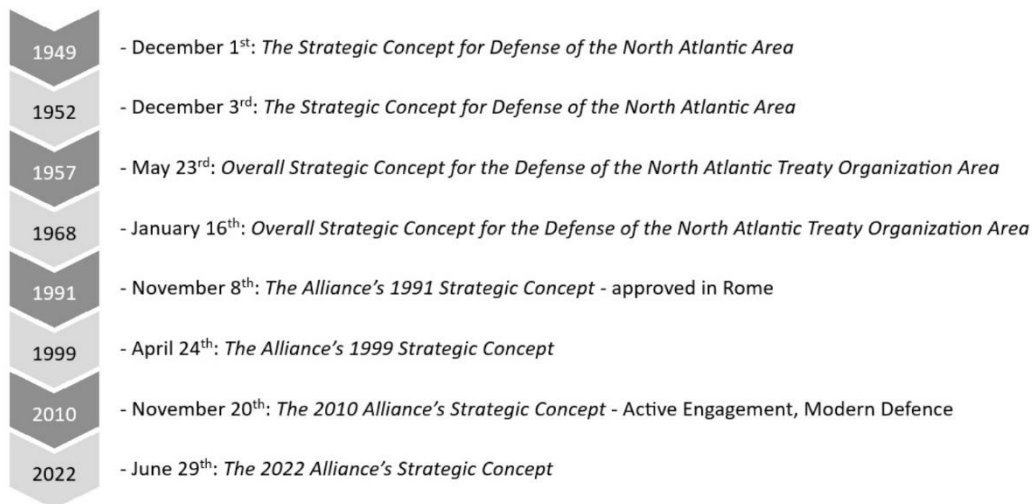


Figure 6: NATO's Strategic Defence Concepts timeline. | Source: Self-made.

In total, there have been eight Strategic Concepts in NATO's doctrine (Figure 6). The analysis perpetrated to each one is based in the historical context, the objectives/goals/strategy behind it and its implications to Portugal.

- (1) The first strategic document was *DC 6/I, The Strategic Concept for Defense of the North Atlantic Area*, of 1 December 1949¹⁵.

Temporally speaking, this concept was approved by the North Atlantic Committee (NAC) on January 1950 (NATOa, 2022). This document exhibited the overall strategy for the Alliance, in the aftermath of the World War II.

Thus, in practice, this Strategy demonstrated a deterrence stance, focused on (Borges, 2020, p. 249):

- a containment approach towards the Soviet Union's military power;
- preserving a stable and sustainable market economy in Europe, essentially;
- upholding the principles of rule of law, democracy, human rights, economic freedom, and security through a strong Collective Defence framework (article 5);
- advancing peace, stability, and development across the Atlantic region (in Europe and America).

Alongside the strategic document, two more important documents were elaborated: (i) the *MC 14 Strategic Guidance for North Atlantic Regional Planning* (provided directions for defence planning) and (ii) the *DC 13 NATO Medium Term Plan* (provided mainly extensive regional planning guidance), both also from 1950 (NATOa, 2022).

Regarding Portugal, being one of the founding members of the Alliance confirmed the “collaborative neutrality” approach that was normal for the dictatorship, despite also being a recognition of the political legitimacy of Salazar's regime (Gaspar, 2022, p. 425). NATO had geostrategic interests in the Portuguese territory (encompassing the Azores and Madeira territories) (Borrego, 2020, p. 83; Borges, 2020, p. 250; Gaspar, 2022, p. 405), which ultimately led to an openness and manoeuvre tactics in regards to the democracy, human rights and freedom values that were the common values of the Alliance (and are presented in the strategic concept). Nonetheless, NATO's influence turned mentalities in Portugal over time, especially regarding the Regime and the Portuguese overseas territories (Borges, 2020, p. 250).

¹⁵ Document available at <https://www.nato.int/docu/stratdoc/eng/a491201a.pdf>.

- (2) Secondly, the *MC 3/5, The Strategic Concept for Defense of the North Atlantic Area*, of 3 December 1952¹⁶.

This concept does not substantially differ from the one before, as it respected the principles outlined above. However, the Alliance suffered structural changes that had to be taken into account in the new concept: (i) the Treaty's ratification by Greece and Turquia (in January 1952); (ii) the nomination of General Dwight D. Eisenhower "as NATO's first Supreme Allied Commander Europe (SACEUR)"(1950) and the establishment of the Supreme Headquarters Allied Forces Europe (SHAPE) in Rocquencourt, France (1951); (iii) the integration of military units under the sole command of NATO and (iv) the appointment of the NATO's first SECGEN, Lord Hastings Ismay, that approved, alongside NAC, the revision of the new concept (NATOa, 2022; Borrego, 2020, pp. 82-84; Borges, 2020, p. 250-251).

Moreover, the Strategic Guidance documents become one, named the *MC 14/1 Strategic Guidance* – aimed at defending the North Atlantic Treaty Area against the Soviet Union capabilities and will (NATOa, 2022).

Portugal, at this time, is still a beneficiary from the Alliance, as it helps transforming the Portuguese Armed Forces with the funding received from the USA (Borges, 2020, p. 251).

- (3) Then, there was the *MC 14/2, Overall Strategic Concept for the Defense of the North Atlantic Treaty Organization Area*, of 23 May 1957¹⁷.

Temporally, the Warsaw Pact was established in 1955 between the Soviet Union, Albania, Bulgaria, Czechoslovakia, East Germany (joined in 1956), Hungary, Poland and Romania (having the same concept as NATO – it was mutual protection agreement in case of an armed attack). This was the response after the accession of the Federal Republic of Germany to NATO (1954).

This Strategic Concept is long in comparison to the last one, and it is accompanied by the *MC 48/2, Measures to Implement the Strategic Concept* – the guidance document. It is the first that explicitly points out the Soviet Union as a permanent threat and is based in the doctrinal principal of "Massive

¹⁶ Document available at <https://archives.nato.int/strategic-concept-for-defence-of-north-atlantic-treaty-area-2:isad>

¹⁷ Document available at <https://www.nato.int/docu/stratdoc/eng/a570523a.pdf>.

Retaliation” (Borrego, 2020, pp. 85) in case of deterrence failure. This acted as a nuclear deterrence methodology and, alongside the readiness stance of the Allies’ Armed Forces, the prime objective in this concept was to deter a new war in Europe (Borges, 2020, pp. 252). Nonetheless, nuclear proliferation ruled the times and, at least, the documents that came from NATO. Moreover, in addition to these matters, this concept also reflects on the impact of Soviet political and economic activities beyond the NATO territories, beginning the importance of noticing ‘out-of-area’ events (Borrego, 2020, p. 85, NATOa, 2022).

For the first time, Portugal was mentioned in the Strategic Concept (APPENDIX - AREA PLANNING GUIDANCE, pp. 31-32). Thus, strategic relevance was given (i) to “Portugal’s relatively protected location in the west of the Iberian Peninsula”, which in case of War would act as strategic territory in NATO’s support; (ii) to the key defence towards the Atlantic lines of communication that Portugal could give (incorporating the Portuguese archipelagos); and (iii) as essential support “to the naval and air defenses of the Mediterranean approaches”. With this in mind, NATO demonstrated that Portugal shared its sovereignty to the Collective Defence initiative, but at the same time it benefited from a great deal of protection, with forces and means capable of acting if necessary (Borges, 2020, p. 252).

- (4) The *MC 14/3, Overall Strategic Concept for the Defense of the North Atlantic Treaty Organization Area*, of 16 January 1968¹⁸;

In the aftermath of the “Massive Retaliation” principle, Allies were preoccupied with the issue of limited capabilities in nuclear warfare, as the USA was the only Ally with nuclear armament. Thus, President John F. Kennedy pushed for a strengthened non-nuclear strategy within the Alliance. Moreover, France removed itself from the military structure within NATO (which made SHAPE headquarters change to Belgium and caused the Allied forces to withdraw from French soil), the Berlin Wall was built in 1961 (which consolidated the Cold-War), the Cuban Missile Crisis took place in 1962 and there was the escalation in the Vietnamese War. These happenings, pushed for a new concept, but this time the word “flexibility” was promoted, in order to make it impossible for potential

¹⁸ Document available at <https://www.nato.int/docu/stratdoc/eng/a680116a.pdf>.

aggressors to predict the Alliance's response – the objective still stands: the need to prevent the war with deterrence methodologies. Hence, this “Flexible response” doctrine ensured graduated responses in any kind of attack that reached from conventional weapons to the nuclear ones (Borrego, 2020, pp. 85-86; Borges, 2020, p. 253-254, NATOa, 2022).

During the same period of time, Portugal was engaged in battle in the Colonial Wars (1961-1974), which were a significant drain on Portugal's attention and military resources. However, it is noted that Portugal still fulfilled its commitments towards NATO, with the use of strategical positions like the Azores and in diplomacy engagements.

Meanwhile, after exploring the first four Strategic Concepts, it is relevant to mention that at the time, these Concepts were Classified, as they demonstrated NATO's global strategy and the guidance for it.

With the end of the Cold War, the international environment changed drastically, with the Soviet Union and the Warsaw Pact losing its position of real threats to the Alliance (Borges, 2020). The Alliance shifts now from “the bipolar military and ideological confrontation” (Flockhart, 2025, p. 28), and the next four strategic concepts illustrate NATO's resilience journey.

(5) *The Alliance's 1991 Strategic Concept*¹⁹ - approved in Rome.

Spain had joined NATO in 1982 and, after the fall of the Berlin Wall (1989), the Alliance took the first steps into a new era. This concept was the first to be released to the public: the new strategic environment was presented, as well as the new (and some old) security challenges and risks (“the risks to Allied security that remain are multi-faceted in nature and multi-directional, which makes them hard to predict and assess” (paragraph 8 of the Strategic Concept)).

Thus, in this document, NATO's political role is emphasized, and a broader understanding of 'Security' is introduced (Flockhart, 2025, pp. 30-32). The intention to maintain the Alliance's defensive posture remains. However, this time focused on dialogue, cooperation, and collective defence as key tools for preserving peace (there was a significant reduction of military power in the

¹⁹ Document available at https://www.nato.int/cps/en/natohq/official_texts_23847.htm.

continent, reducing also the use of nuclear forces to a minimum level (NATO, 2022a)). Additionally, the principle of flexibility is applied to adapt to changes in the political and military landscape. Moreover, new threats and risks such as the proliferation of weapons of mass destruction, interruption of vital resource flows, between others, have to be taken into consideration, and 'out-of-area' interventions (in 'crisis management' and 'conflict prevention' in areas far from the Euro-Atlantic one) become a recurrent event. Finally, NATO also worked in an enlargement strategy, due to the openness and cooperation demonstrated towards former Warsaw Pact members.

What about Portugal? Between the fourth and the fifth Strategic Concepts, a *coup d'état* against the dictatorship happened in Portugal (in 1974)²⁰. This event brought legitimacy to the country, especially among NATO Allies due to the shared values of democracy, human rights and the rule of law. However, Gaspar (2022) identifies elements of a marginalization strategy towards Portugal due to the Communist Party having seats in the (transitional) government. Examples are the non-distribution of classified documents to Portugal, the desire to exclude Portugal from NATO's Nuclear Planning Group, and the overall political pressures from Allied countries.

Nonetheless, the western view of the Portuguese democracy was established in 1976, with the National elections, and NATO is a huge part of the Portuguese National Defence Policy (Gaspar, 2022, p. 430) – it can be demonstrated by the 1985 SNDC, where the Portuguese involvement with NATO is highlighted in this Strategic document, especially when the country is looking forward to enhance its defence capabilities (Viana, 2022, p. 50). Hence, Portugal's involvement in the Alliance after the end of the Cold War was notably active in the political, diplomatic, and military spheres (Borges, 2020, p. 257). Furthermore, the integration of the Portuguese armed forces into NATO's military structures and missions played a key role in fulfilling the country's constitutional transition (Gaspar, 2022, p. 425).

²⁰ Samuel Huntington (1991) characterizes this *coup d'état* as the beginning of the democratization wave in various countries, in the late twentieth century.

(6) *The Alliance's 1999 Strategic Concept*²¹ - approved in of the North Atlantic Council in Washington D.C.

At this time, the conflict in (the now former) Yugoslavia had started and NATO intervened in it. Hence, the conflict in the Balkans, the armament control, the new risks and threats that the new world paradigm brought (like ethnical conflicts, oppression, economic pressure and the proliferation of weapons of mass destruction) are the reasons for a new concept (although very close in time to the former) (Borges, 2020, p.257). Furthermore, Russia and NATO reflect in the changing of security environment in Europe, and signed the *Founding Act on Mutual Relations, Cooperation and Security* in 1997.

In regards to NATO's enlargement, the Alliance was preparing for a possible ascession of former Warsaw Pact members, which happened in 1999 (the first wave of post-Cold War enlargement) with Czechs Republic, Hungary and Poland. Thus, this Strategic Concept can be summarized in:

- The Alliance's core responsibilities included security, consultation, and deterrence and defence. Moreover, the importance of crisis management and partnerships was clearly highlighted in this new document, in order to strength security and stability across the Euro-Atlantic region (Borrego, 2020; NATOa, 2022);
- New Areas of Responsibility (AOR) were designated and the Peacebuilding operations, namely the Crises Response Operations (CRO), entered NATO's action spheres, in a comprehensive approach that englobed military, political and civilian tools. Here, the concept of Combined Joint Task Force (CJTF) was also introduced as an efficient tool for the Alliance to produce rapidly-deployed and multi-national aspects (Borges, 2020, p. 258);
- NATO assumed a defence posture, causing it to have a wide range of engagement options, including capabilities beyond purely military functions (Borrego, 2020, p. 87);
- Structural changes to the Military Command were also mentioned this Strategy, as well as the desire for NATO's expansion in members (Borges, 2020, p. 258; Gaspar, 2022, p. 433).

²¹ Document available at https://www.nato.int/cps/en/natohq/official_texts_27433.htm .

Regarding Portugal, its Armed Forces were a constant presence in the first 'out-of-area' operations²² (Gaspar, 2022, pp. 432). Hence, Portugal is respecting its commitments towards the Alliance and builds its reputation: it is now an international security producer within the NATO's framework (Teixeira, 2009), modernizing also its Armed Forces.

This is in line with what is displayed in the 1994 SNDC in Portugal: the new security environment made the country change its strategic position, hence a new SNDC. Portugal waited for NATO's 1991 Strategic Concept, having had a significant impact on the PNDP: (i) the Portuguese concept determines a broader side of the concept of security, both for national relevancy (interministerial strategy) and international one (intends to determine all the threats and risks, challenges and opportunities in the threat environment); (ii) in external affairs, Portugal reflects in the objective of complementarity with NATO: regulates military component's aspects (the Force's system, capabilities, dynamics, framework of international missions, between others) in order to respond to the external commitments such as the ones in NATO (the Balkans' conflict).

(7) *The 2010 Alliance's Strategic Concept - Active Engagement, Modern Defence*²³- approved at the Lisbon Summit.

This Strategic Concept was approved historically after the 9/11 terrorist attacks in the USA (and the many other attacks that followed) and after the activation of article 5 of the Treaty for the first time (which deployed troops to abroad territories, like the "UN-mandated International Security Assistance Force (ISAF)" leaded by NATO in Afghanistan (NATOa, 2022)). In another hand, the Russian intervention in Georgia also marks the return of the "Other" (Flockhart, 2025, pp. 32-33) and financially hard times are in motion in Europe.

With 28 Allies, this Strategic Concept, although in line with the last two, demonstrated the paradigm shift: at this time, the Alliance threats and risks were very well described in the document and cover the proliferation of mass destruction weapons, terrorism, cyber-attacks, piracy attacks, climate change and

²² IFOR (1995-1996) and SFOR (1996-2004): the Implementation Force and the Stabilization Force were the first CROs in NATO, focusing on peace enforcement and support after the Bosnian War, overseeing the Dayton Peace Agreement implementation efforts (NATO, 2024a).

²³ Document available at https://www.nato.int/cps/en/natohq/official_texts_27433.htm.

pandemics (Borges, 2020, p. 259-260). In other words, NATO was involved in humanitarian, peacekeeping, counterinsurgency, counterterrorism, capacity-building, security-sector reforms and anti-piracy actions (Gilli et al., 2022, p. 6). Regarding the concept itself, it is considered to be a bridge between historical NATO actions and this new and evolving world (Borrego, 2020, p. 88). NATO distinguished the fundamental objective of the Alliance (freedom's safeguard and security of all Allies) and highlighted the Alliance common values of democracy, human rights and the respect for the rule of law. Moreover, it defines three core tasks for the Alliance:

- Collective Defence (NATO's Treaty article 5 and deterrence efforts);
- Crisis Management (with lessons learned from the interventions in the Balkans and Afghanistan);
- Cooperative Security: the "open door" policy and Partnerships investments (with the EU, Australia, Japan, New Zealand and South Korea), while maintaining the idea of protecting NATO's population inside and outside the Alliance's territory (Borges, 2020, p. 250-260, Gaspar, 2022, p. 438).

When it comes to Portugal, the (still current) 2013 SNDC made it clear that being part of NATO was vital for the country's security and defence, as it is an European and Atlantic country. Moreover, admitted that the Alliance shaped the Portuguese Armed Forces towards modernization and demonstrated the dedication towards the fulfilment of NATO's commitments. Furthermore, Portugal's fundamental values aligned with NATO ones, meeting the objective and principles of the Alliance (SNDC, 2023; Borges, 2020, p. 261; Viana, 2022, pp. 53-57).

(8) *The 2022 Alliance's Strategic Concept*²⁴ - approved at the 2022 Madrid Summit.

After 2010, disagreements within the Alliance became common, spanning various issues: (i) debates were raised over which regions should be prioritized for crisis management, the selection of strategic partnerships, and the potential expansion of NATO to include new members; and (ii) political unity among allies faced challenges, as differences in shared values emerged, particularly with the

²⁴ Document available at https://www.nato.int/nato_static_fl2014/assets/pdf/2022/6/pdf/290622-strategic-concept.pdf

rise of right-wing movements (Flockhart, 2025, p. 33). These divisions contribute to a sense of vulnerability, potentially threatening the stability of the Alliance.

In another hand, the security environment faced by the Alliance today was largely shaped by the illegal annexation of Crimea in 2014 and the full-scale war in Ukraine in 2022. In addition, the persistent threat of terrorism, along with emerging challenges such as climate change and disruptive technologies, requires constant adaptation from NATO member's (NATOa, 2022).

Thus, this Strategic Concept outlines a new strategy because no longer NATO has military supremacy nor lack of strategic competition (an environment that started even before the 2010 Strategic Concept) (Gilli et al., 2022). Hence, this Concept defines the key purpose of the organization, which is Collective Defence – Article 5º of the Treaty. Furthermore, it analysis the strategic environment and outlines NATO's treatment of threats and challenges (Berti&Spatafora, 2023):

- After Russia's aggression towards Ukraine, war returned to Europe. Therefore, the concept outlines the threat of Russia as the direct threat to the Alliance's security;
- To the People's Republic of China (PRC), the Alliance directs two paragraphs: China ambitions and policies "challenge...interests, security and values" of the Alliance (paragraph 13); however, NATO's is equally "open to constructive engagement" with this country (paragraph 14). The PRC is not perceived as a threat, but rather a risk;
- Authoritarian regimes challenge the rules-based international order, messing in spheres of ideology and world politics – it is now the global confrontation between democracies and authoritarian actors (Borges, 2022)
- Old threats and challenges are also reported: Terrorism (alongside Russia) poses a threat to the Alliance (and the peace environment all together, as "pervasive instability" prevails in regions like Middle East, North Africa and in the Sahel); and disruptive technologies, hybrid tactics, cyber-attacks, arms control, disarmament and climate change are seen as challenges to the Euro-Atlantic area and the globe;
- Outlined as measures to treat the threats and challenges above are NATO's three core tasks: (i) deterrence and defence (using the 360º approach and

all domains of warfare); (ii) crisis prevention and management (though capacity-building mechanisms and having the concept of 'human security' in mind) and (iii) cooperative security (through the 'open door' policy and partnerships to invest in common security beyond borders).

Finally, the last three paragraphs of the Concept define a roadmap for the future, centred around unity and cohesion (paragraph 47), defence diplomacy and political consultations (paragraph 47), equitably responsibilities (paragraph 48) and defence investments (paragraph 48).

For Portugal, the Atlantic Alliance remained a priority and ensures Portugal's status of international security producer. However, some acknowledge that Portugal's contribution is disproportionate when in comparison to its material resources. Therefore, there is a great need of defence development and expenditure in the country (chapter 4.2.1. further presents this research) (Caroço, 2023; Martins&Pinéu, 2023, p. 905).

In conclusion, we can consider that for any Strategic Concept it is necessary to determine who is the enemy, what are the threats, the challenges, the risks and the opportunities in order to develop efficient, current and capable actions that can give the Alliance/organization/country the tools to combat its weaknesses and vulnerabilities (Borges, 2020, p. 262). Hence, at 76 years of existence, NATO has had the opportunity to change strategies, focuses, to include several Allies and Partners and to re-learn its *Modus Operandi* in an endless lesson-learning process. However, common values between the countries remained as they were planned in the core treaty, namely: (i) the collective defense initiative: an attack on one Allie is an attack on all – contributing to the equal dignity of its members; (ii) the contribution to international peace (now with crises prevention and cooperative security) and the efforts for peaceful resolution of conflicts; and (iii) the respect for democracy, individual rights and the rule of law - the core pillars of NATO persevered during 76 years.

After this review of NATO's Strategic Concepts, and their impact to Portugal, it is finally relevant to note that in this temporal period (1949-2022) and onwards, various international organizations, global security aspects and frameworks and other mechanisms shaped the PNDP as well. Nonetheless, NATO is the focus of this report, as the next few chapters will demonstrate.

4.2. NATO's Impact in Portugal's Policies

Overall, the PNDP should align itself with external commitments, as it is described in the SNDC. Its fulfilment demonstrates Portugal's attention and dedication to global security and also provokes modernization and military capability enhancements for the Portuguese Armed Forces, expenditures that for years were not thought about.

Regarding NATO, Allies contribute daily to maintain objects and principles written in the core Treaty, as described in the historical approach to the strategic concepts. Thus, it is only normal for the Alliance to impact policy decisions in each member: adaptation to the current environment, modernizing of national policies, political dialogues and public engagement occur in every Ally, as countries play a special role in ensuring collective defence – NATO is only as strong as its members (Tkachenko, 2023, p. 20; Coffey&Kochis, 2024, p.2).

In the case of Portugal, the Alliance has a great impact in funding defence initiatives and increasing military capabilities, which will modify policies, fulfil strategies and augment the defence expenditure, actions that belong to this Portugal's sovereignty. Nonetheless, and regarding the aim of this report the following chapters will feature three key external commitments that reinforce this perspective, as they were the primary ones I had to consider during my internship at DGPDN (they are three of the most current ones).

4.2.1. Burden-Sharing and The Defence Investment Pledge

The concept of Burden-Sharing in NATO is not a new one. It is rather a recurrent topic within the Alliance, one that may actually come since the beginning.

Burden-Sharing is “the relative weight of the distribution of costs [financial resources, human resources, infrastructures and services] and risks across Allies in pursuit of common goals” (Cimbala&Forster, 2010, p.1; Mesterhazy, 2018, p. 1). In 1949, twelve states committed to protect common goals and values in a Collective Defence allegiance (with everything it entails). Thus, providing contributions to NATO is, naturally, a cost of participation – one that may offer more protection, with lower defence costs, at a reasonable price of membership when compared with a non-membership (costs regarding national defence independence) (Hartley&Sandler, 1999, p. 666; Mesterhazy, 2018, p. 2). The discussions around this topic centre around what the contributions are and what those contributions should be towards the Alliance's funding - the dichotomy of *actual*

contribution versus the *fair* one (Hartley&Sandler, 1999, p. 668; Massie&Tallová, 2024, p. 3).

There exists a precedent in these matters, as the sharing of costs debate did not only appear in recent times – unfortunately, since the beginning, the USA has been supporting a big portion of the costs, which has brought both internal and external disagreements to the country:

- no longer after 1949, Truman's national security doctrine entailed (among other things) forward presence of USA land troops in Europe (to deter the Soviet Union's power): the internal opponent side was wary of costly foreign commitments and suspicious whether the Europeans would contribute sufficiently on their own after the Second-World War (Laderman, 2024, pp. 8-9);
- During the 1950-80's, the wealthier Allies (the USA, France, the UK) shouldered a disproportionate share of NATO's responsibilities, enabling smaller nations to benefit without contributing as much, especially during the "Massive Retaliation" strategic overview (Hartley&Sandler, 1999, p. 667). However, the fear of loss of power from the Western countries in regards to the Soviet Union, made this discrepancies persist – the States could not just pull out.
- After the end the Cold-War, however, and with the drawn of the majority of the USA forces from the European continent, the peace environment ideology justified cuts in the defence expenditure of the European Allies (Laderman, 2024, p. 10). Unavoidably, this led to a greater dependence on the USA's military in the Alliance (even with the need of capabilities and contributions following the 'out-of-area' operations mindset).

Therefore, responsibilities and cost-sharing are challenges and issues that NATO has tried to control since the beginning of this century, as it brings disunity and distrust between Allies. More recently, the current President of the USA, Donald Trump, has been a supporter of the rising defence expenditures of its European counterparts. This is why the Burden-sharing issue cannot be disassociated from the Defence Investment Pledge accorded in NATO's Wales Summit in 2014.

The former USA's Secretary of Defence Robert Gates, in 2011, warned Europeans about a *dim and dismal future* if the stance of insufficient investments on defence persisted (Bell, 2022, p. 1; Laderman, 2024, p. 11), noticing that the financial crisis further declined the defence expenditure of European countries. A current study demonstrates

that since 2000 and until around 2022, Russian's defence spending increased by 227% and the PRC's one increased by 566% - a stark contrast to what happened in NATO countries, where the spending line flatted out during the same period, with the exception of recent years (Tkachenko, 2023, pp. 23-24).

To NATO countries, a turnover of this trend came when the 2% mark appeared in Allies' conversations. By then, this idea was only shared as a commitment after the 2008 Allies' Defence Ministers meeting (NATO, 2024b, 2024c). But it was only at the at NATO's Wales Summit in 2014 (after Russia's illegal annexation of Crimea) that all Allies agreed on a Defence Investment Pledge (DIP) to counteract the decline of defence budgets in European countries. This commitment was reinforced at the 2023 Vilnius Summit, where NATO Leaders agreed on new terms of the DIP, mainly directed at input metrics guidance.

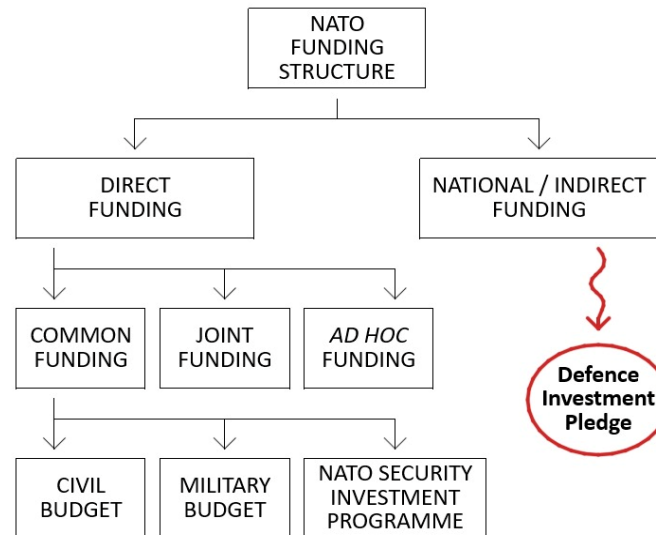


Figure 7: Visual representation of NATO's Funding Structure | Source: NATO, 2024c./Self-made.

In order to further comprehend this pledge, there is the need to understand the Alliance's funding structure (NATO, 2024c): as Figure 5 demonstrates, NATO funding structure is divided in Direct Funding and National/Indirect funding. The first relates to the funding that supports NATO's military command structure, operations and missions and the infrastructure. Thus, it is divided in (i) common-funding (which compromises the civil budget, the military budget and the NATO Security Investment Programme budget – this last related to funding infrastructure and capabilities), (ii) joint-funding (which relates to priority actions and funding arrangements agreed upon some or all states) and

(iii) *ad hoc* funding (that can comprehend contributions in kind or trusts). In the other hand, there is the National/Indirect funding, where Allies voluntarily provide troops and equipment.

With Figure 7 in mind, is correct to deduce that the DIP falls into the Alliance's indirect funding box. Hence, the pledge happens in a voluntary manner, making the Allies not having direct consequences (because indirect ones can exist) if the pledge is not met.

It is now the right time to define what is the DIP and what it entails. This pledge represents a defence spending guideline constituted of nine input and output metrics to measure the Allies' commitment to a broader defence expenditure at a national level, grouped into three indicators that NATO community baptised as the 3C's - Cash, Capabilities and Contributions (Turner, 2019, p. 3; Xavier, 2021, p. 9-10; Bell, 2023, p. 2-3; Lawrence, 2024; Massie&Tallová, 2024, pp. 3-4):

(i) Cash: there are two input metrics related to the DIP, and they are the most well-known ones. It relates to the monetary funding that each country contributes, measured accordingly with its gross domestic product (GDP). These metrics act as reference points for assessing and comparing the expenditure of Allies.

Metric 1: “All allies promised to maintain or “aim to move towards” spending a minimum of 2% of their GDP on defence “within a decade”; and

Metric 2: “Allies promised to allocate a minimum of 20% of their defence spending on “major new equipment” (to include procurement and related Research and Development)”. (Bell, 2023, p. 2)

(ii) Capabilities: defence spending in maintaining capable forces is a commitment aligned since the founding of the Alliance in 1949, asserting on the credibility of Collective Defence (Mesterhazy, 2018, p. 1). So, the subsequent output metrics measure the compliance with the NATO Capability Targets, defined in the NATO Defence Planning Process (which are classified):

Metric 3: “The percentage of air, land, and naval forces that are deployable”;

Metric 4: “The percentage of deployable air, land, and naval forces that can be sustained in deployment”;

Metric 5: “The percentage of Capability Targets allocated to that ally in accordance with the NATO Defense Planning Process (NDPP) that have been met” (Bell, 2023, p. 2).

(iii) Contributions: these also represent output metrics and measure the Allies' contribution to Operations and Missions, related to NATO or other international institutions.

Metric 6: “The percentage of deployable air, land, and naval forces deployed on NATO [and non-NATO] Operations and Missions abroad”

Metric 7: “The percentage of deployable air, land, and naval forces deployed in support of NATO Assurance Missions”;

Metric 8: “The percentage of billets within the NATO Command Structure [and NATO Force Structure Headquarters] assigned to that ally that have been filled”; and

Metric 9: “The contribution by that ally to the Immediate Response Force (IRF) of the NATO Response Force (NRF)” (Bell, 2023, pp. 2-3).

Finally, another thing to take into consideration is the DIP ability to create a synergy between NATO and, for example, the EU mechanisms related to defence and defence expenditure. Even if the EU Member-States in NATO are contributing to abroad Military Missions aided by the EU, they count to the DIP. It is seen as valued effort between all Allies, as it still contributes to European Defence (Bell, 2023, p. 3).

Thus, while this DIP approach has merits, it also raises a great concern: metrics 3 through 9 are usually classified, for security reasons (especially now regarding the Russian-Ukrainian war). In contrast, the metrics 1 and 2 (the 2% minimum spending of GDP in defence, and 20% of that number in equipment investment) are annually reported by NATO to the public (Bell, 2023, p. 3) – this has created a political significance issue for the 2% of GDP guideline that surpasses its role as a measure of burden-sharing (Lawrence, 2024, p.3). Thus, Allies that are not reaching both percentages, but for instance reaching the capability targets and contributing to Operations and Missions (that yield risks) argue that outputs represent a much better sign of burden-sharing (Massie&Tallová, 2024, pp. 4). This issue creates disagreements in the burden-sharing measuring efforts, causing the need of a possible non-contentious input and output metric system for the future of the Alliance (in other words, a system that can effectively calculated burden-sharing without internal disagreements between NATO members).

Building on this understanding, the next step involves including Portugal in this equation, because the DIP has shaped the National Defence reality in this regard.

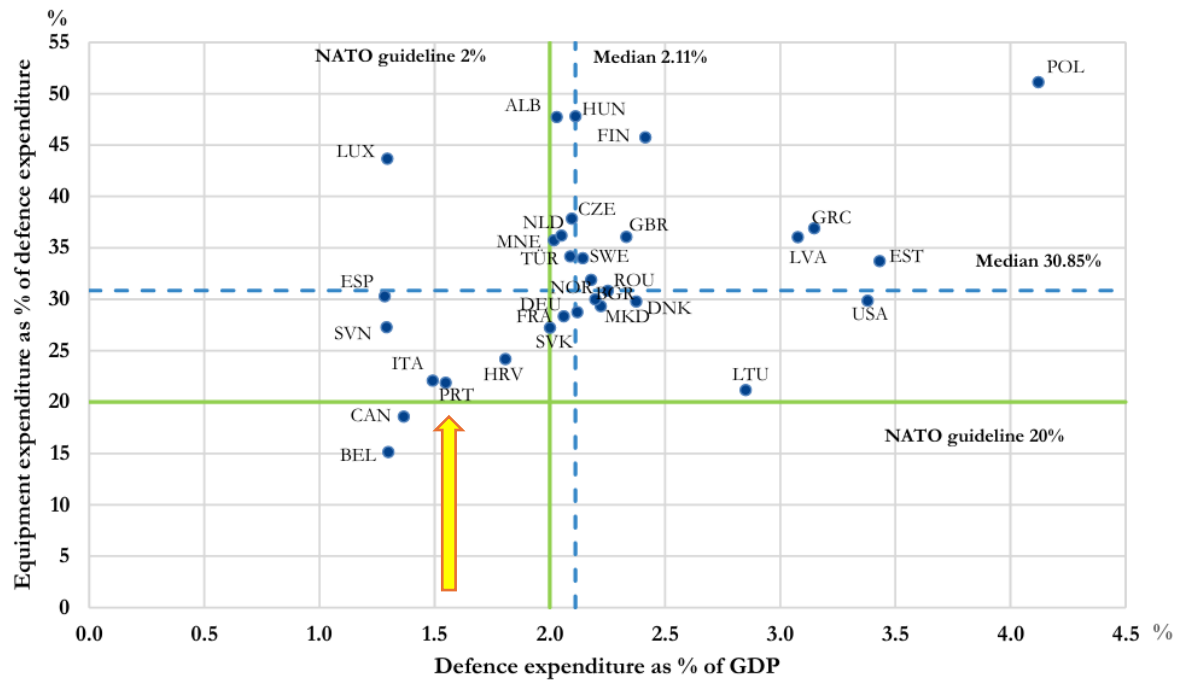
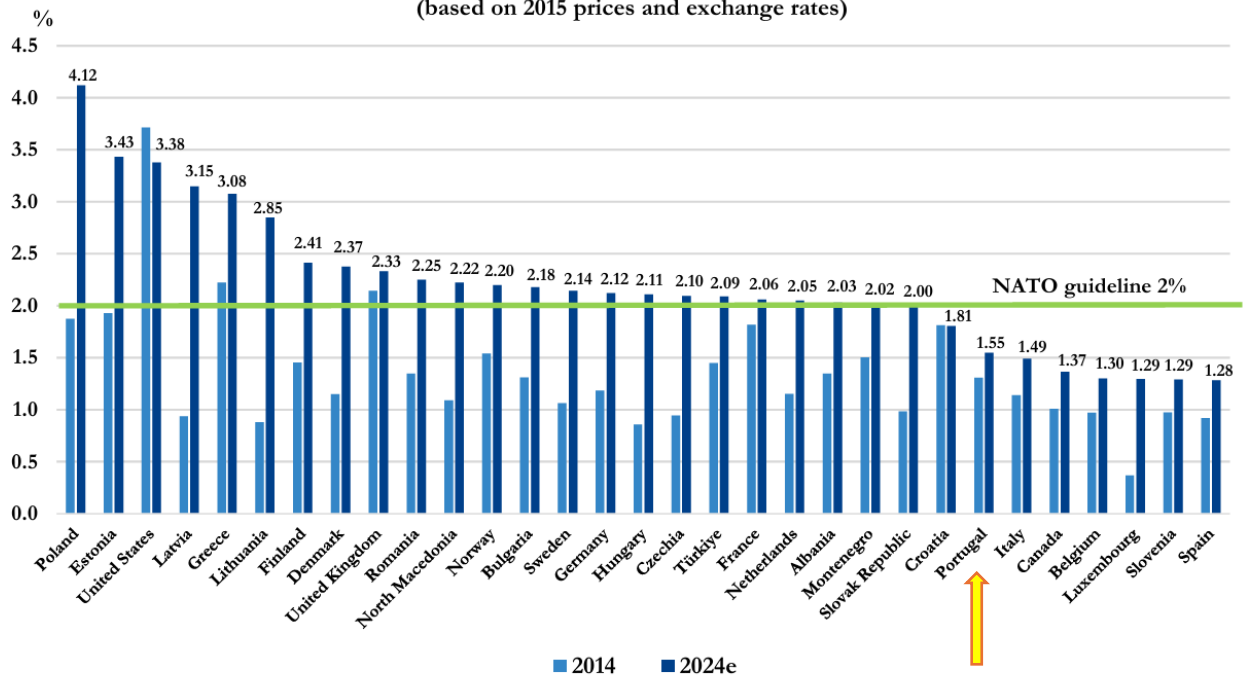


Figure 8: Defence expenditure as a share of GDP and equipment expenditure as a share of defence expenditure. Figures for 2024 are estimates | Source: NATO, 2024d.

Figure 8 illustrates the positioning of NATO's 32 Allies when comparing defence expenditure metrics 1 and 2. For the first time, the average surpasses both the 2% GDP threshold for defence expenditure and the 20% benchmark for equipment investment of that defence expenditure, indicating that member states are collectively working towards meeting NATO commitments. The pledge made at the 2014 NATO Summit in Wales, which required all allies to allocate at least 2% of their GDP to defence by 2024 (and the subsequent allocation of a minimum of 2% of their GDP to defence's commitment at the 2021 Vilnius Summit), has been met by 23 countries (NATO, 2024d). This represents a substantial improvement from 2014 when only three nations (the USA, Greece and the UK) exceeded this threshold, and represent a considerable jump since 2023, where ten Allies meet the criteria (NATO, 2024d).

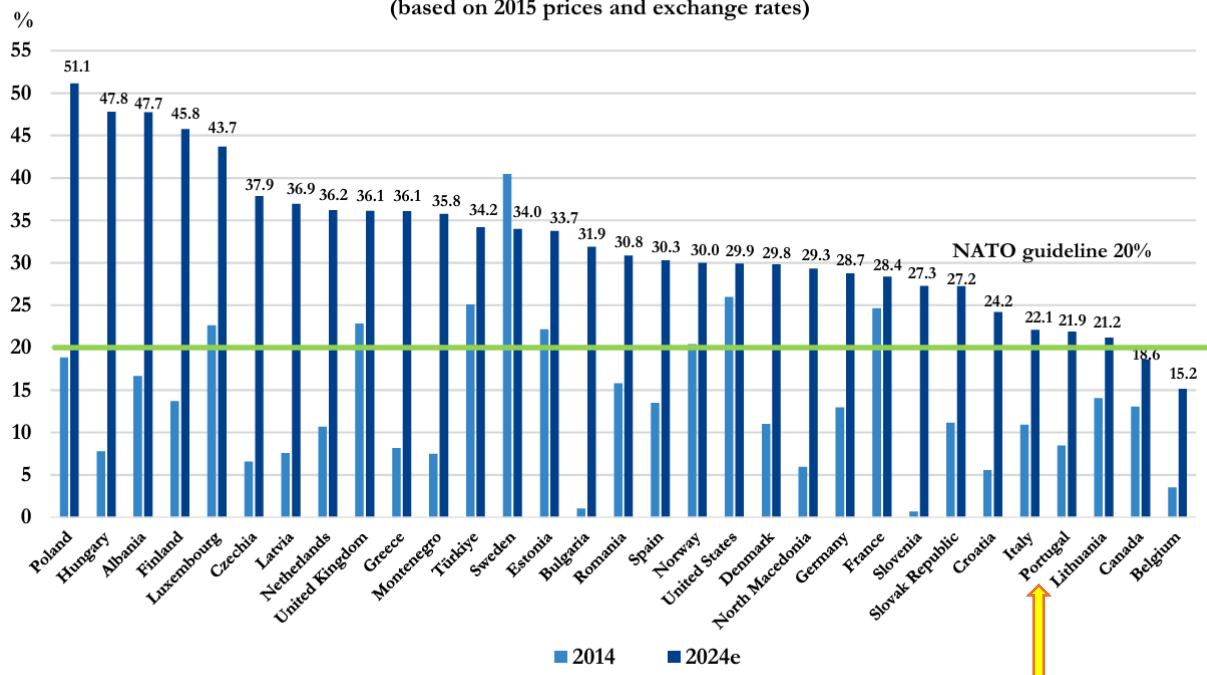
Defence expenditure as a share of GDP (%)

(based on 2015 prices and exchange rates)



Equipment expenditure as a share of defence expenditure (%)

(based on 2015 prices and exchange rates)



Note: Figures for 2024 are estimates.

Figure 9: Defence expenditure as a share of GDP (%) and Equipment expenditure as a share of defence expenditure (%) graphics. Figures for 2024 are estimates | Source: NATO, 2024d.

Portugal, however, remains outside this 2% group, with its defence expenditure estimated at 1.55% of GDP, amounting to approximately 4.291 million euros. Despite this, Portugal has made slight progress in equipment modernization, allocating 21.9% of its defence budget to new equipment (a total of 938,58 million euros), which exceeds

NATO's 20% benchmark. Nonetheless, when compared to other allies (figure 9), Portugal remains among the countries that spend less in defence matters. Some Allies, like Poland and the Baltic states, have significantly increased their defence budgets and far exceed expectations (mainly also due the current (in)security environment in Europe).

We must take into consideration that there exists a persistent gap between Portugal's defence expenditure and NATO's expectations, which can raise concerns regarding the intentions of this country to fulfil the commitment to collective security, which can increase political pressure from NATO countries. This illustrates the problem of not fulfilling Burden-Sharing commitments – Portugal can start to be consider a 'free-rider' among NATO Allies which undoubtedly will undermine its strategic standing within the Alliance.

On the other hand, not much data exists publicly when looking into metrics 3 through 9. Nonetheless, Portugal may fall within the argument that the output metrics are met, whereas the input metric of 2% is not, as, for example, this country contributes a great deal for military operations and missions around the globe (EMGFA, 2024; Annex 2) which happened by gradually augmenting military capabilities (personnel, equipment, infrastructure, between others) (Xavier, 2021; Gaspar, 2022, p. 440).

With this in mind, a defence expenditure strategy in Portugal is shaped by three key legal frameworks, which aim to fulfil NATO's commitments: (i) the MPL - Organic Law n.º. 1/2023, of August 17th (which outlines the armament and equipment investments for the Portuguese Armed Forces); (ii) the MIL - Organic Law n.º. 2/2023, of August 18th (which focuses on the conservation, maintenance, security, modernization, and construction of military infrastructure); and (iii) the State Budget for 2025 – approved by Law n.º 45-A/2024, of December 31st (which includes allocations for defence expenditure). Thus, these laws collectively aim to enhance Portugal's defence capabilities and contribute to investments and modernization, to and for the Portuguese Armed Forces. However, and after a careful research, the conclusion is that at least the Military Programming Law will have to undergo a substantive increase in value in the next revision (in 2026), in order to enhance Portugal's ability to fulfil NATO's and other international organization's commitments in defence and to be able to incorporate the significant changes of NATO Defence Plans. A recent projection exercise shows that to reach the ratio of 2% of GDP by 2030, in Portugal, investment in defence should total 6 billion euros that year (IdD, 2022, pp. 57-59), which currently is impossible to happen

Hence, by prioritizing strategic investment, Portugal can strengthen its position within the Alliance. Currently, Portugal also makes direct contributions to common funding, shared proportionately among NATO members. However, Portugal will need to increase its efforts in terms of indirect funding in the future. The responsibility of burden-sharing already requires adjustments in Portugal's internal policies and will continue to necessitate further changes.

Several factors influence defence spending: one is NATO's commitment to collective defence. Others are linked to threat perceptions and geographical proximity to those threats (as demonstrated by Poland and the Baltic States), and even the domestic public opinion can significantly impact on government decisions about defence expenditure. For example, if Portugal were to be closer to the Russian-Ukrainian conflict, its defence spending could have been higher. Conversely, if the Portuguese population were less supportive of aiding Ukraine, the expenditure could have not increased.

In conclusion, the role of Portugal within NATO is multifaceted and continually evolving. This Ally can still reinforce its position within the Alliance by ensuring balanced and effective contribution to the various responsibilities that the membership entails. For that matter, NATO has an impact in PNDP. Nevertheless, it has to evolve even more into the direction of desired outcomes (such as the 2% benchmark).

4.2.2. Defence Production Action Plan and the NATO Industrial Capacity Expansion Pledge

One way to ensure Portugal's defence expenditure reached the 2% benchmark outline above is investing in a stronger domestic defence industry. In the longer run can promote strategic benefits for the country (like reducing importations for foreign suppliers and enhancing national security resilience), as well as it contributes to the principles of NATO's core Treaty: article 5 of Collective Defence as well as article 2 (by "promoting conditions of stability and well-being") and article 3 ("Parties, separately and jointly, by means of continuous and effective self-help and mutual aid, will maintain and develop their individual and collective capacity to resist armed attack") (The North Atlantic Treaty, 1949).

Hence, it is with no surprise that NATO Allies already thought of measures to boost

the National Defence Industries and cooperation at the international sphere. The most recent one is the NATO Industrial Capacity Expansion (NICE) Pledge, discussed and endorsed at the 2024 Washinton Summit. This pledge, along with the NIP, falls under NATO's indirect funding: it represents national defence investments by individual Allies. These efforts contribute to strengthening their own military capabilities while ultimately supporting NATO's long-term objectives of Collective Defence and Security.

Motivations behind this new Pledge are not new. Last chapter described the need of substantial increase of defence expenditure due to responsibility sharing within the Alliance. Focusing now in the defence industry, it was only with the War in Ukraine (a shift in the strategic environment) that NATO, the EU and their Members (which in some cases overlap) looked into the capability in supplying their own military, due the fact that the critical state of the industry limited Allies providing the Ukrainians with military supplies and, at the same time, nationally restock in time (Monaghan et al., 2024, pp. 11-12). Thus, this presented itself as a strategic challenge towards the Alliance: how can industrial potential be rebuilt in the Alliance when currently Allies fall short on replacing military equipment at the rate it is being consumed in Ukraine, lessening NATO and national stockpiles, while at the same time maintaining technology *avant-garde* and traditional equipment? (Cakirozer, 2023). This capability gap issue comes from before the new war in Europe started, but become apparent after 2022: the lack of demand for military equipment after the Cold-War (although the industry was still reliable to the crisis management operations objectives) led to the slow decline of Allied Defence Industrial Bases, which is a problem that Allies and NATO want to fight back on.

The Alliance's first answer to this problem was with the creation of DIANA and the Innovation Fund, at the Brussels Summit in 2021, where defence cooperation between Allies, the defence public and private sector and Academia could interact in order to boost the Allies Industrial Base. The DIANA initiative – Defence Innovation Accelerator for the North Atlantic is a hub that, along with the Innovation Fund (designed to complement DIANA), link “public investment funds and private venture capital” with SME and start-ups that work on advanced defence technologies or even dual-use technologies that can boost the Industrial Defence Bases (IdD Portugal Defence, 2021a; Cakirozer, 2023). At the time (before the Russian-Ukrainian conflict), these mechanisms focussed around the combat against (new) disruptive technologies that could be used to harm the Alliance, such as Artificial Intelligence (AI) and possible Quantum technologies (IdD Portugal

Defence, 2021a).

Despite this, at the 2023 Vilnius Summit the understanding was that, in order to guarantee NATO's ability of Deterrence and Defence (presented in the most recent Strategic Concept of the Alliance), the availability of military equipment in both quantity and quality must be achieved. For that, it was created the Defence Production Action Plan. This Plan was made to quickly and effectively boost production capacity through the industrial defence bases, and consisted in three major action-topics (NATO, 2024e):

- (i) Aggregating demand/Joint Procurement actions: the combination of large numbers of equipment and the harmonization of specific requirements through international cooperation will make the industry invest and commit to long-term production capacity in specific fields. This could also help solve operational interoperability issues;
- (ii) The action of addressing defence Industry challenges: such as shortening the order-delivery timeline for new equipment, understanding of supply chains, strengthening mechanisms for engaging with the industry private sector, between others. This action is delivered by the Defence Industrial Production Board, that share the best practices on this very issues;
- (iii) Increasing interoperability actions.

Since this plan, NATO has acquired in joint procurement, for example, 1,000 Patriot missiles (5.5 billion dollars), 155-mm artillery, anti-tank guided missiles and tank ammunition (4 billion dollars) and additional 220,000 155-millimetre artillery shells (1.2 billion US dollars). This plan makes NATO meet some capability targets designed by the NDPP, but it is nonetheless a persistent challenge that demands long-term commitment, strategic investment, and unwavering political resolve (NATO, 2024f; Sahmali&Kowalski, 2024, p. 246; Cakirozer, 2023, p. 16).

This plan is the base for the NICE Pledge, because the second was endorsed to close previously unaddressed gaps, namely regarding the National Industrial Bases, cooperation between them and the challenges and necessities planned for the long-run (while continuing to maintain the Ukrainian supply aid). Thus, NICE addresses (NATO, 2024e):

- (i) The strengthening of the defence industry across the Alliance;
- (ii) A possible systemic approach to defence industrial development (with inter-Ally sharing of plans and cooperation) and the development of national plans;

- (iii) The delivering of critical capabilities to Ukraine;
- (iv) The increasing of a large-scale multinational procurement of defence capabilities;
- (v) The adoption of new technologies;
- (vi) The cooperation with Ukraine, the EU and partners in the Indo-Pacific region;
- (vii) The interoperability of equipment and interchangeable pattern of munitions, by increasing standardized production of defence materials;
- (viii) The protection of critical supply chains.

Different from the NIP, the NICE Pledge is rather new. There is still minimum data referring if this pledge is yielding positive outcomes. As off now, there is no obligation from the Nations to demonstrate the annual results of national plans to increase capabilities within the Alliance. Nevertheless, NATO data reveals, that since 2023, NATO countries are adopting new industrial strategies, are passing necessary legislation to enable defence industry cooperation, are reviewing national defence procurement processes, are making targeted investments and are participating in joint procurement initiatives and bilateral cooperations (NATO, 2024g).

In the other hand, while this report primarily focuses on NATO, it is also essential to consider NATO-EU cooperation in order to fulfil the objectives set by both organizations regarding defence industry capabilities. Both NATO and the EU play a pivotal role in shaping defence industry policies by providing financial support, promoting technological advancements, and establishing regulatory frameworks (Gryshchenko et al., 2024, p. 291). Furthermore, research by Gryshchenko et al. (2024, p. 299) highlights that NATO-EU collaboration enables joint development efforts and reduces costs related to research and production—an indispensable advantage. In March 2024, the EU introduced the European Defence Industrial Strategy (EDIS), which aims to, in general terms, achieve defence industrial readiness in the EU. Additionally, several other EU initiatives have been established to further strengthen its defence industry framework. Closer coordination between NATO and the EU in the increasing capability of defence industry's domain would help reduce inefficiencies and minimize redundancies (like efforts' duplication), maximizing the advantages of economies of scale (Cakirozer, 2023, p. 18; Sahmali&Kowalski, 2024, p. 256). However, challenges remain, particularly regarding concerns over national sovereignty. Some EU Member-States have expressed reluctance to grant greater authority over national defence planning and

expenditure. Additionally, article 346.^o of the TFEU, previously discussed in chapter 3.2.1, provides a legal basis for bypassing the EU's procurement regulations. These issues may impede the effectiveness of NATO's initiatives, particularly in areas such as joint procurement. This matters need to be discussed in the near future, to prevent greater obstacles to arise (Sahmali&Kowalski, 2024, p. 247).

When it comes to Portugal, a question exists and persists on how can the BTID grow and gain strategic autonomy, both in a national level (regarding the capacity to effectively respond to the needs of the Armed Forces) and in an international framework that encompasses both the EU and NATO. Thus, the 2023 Strategy for the Development of BTID (EDBTID) was introduced (as already mentioned in chapter 3.2.) to define actions enabling a higher competitiveness for the Portuguese Defence Industry, among other things.

Thus, linking the Portuguese Armed forces to BTID and to the international defence economy, while enabling capacity interoperability and cooperation are matters covered by the Portuguese SNDC, the EDBTID (including the National Strategy for Cyberdefence and the Defence Strategy for Space), the XXIV Government Program and the commitments Portugal has regarding the EU and NATO (IdD Portugal Defence, 2022). The cooperation in international projects will also invrease the effects given by national/international financing instruments (like the MPL or the Innovation Fund) which will, in one hand, contribute to a strengthening in Portugal's Defence Industry and to the possibility of standard production across the Alliance (which are aligned with the NICE Pledge). In the other hand, it will (i) reinforce industrial autonomy in Portugal, necessary to capacitate the Portuguese Armed Forces (which will contribute to NATO's collective defence), and (ii) will promote the Portuguese BTID (which will bring economy-return to the country, enhancing national economy).

Nonetheless, the Portuguese Defence Industry is highly directed at key sectors, namely (i) Aeronautics, (ii) Command, Control, Communications, Computers, Intelligence, Surveillance and Reconnaissance (C4ISR), (iii) Cyberspace (cyberdefence and cybersecurity) (iv) Energy and environment, (v) Space (vi) Naval, (vii) Autonomous systems and (viii) Textiles (EDBTID, 2023, item 4.8.1). So, any activities that can contribute to the NICE pledge will have to cherish national specificities. The necessity of making Portuguese Procurement Law mechanisms more efficient (see chapter 3.2.1) is also a good step to follow, for example.

Lastly, it is important to mention that Portugal just announced the establishment of a new ammunition factory in Portugal to primarily reduce reliance on external suppliers. The Portuguese government plans to invest 45 million euros, aiming to hold a 35-51% stake in the enterprise. This project aligns with Portugal's broader strategy to strengthen its defence industry, ensuring greater self-sufficiency and readiness in addressing security challenges and in capacitating the Portuguese Armed Forces (Jornal Económico, 2025; RTP, 2025).

4.2.3. Pledge of Long-Term Security Assistance for Ukraine

After mentioning the DIP, the NATO Defence Production Action Plan and the NICE Pledge, it is now time to refer specifically to the NATO aid directly delivered by the Alliance towards Ukraine. As already established in previous chapters, the Russian war of aggression against Ukraine prompt countries and international organizations to act in support of a liberal outlook that protected the values of democracy and sovereignty, rule of law and human rights (Yoshizaki&Shinoda, 2025, p. 53). Moreover, military assistance is being provided towards Ukraine in support of its self-defence actions as per the UN Charter: here Allies and other Ukraine Partners share the task of providing Ukraine with essential military provisions without risking a direct conflict with Russia.

Chapter 3.1. already establishes a practical perspective from a Portuguese point of view of commitments regarding Ukraine, such as the Ukrainian Capability Coalitions (which is a national commitment – outside NATO coordination), the Portuguese Bilateral Agreement with Ukraine (which many other NATO and European countries have) and the CAP (and its trust fund, which encompasses at least 995 million euros from Allies' and Partner's financial and in-kind contributions – data from February 2024) (NATO, 2025b).

Thus, worth mentioning alongside these NATO and multilateral/bilateral Ukraine's support packages (although not mentioned, the EU support is also of extreme relevance), the Pledge of Long-Term Security Assistance towards Ukraine was welcomed by the NATO-Ukraine Council (NUC)²⁵ and, at the same time, was endorsed by Allies, at the Washington Summit (where a NUC meeting also took place). In this Summit, one of the

²⁵ Established in 2023, the NUC provides a “forum for consultations” between individual Allies and Ukraine, meeting as equal at Heads of State, Foreign Affairs and Defence Ministers, Ambassadors or Military Chiefs of Defence's levels (NATO, 2025c).

main items in the agenda, was the continuation of stable political, financial and military support towards Ukraine (Kecskeméthy&Sipos, 2024). Thus, this pledge aimed at (i) establishing provisions of substantial levels of security assistance towards Ukraine's needs, in the optic of deterring Russia and preventing possible future conflicts, and also aimed at (ii) endorsing a provision of military equipment/assistance/training for Ukraine worth 40 Billion euros, which will be delivered until the end of 2024 (with the possibility to make the same commitment in 2025 and subsequent years – it will be revisited in the next NATO summit). Both of this take into consideration Ukraine's capabilities, the Allies' national budget and procedures and the already signed bilateral security agreements between Ukraine and its partners (NATO,2024h; Larsen, 2025a).

More in depth, the security assistance has to come in the form of military equipment, maintenance, logistics, training and other, which will be accounted to the 40 billion euros commitment. In the other hand, this commitment extends to costs related to (NATO,2024h):

- The purchase of military equipment for Ukraine;
- Donated in-kind support, as well as maintenance, logistics and transportation costs of that support;
- Costs of military training for the Ukrainian Armed Forces;
- Operational costs of provisions of military support towards Ukraine;
- Investments for the defence infrastructure and industrial base of Ukraine;
- Any contribution of NATO trust funds.

This pledge will be proportionate to all Allies, and measure according to the country's GDP. Besides, all the support to Ukraine that can enter the topics mentioned, from each Ally, will count to the pledge, even if the support was based in packages that are not related to NATO channels (entering here the bilateral support and the EU support, for example).

Moreover, these investments contribute to the 2% benchmark commitment, which undoubtedly promotes to burden-sharing and the overall collective defence of the Alliance (due to more expenditure to support Ukraine) – a Security Alliance like “NATO is only as strong as its members” (Coffey&Kochis, 2024, p.2).

In attempts to manage the support, the Alliance established a new command in the same summit, for the planning, coordination and arranging of the supply, maintenance

and delivery of security assistance, while also coordinating the training of Ukrainian forces in NATO territories and the Ukraine long-term development. This command is named NATO Security Assistance and Training for Ukraine – NSATU (NATO,2024h; NATO, 2025b; Larsen, 2024a; Larsen, 2024b).

Currently, these actions have yielded positive outcomes: in 2024, Allies provided over 50 billion euros to Ukraine under the Long-Term Security Assistance towards Ukraine, 60% of that value belonging to European Allies and Canada (NATO,2025b).

What does this mean for Portugal? Over 2024, Portuguese assistance towards Ukraine, and its share of the pledge (which was a commitment that Portugal positively overcame), surpassed 220 million euros (ANNEX 1 discriminates the numbers until August 2024). This was only possible due to the decision of increasing the defence expenditure, which shaped the PNDP. Moreover, if there is a way to commit to this pledge using the BTID (defence planning) even more the country will gain – as per the words of the Portuguese Prime-Minister Luís Montenegro (in Portugal) the investment in defence can generate economic activity for Portugal, hence it is an effort with a return in economy (Portugal, 2024).

In the upcoming year, media reports indicate that the support could be even greater, surpassing 300 million euros, up to 450 million euros in additional military support (Jornal de Negócios, 2024; Sapo, 2024; Público, 2024). However, no official declarations have been made until now.

The list stating the proportionate share that each country would have to pay to fulfil this commitment is currently classified. Nonetheless, the measure utilized was the same one that identifies how a country reached the GDP's 2% in defence expenditure (NATO, 2024h).

FINAL CONSIDERATIONS

Throughout history, Portugal has consistently been recognised as the strategic point in the southwest corner of the European continent. Although modest in size, this country always looked into expanding new horizons to achieve more significant results. Hence, in 1949, as a founding member of NATO, has been working continuously into achieving internal results and external obligations, with goal of becoming a reliable security partner.

Regarding answering the question of 'How can NATO impact the Portuguese National Defence Policy, considering the different commitments contributing to the Alliance's Collective Defence initiative', research demonstrated that the Portuguese National Defence Policy is not developed in isolation. It encompasses various laws, strategies, government programs, and other key national and international documents harmonising domestic priorities, interests, objectives, and commitments to supranational organisations and partners.

This report has specifically examined the relationship between Portugal and NATO, although other entities, such as the EU, may also influence the PNDP. This is because the baseline of the research is a curricular internship within the National Defence Policy General Directorate, where NATO-related tasks were abundant. They are enumerated throughout the report but can be defined as (i) supporting Ukraine through military aid and policy decisions, (ii) enhancing the Portuguese Defence Technological and Industrial Base (BTID) while complying with international and national defence procurement frameworks, and (iv) Portugal's fulfilment of NATO pledges and other global security initiatives.

With this in mind, and before advancing to key takeaways from this report, it is important to mention that NATO has been around for 76 years and still upholds the same pillars since day one, namely the (i) endorsement of a Collective Defence initiative, where all Members share equal dignity and the opportunity to be aided in case of any attack – resilience and deterrence measures; (ii) crisis management and defence cooperation and (iii) the protection of the shared values of democracy, human rights and the rule of Law.

For these matters, this report demonstrated that, first and foremost, Portugal should know how to balance national interests with international responsibilities, trying not to fall short in any of both ends. This is a lesson learned out of the practical internship setting, where defence planning and execution overlap. Taking the Ukrainian support initiatives as an example, Portugal committed to supporting this country, but it was bound

to policy decisions. On the other hand, participation in international missions is a commitment endorsed years ago, and strategies are created after the matter to frame, coordinate and execute them.

The second idea is that, even with a perfect balance of interest/commitments, the evolving security landscape we live in today can rapidly alter. Portugal has to be prepared for it, quickly adapting if necessary. The capability gaps encountered due to a non-efficient defence industry, for example, must be addressed in Portugal. Measures to combat it should be taken into consideration. This report exemplifies the need to make the best use of the public defence procurement framework, potentialize the Portuguese Defence Industry and BTID with more significant investments (and using international financial instruments) and take into consideration pledges that create a resilient base for the Alliance and the country.

Thirdly, considering the burden-sharing commitment that directly comes from a NATO membership and the pledges enumerated in the report, Portugal should positively evolve the National Defence Policy to fulfil these commitments. This is because action inertia will prevent Portugal from reaching its interest in becoming a reliable global security partner. Thus, balancing budget constraints, industrial development, and geopolitical uncertainties, implementing laws like the MPL to produce modernisation, and effectively linking the Armed Forces to the Industry and Academia remains crucial for the future of Portugal in the Alliance. The defence expenditure should not be seen as the price to pay for National Defence – it is, in reality, an investment to consolidate Portugal's needs and interests, both at a national and international levels.

Finally, there are still matters ahead for Portugal to address moving forward:

- It needs to update the Portuguese National Defence Concept to align with NATO's latest strategic objectives and emerging security threats;
- Interagency coordination between the MoD, the Armed Forces, Industry, and Academia is needed to improve policy execution;
- Good practices in the Portuguese Public Procurement Law in the defence sector should be taught to enhance efficiency;
- Increase investments in modern equipment and technology, prioritising new technologies in cybersecurity, AI-driven defence systems, and advanced weaponry, for example.

- Ensuring compliance with NATO commitments by expanding financial, military and operational contributions and fulfilling capability targets;
- Fostering more strategic partnerships is a must, taking into consideration actors in the international field – private entities as well, if necessary, promoting transparency above all;

In conclusion, the Portuguese National Defence Policy is deeply interconnected with NATO's strategic objectives, requiring a continuous balance between domestic interests and international obligations. With the current global landscape, Portugal must remain agile, strengthen its defence industry, modernise its military capabilities, and ensure efficient policy execution through interagency coordination. At the same time, Portugal can reinforce its role as a reliable security partner by upholding its commitments to NATO, fostering strategic partnerships, and investing in the defence sector altogether. Looking into the future, a proactive and adaptive approach will be crucial to safeguard national and allied interests in an increasingly complex global environment.

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ANNEX 1

Portuguese Aid to Ukraine

<u>HUMANITARIAN AID</u>				
Bilateral				
	Entity	Goods/Services	Date	Value
1	Ministry of Health	Medicines and medical devices	February 2022	121 921,50 €
2	National Emergency and Civil Protection Authority	Logistical and support goods	March 2022	213 293,50 €
3	Ministry of Health	Medicines and medical devices	March 2022	246 763,86 €
4	Ministry of Health	Medicine, medical devices and individual protective equipment	March 2022	382 021,58 €
5	Ministry of Health	Medicines	March 2022	65 105,10 €
6	Ministry of Health	Medicines and medical devices	April 2022	570 408,74 €
7	Ministry of Health	Medicines and medical devices	May 2022	1 021 649,69 €
8	Ministry of Health	Medicines and medical devices	August 2022	108 400,90 €
9	GNR	Medical equipment	September 2022	NA
10	Ministry of Environment and Climate Action	7 Generators	February 2023	60 000 €
11	Ministry of Health	5 sets of medical resuscitation equipment	October 2023	223 000 €
12	Ministry of Health	Transfer of seven patients for medical treatment	21st April 2022 (1 patient) 23rd April 2022 (6 patients)	10 483 € (transportation)
Total:				3 023 047,87 €
European Union and International Organizations				
	Entity	Services	Date	Value
13	GNR (National Republican Guard) and PSP (Public Security Police)	Provision of 2 staff members for the EU Advisory Mission (EUAM)	From June 2022 to March 30 2024	NA

14	Judicial Police	1 expert on secondment to the Office of the Prosecutor of the International Criminal Court	6 months	NA
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* Last Update: 2024

<u>FINANCIAL AID</u>				
European Union and International Organizations				
	Entity	Contributions	Date	Value
1	Ministry of Foreign Affairs	UNICEF Ukraine	2022	25 000 €
2	Ministry of Foreign Affairs	DPPA-NU Ukraine	2022	10 000 €
3	Ministry of Foreign Affairs	OSCE Support for Ukraine	2022	40 000 €
4	Ministry of Foreign Affairs	DG ECHO	2022	150 000€
5	Ministry of Foreign Affairs	Action Plan for Ukraine (Council of Europe)	2022	10 000€
6	Ministry of Foreign Affairs	International Criminal Court (collection of forensic evidence of international crimes)	2023	75 000 €
7	Ministry of Foreign Affairs	Grain from Ukraine	2023	5 000 000 €
8	Ministry of Foreign Affairs	Action Plan for Ukraine (Council of Europe)	2023	25 000 €
9	Ministry of Foreign Affairs	Register of Damage caused by Russian Aggression against Ukraine (Council of Europe)	2023	27 964 €
10	Ministry of Foreign Affairs	ACNUR (earmarked Ukraine)	2023	100 000 €
11	Ministry of Foreign Affairs	UNICEF (earmarked Ukraine)	2023	100 000 €
Total:				5 562 964 €
12	Government	Financial Cooperation Agreement (bilateral and multilateral)	2022-2025	250 000 000 €

* Last Update: 2024

<u>BENEFICIARIES OF TEMPORARY PROTECTION IN PORTUGAL</u>				
Entity		Fields	Date	Value
1	Government	Housing, Work and Social Security, Education, Migrations, Agriculture, Foreign Affairs, Equality, Higher Education and Health	Ongoing, info updated until March 5, 2024	92 087 694,41€
Support for other EU Member States				
Entity		Fields	Date	Value
2	Government	Support to Poland to welcome beneficiaries of international protection of Ukrainian nationality in that country	December 2022	30 000 000 €

* Last Update: 2024

<u>MILITARY AID</u>				
Entity		Type	Date	weight
1	Ministry of Defence	- Armament (automatic rifles, miscellaneous accessories) - Ammunition (7,62mm; - 60mm; 120mm) - Communications equipment - Medical and sanitary equipment - Protective equipment (helmets, ballistic waistcoats, night vision goggles)	1st trimester 2022	
2	Ministry of Defence	- Heavy machine guns - Medical and sanitary equipment - Unmanned aerial vehicles	2nd trimester 2022	
3	Ministry of Defence	- Armoured vehicles, M113 personnel carriers and respective weaponry - Combat first aid kits	3rd trimester 2022	

4	Ministry of Defence	- Leopard 2A6 Main Battle Tanks - Medical and sanitary equipment - Diesel powered electric generators - Ammunition (120mm)	1st trimester 2023
5	Ministry of Defence	- Armoured vehicles, M113 personnel carriers and respective weaponry	2nd trimester 2023
6	Ministry of Defence	- Armament (mortars, 60mm) - Ammunition (105mm)	3rd trimester 2023
7	Ministry of Defence	- Armoured vehicles, rescue and medical support M113 and M577 personnel carriers	4th trimester 2023
8	Ministry of Defence	- Uniforms - Armament (grenade launchers) - Demining equipment	1st trimester 2024
9	Ministry of Defence	- Armament (howitzers 105mm)	2nd trimester 2024
10	Ministry of Defence	- Armoured vehicles, M113 personnel carriers - High Speed Boats	3rd trimester 2024
TOTAL			1 267 684 Kg

***Last Update: 05/08/2024**

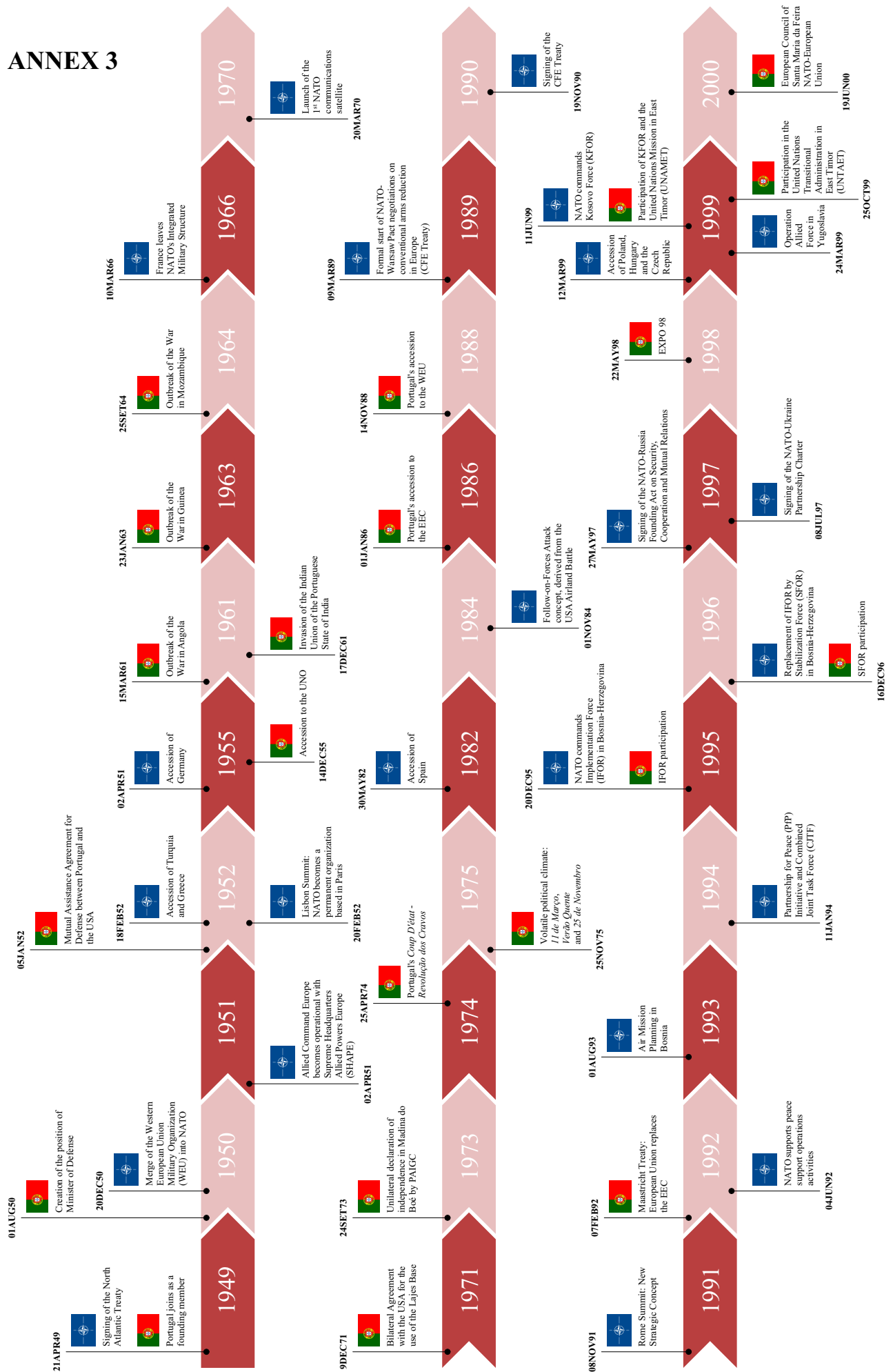
Source: Portal Diplomático, 2024; Portal da Defesa Nacional, 2024.

ANNEX 2 - Deployed National Forces 2024

Source: EMGFA, 2024

Flag	Type	Mission's Name	Location
 12 MISSIONS 21 COMMITMENTS	Northern Atlantic Treaty Organization	Standing NATO Maritime Group 1 (SNMGI)	Atlantic and Baltic
		Standing NATO Mine Countermeasures Group 1/2 (SNMCG1/2)	Mediterranean
		enhanced Air Policing	Lithuania
		Operation SEA GUARDIAN	Mediterranean
		Federated Mission Networking Assurance Measures	Belgium
		tailored Forward Presence (FPF)	Lithuania
		Multinational Battle Group Slovakia (MN BG SVK)	Romania
		NATO Mission Iraq (NM-I)	Slovakia
		Kosovo Force (KFOR)	Iraq
		Operation BRILLIANT SHIELD	Kosovo
 10 MISSIONS 14 COMMITMENTS	European Union	enhanced Vigilance Activities (eVA)	Atlantic and Baltic
		European Union Training Mission in Mozambique (EUTM Moz)	Romania
		European Union Training Mission in Central African Republic (EUTM RCA)	Mozambique
		European Union Training Mission in Mali (EUTM Mali)	Central African Republic
		European Union Training Mission in Somalia (EUTM Somalia)	Mali
		European Union Naval Forces (EUNAVFOR) - Operation ATALANTA	Somalia
		European Union Naval Forces (EUNAVFOR) - Operation ASPIDES	Indian
		European Union Naval Forces - Mediterranean (EUNAVFOR MED) - Operation IRINI	Indian
		European Union Security and Defence Initiative in Support of West African Countries of the Gulf of Guinea (EUSDI GOG)	Mediterranean
		European Union Military Partnership Mission in Niger	Gulf of Guinea
 2 MISSIONS 12 COMMITMENTS	United Nations	Participation in coalitions supporting Ukraine	Niger
		United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA)	Ukraine
		United Nations Verification Mission in Colombia (UNVMC)	Central African Republic
		Mar Aberto 24	Colombia
		Portuguese Training Mission in São Tomé and Príncipe	African West Coast
		Portuguese Training Mission in Guinea Bissau	São Tomé and Príncipe
		Portuguese Training Mission in East Timor	Guinea Bissau
		Operation GALLANT PHOENIX	Timor
		National Intelligence Cell	Jordan
		National Intelligence Cell	Central African Republic
 9 MISSIONS 12 COMMITMENTS	Bilateral and Multilateral Missions	Africa Maritime Law Enforcement Partnership and Joint Surveillance of Maritime Areas	Lithuania
		AKILA - European Carrier Group Interoperability Initiative	São Tomé and Príncipe and Cape Verde
		FRONTEX	Mediterranean
 1 MISSION 2 COMMITMENTS	Frontex - European Border and Coast Guard Agency		

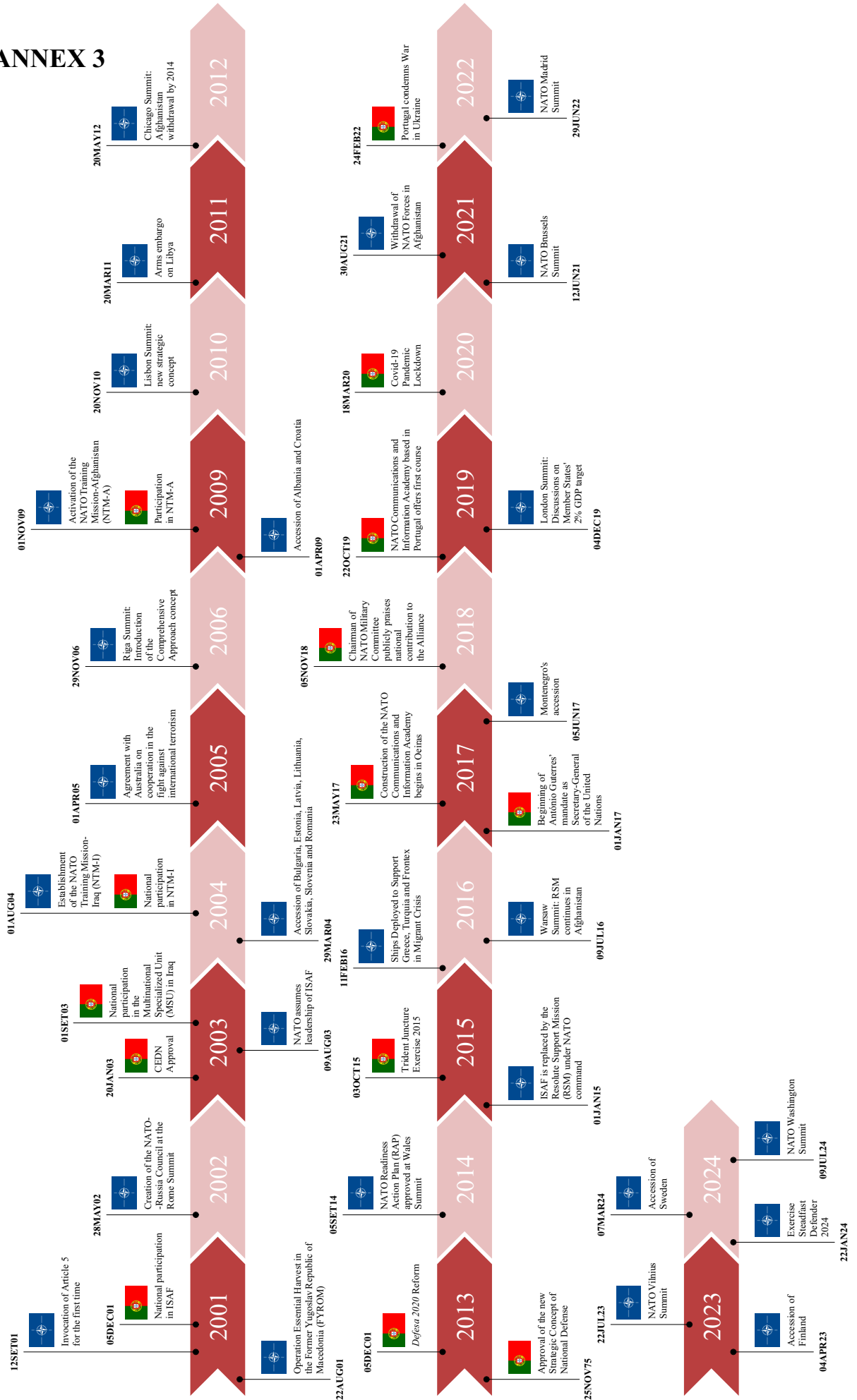
Timeline of key Portuguese and NATO events - Page 1/2



Source: Ferreira & Silva, 2020

ANNEX 3

Timeline of key Portuguese and NATO events - Page 2/2



Source: Ferreira & Silva, 2020

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