



# Contents

## QUICK READ

On October 16, 2025, the European Parliament and Council reached a provisional agreement on the Regulation establishing the European Defense Industry Program (**EDIP** or the **Program**) and a framework of measures to ensure the timely availability and supply of defense products (the **EDIP Regulation**). The regulation will be signed on 17 December 2025, and enter into force on the day following that of its publication in the Official Journal of the European Union.

EDIP is the EU's first long-term legal framework, with a dedicated budget, for joint defense procurement, industrial ramp-up of the European Defense Technological and Industrial Base (**EDTIB**), and supply chain security. With defined eligibility criteria aimed at reducing strategic dependencies, EDIP is designed to make defense spending "more, together, and European." In this spirit, the Program tightens the "European preference" principle through requirements on establishment, infrastructure location, control, and design authority. Narrow derogations and temporary arrangements (notably for ammunition and missiles until 2033) apply. Early legal and compliance planning—including whether or not the use of guarantees will be required and, if so, how these could be given—will be critical to secure access to EU funding.

In addition, Ukraine is included in the EDIP, in particular for joint procurement through the SEAP mechanism, and also with a specific support mechanism (the **Ukraine Support Instrument**), which allows Member States and Union institutions to provide financial support to Ukraine.

For **defense primes and supply chain actors**, EDIP creates new legal structures for cooperation across the product lifecycle. The introduction of Structures for European Armament Programs (SEAPs) enables joint procurement with streamlined governance, procurement rules, and potential tax efficiencies. A centralized European Military Sales Mechanism (including a product catalog and readiness pools) facilitates government-to-government sales and accelerates contracting. A Union-wide security-of-supply regime adds preparedness and crisis-response tools to ease transfers, permitting and certification.

For **private capital and lenders**, EDIP combines grant funding with blended finance instruments. The Fund to Accelerate defense Supply-chains Transformation (**FAST**), set under InvestEU, is designed to leverage debt and equity to support industrial scale-up, particularly for SMEs and mid-caps. European Defense Projects of Common Interest (**EDPCIs**) offer large, multi-state programs with potential for complementary national support and prioritized permitting. Together, these mechanisms provide clearer demand signals and reduce execution risk—key considerations for financing defense infrastructure and inputs.

For **technology companies and civil industry new entrants**, EDIP offers funded pathways to adapt civilian technologies for defense use, support interoperability and certification, and participate in cross-border programs. Furthermore, eligibility criteria highlight the importance of design authority rules that reward European value creation and IP control over IP. Taken together with the Defense Readiness Roadmap, also addressed in our alert, these developments pinpoint near-term areas for pilots and scaling opportunities.

Overall, EDIP introduces several instruments that will define EU-supported defense procurement and industrial development ahead of the next Multiannual Financial Framework (2028–2034). As such, early understanding of its structure and requirements is essential. To that end, this article outlines the key features of the upcoming EDIP Regulation, focusing on:

- Eligibility criteria.
- Budget and funding mechanisms.
- Joint procurement frameworks.
- Support for industrial production ramp-up.
- Security-of-supply regime.

# EDIP's eligibility criteria: European preference with structured derogations

## WHO CAN RECEIVE EDIP FUNDING?

As regards the matter of **eligibility for the recipients of the financial support**, the EDIP Regulation sets out general rules followed by a series of derogations that are important to consider.

## WHO IS ELIGIBLE

Recipients of the funds must be legal entities that:

- Are established in the EU or an associated country (for the purpose of the EDIP Regulation and hereinafter, meaning Iceland, Liechtenstein, or Norway).
- Have their executive management located in the EU or an associated country.

## WHERE THE WORK HAPPENS

The infrastructure, facilities, assets, and resources used for the funded action must be located in an EU Member State or an associated country for the whole duration of the action.

- A narrow derogation allows use of nonEU/associated resources only if no viable alternative exists, it does not harm EU security/defense interests, including the principle of good neighborly relations (as established in the framework of the CFSP pursuant to Title V TEU), and it supports the Program's overall objectives as described in the EDIP Regulation (the **Program's Objectives**). The related costs are not eligible for EDIP funding.



## CONTROL AND OWNERSHIP

Recipients of the funds must not be controlled by a nonassociated third country or entity. In this context, control means the ability to exercise a decisive influence over a legal entity directly, or indirectly through one or more intermediate legal entities.

- Exception: if a recipient is established in the EU/associated country and is foreigncontrolled, it can still be eligible if the relevant national authority provides robust guarantees (e.g., via investment screening) ensuring EU security/defense interests are protected, classified/sensitive information is safeguarded, and IP from certain actions is not restricted or transferred outside the EU/associated countries without approval.

## COOPERATING WITH NONEU PARTNERS

Eligible recipients of funds may collaborate with entities outside the EU/associated countries, or controlled by a nonassociated third country or entity (and use their assets) if this:

- does not compromise EU security/defense interests, including the principle of good neighborly relations and Program's Objectives,
- prevents unauthorized access to classified information,
- avoids negative effects on security of supply,
- the costs tied to such outside cooperation are not eligible for EDIP.

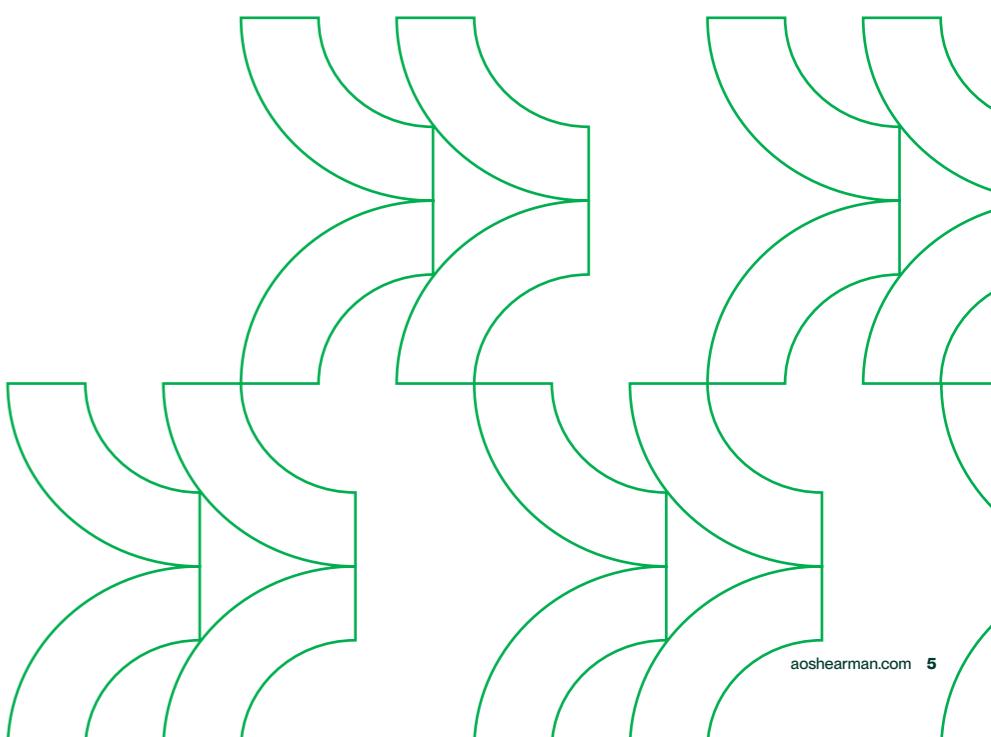
## WHO IS AUTOMATICALLY EXEMPT FROM THE "FOREIGN-CONTROL" CHECKS

The exclusion from eligibility for funding under EDIP due to foreign control does not apply to:

- contracting authorities of Member States (**MSs**) and associated countries,
- international organizations,
- SEAPs (Structures for European Armament Programs), and
- The European Defense Agency (**EDA**).

## THE SAME ELIGIBILITY CRITERIA APPLY TO CONTRACTORS AND SUBCONTRACTORS IN THE CASE OF PUBLIC PROCUREMENT CONTRACTS

However, common procurements that involve a subcontractor which is allocated between 15% and 35% of the value of the contract, and that is not established or doesn't have its executive management structures in the Union or in an associated country, may still be eligible on the condition that a direct contractual relationship related to the defense product has been established between the contractor and that subcontractor prior to the date of entry into force of EDIP.



# Budget and funding mechanisms

## WHAT ACTIONS CAN BE FUNDED BY EDIP?

### WHAT CAN BE FUNDED

Actions that implement the Program's Objectives. Such actions may include the following types of actions defined in the EDIP Regulation:

- common procurement actions: joint buying of defense products (including establishing and maintaining Defense Industrial Readiness Pools),
- industrial reinforcement actions: expanding/modernizing production capacity, building “ever-warm” surge capacity, fostering industrialization/commercialization, coordinating stockpiles and supply chains, etc.
- supporting actions: cross-certification and standardization (e.g., NATO standards), SME access measures, training and upskilling, protection systems, bottleneck-solving coordination, catalogs, support to SEAPs, dual-use adaptation, and defense innovation,
- deployment of EDPCIs: Council-identified, large collaborative projects that strengthen the EDTIB and Member States' critical capabilities.

### WHAT CANNOT BE FUNDED

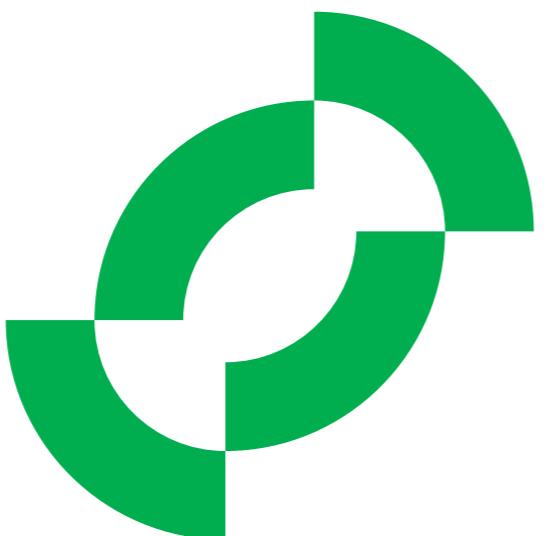
Actions related to products prohibited by applicable international law; related to lethal autonomous systems operating outside a responsible chain of human command and control, or that cannot be used in compliance with international humanitarian law; actions related to cluster munitions; as well as actions, or parts thereof, that are already fully financed from other public or private sources.

## A SUPPLY-CHAIN SAFEGUARD APPLIES IN THE FORM OF “MINIMUM CONTENT REQUIREMENT”

As per the EDIP Regulation, the cost of the components originating outside the EU/associated countries or, where relevant, Ukraine, should not be higher than 35 % of the estimated cost of the components of the end-product; and components may not, in any event, be sourced from third countries that contravene the EU's security and defense interests. The same percentage cap applies to nonprocurement industrial capacity actions. It is important to note that raw materials are not considered components to this effect.

Furthermore, recipients (or, where relevant, contractors) must retain “**design authority**” over the definition and evolution of the product, including substituting or removing restricted components.

- **Exception: A targeted and temporary derogation for missiles and ammunition applies in the context of industrial reinforcement actions**, allowing non-associated third country or third-country entities to secure a special arrangement, on the basis of providing the Commission with their legally binding commitment that recipients (or contractors) will obtain such authority, at the latest, by December 31, 2033.



EDIP will provide EUR1.5 billion in the form of grants until December 31, 2027. Out of the total amount, EUR300 million will be allocated to the Ukraine Support Instrument, and EUR1.2m will be used to fulfill the Program's Objectives with the following limitations:

- At least 15% of the total budget will be dedicated to common procurement.
- At least 30% will be dedicated to industrial reinforcement actions.
- Up to 25% will be dedicated to actions referred to in Article 15.

The EDIP Regulation foresees the possibility of covering actions and costs incurred prior to the submission of the proposal, provided that the action began after March 5, 2024, and is still ongoing at the time of signing the grant agreement ([Art. 8.4](#)).

Furthermore, funding rates are calibrated to the different kinds of actions eligible under the Program:

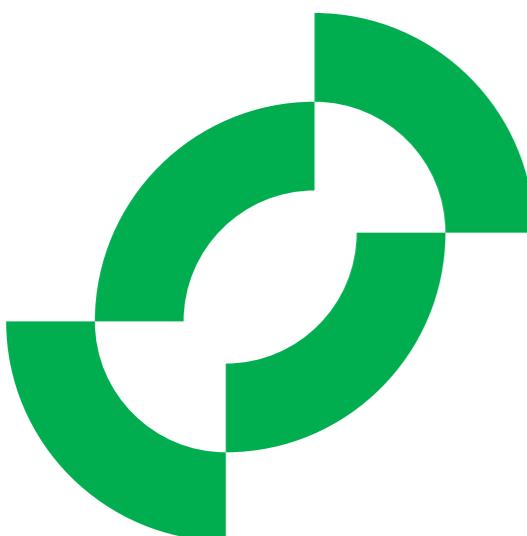
- **Common procurement:** Union contribution normally up to 15% of the contract value; which may increase up to 25% when justified by specific conditions, including enhanced cross-border cooperation (e.g., within a SEAP), reduction of strategic dependencies (restriction-free end products), additional quantities for Ukraine/Moldova, or when the majority of participating Member States' defense investment exceeds 30% of their respective defense spending in the preceding financial year.
- **Industrial reinforcement:** up to 35% of eligible costs. This may increase up to 50% if (i) the majority of beneficiaries are SMEs/mid-caps, or where the action is carried out by a SEAP, and (ii) at least one of the following conditions is also met: (a) the beneficiary demonstrates a contribution to the creation of new cross-border cooperation, (b) the action involves the building of new infrastructure/production lines, or (c) it ramps capacity of crisis-relevant products. Support under EDIP can reach 100% where MSs add voluntary contributions or channel unused funds from the Recovery and Resilience Facility ([RFF](#)).
- **Supporting actions** (e.g., interoperability, certification, innovation enablement, adaptation of civilian tech): up to 100% of eligible costs.
- **EDPCIs:** Further defined below, EDIP can fund the deployment of EDPCIs up to 100% of eligible costs for specified activities (common procurement; industrial adjustment; industrial development/upgrades; necessary infrastructure).

The EDIP Regulation explicitly invites reinforcement of the financial envelope via third-country contributions under SAFE, EU fund reallocations, and voluntary external support.

# Incentivizing Joint Procurement in Defense: New actors and tools

One core principle underpinning the EDIP Regulation is to incentivize and normalize joint procurement by Member States. Under the approved text of the EDIP Regulation, common procurement actions will be carried out by an appointed procurement agent—e.g., a Member State contracting authority, the EDA, an international organization, or a SEAP—who can conclude the contracts on behalf of the participants, and can also act as grant beneficiary and coordinator to blend EU and national funds.

EDIP also enables Commission supported procurement, including joint procurement, advance purchase agreements (limited to nonrecurrent costs such as capacity reservation), and facilitation of offtake agreements to derisk industrial rampup. Besides, the EDIP Regulation includes the following new mechanisms:



## STRUCTURES FOR EUROPEAN ARMAMENT PROGRAMS (SEAPS)

SEAPs are a new type of legal person for cooperative armament programs across the full product lifecycle. The EDIP Regulation defines SEAPs as having the following characteristics or requirements:

- They have the most extensive legal capacity accorded to legal entities under national law.
- Member States, associated countries and Ukraine may be members of a SEAP.
- Each SEAP must have at least three Members (of which at least two shall be MSs).
- SEAPs have the following purposes:
  - Developing defense products and technologies (including R&D, testing and certification), industrializing and commercializing outputs, and supporting non-recurrent investments for initial production or in-service support.
  - Conducting common procurement and establishing defense industrial readiness pools.
  - Managing life-cycle activities including spares, logistics, maintenance and dynamic availability management.
- To establish a SEAP, an application must be submitted to the Commission in accordance with the procedure outlined in Article 24 of the EDIP Regulation.
- Eligible countries may join after their establishment as members on fair and reasonable terms or as observers without voting rights.
- SEAPs may cooperate with third countries or entities, but those are not to be considered members.

To incentivize their configuration, SEAPs benefit from standardized procedures and may receive VAT/excise benefits when the SEAP owns the equipment, consistent with EU tax directives. They may issue securities under their seat's national law if members unanimously decide so and receive contributions from EDIP as well as other EU programs (always avoiding double funding).

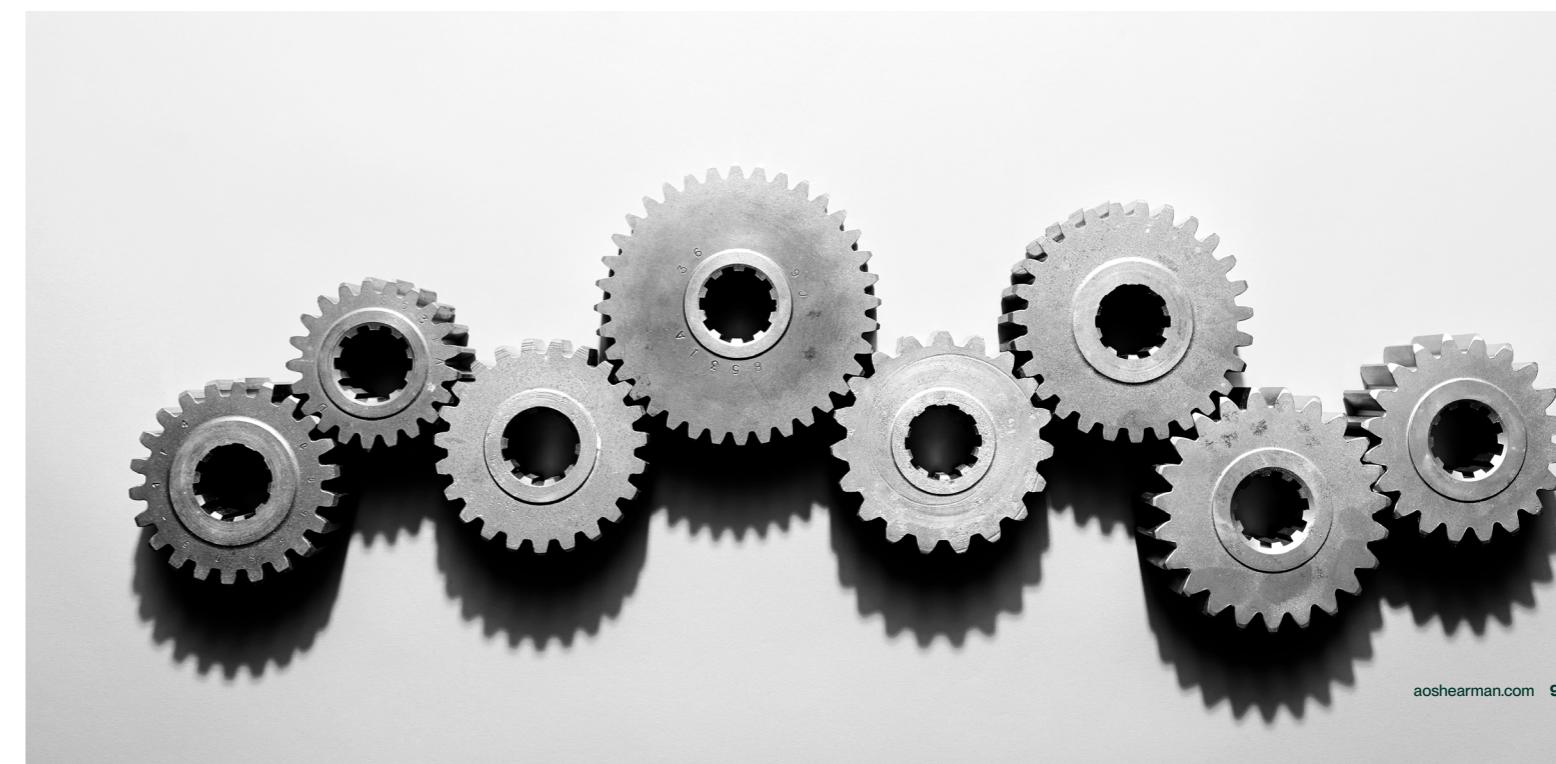
An important point to note is that SEAPs are considered as international organizations within the meaning of Article 12(c) of Directive 2009/81/EC (the **Defense Procurement Directive**). This means that procurement organized by SEAPs falls out of scope of the Defense Procurement Directive and, rather than apply this Directive, they can define their own procurement rules in compliance with the principles governing public procurement, in particular those of non-discrimination, equal treatment, proportionality and transparency. However, this may lead to a proliferation of different procurement rules on an ad-hoc basis. Already today, MSs tend to exclude procurement from the scope of the Defense Procurement Directive when possible, for example, by relying on article 346 TFEU. The latter carves out *“the protection of the essential interests of [a Member State’s] security which are connected with the production of or trade in arms, munitions and war material”* from the scope of EU law. Other mechanisms used include organizing their procurement via OCCAR or NATO. In practice, this tends to increase flexibility for the contracting authority but risks lowering the transparency of the procedure as well as limiting access to justice for non-successful tenderers to challenge the legality of an award decision.

## EUROPEAN MILITARY SALES MECHANISM

The European Military Sales Mechanism (MSM) is a significant practical innovation consisting of:

- **A centralized catalog via an IT platform:** A central, up-to-date catalog of defense products will be established by the Commission upon consultation of the EDA, and populated on a voluntary basis by MSs, Ukraine and economic operators. Catalog entries will be limited to eligible manufacturers under EDIP rules, indicate whether the manufacturer has full design-authority free from restrictions by non-associated third countries or entities, and may reference Union support received.

- **Creation and financing of Defense Industrial Readiness Pools:** A consortium of at least three countries (Member States, associated countries or Ukraine), of which at least two must be MSs; or a SEAP, may establish and maintain pooled stocks of defense products to build up reserves of critical equipment by making additional purchases. When one is established in the context of a SEAP, EDIP can provide co-financing both for the common procurement, and to organize the maintenance of the equipment acquired. These reserves can then be sold or leased on an immediate and preferential basis to all possible participants via government-to-government contracts for the purposes of the Defense Procurement Directive, simplifying execution and export-control alignment.

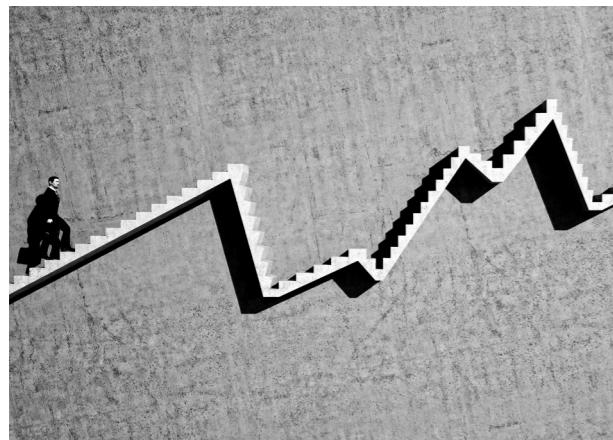


# Support for Industrial Production ramp-up

EDIP has also been conceived as a tool to perpetuate the competences acquired by the EU defense industry through the short-term Act in Support of Ammunition Program (**ASAP**). As such, the following measures have been included, with a particular focus on SMEs and SMCs:

## FUND TO ACCELERATE DEFENSE SUPPLY-CHAINS TRANSFORMATION (FAST)

**FAST** is a blending operation, implemented under the framework of InvestEU and the Financial Regulation, to leverage, de-risk and speed up investments needed to increase EU-based SMEs' and small mid-caps' defense manufacturing capacities. It can provide debt and/or equity to undertakings that are manufacturing or imminently industrializing defense products, or becoming part of the Union's defense supply chains, with the infrastructure used for industrialization located in the EU/associated countries (subject to targeted exceptions). Overall, FAST aims to act as a multiplier effect, accelerating manufacturing investment, and strengthening security of supply across value chains.



## EUROPEAN DEFENSE PROJECTS OF COMMON INTEREST (EDPCIS)

EDPCIs are defined as large collaborative industrial projects that reinforce the European defense sector across all operational domains, including dual-use. To be eligible for funding, an EDPCI must:

- involve at least four Member States. All MSs, associated countries and Ukraine shall be given the opportunity to participate,
- significantly strengthen EDTIB competitiveness and innovation, broaden cross-border cooperation (including SMEs/mid-caps), reduce fragmentation and strategic dependencies, and scale capacities,
- be consistent with CFSP capability priorities (CDP), Strategic Compass, CARD opportunities, and take into account PESCO, EDA initiatives and relevant NATO activities; and
- be significant in size/scope or risk and yield benefits that outweigh costs, with benefits extending widely across the Union.

Following the trilateral negotiations, it will finally fall within the Council's power to identify EDPCIs, via qualified majority, based on a Commission proposal. Participating MSs must apply EDIP-equivalent eligibility criteria in related contracts and report annually on implementation. New actors may join only with unanimous consent of existing participating MSs.

Furthermore, it is relevant to note that the planning, construction and operation of production facilities related to an EDPCI may be considered an imperative reason of overriding public interest as defined by Member States' broader legal frameworks, provided that the remaining other conditions set out in those provisions are fulfilled. On top of the Program funding, Member States may, without prejudice to Articles 107 and 108 TFEU, apply support schemes and provide administrative support to EDPCIs.

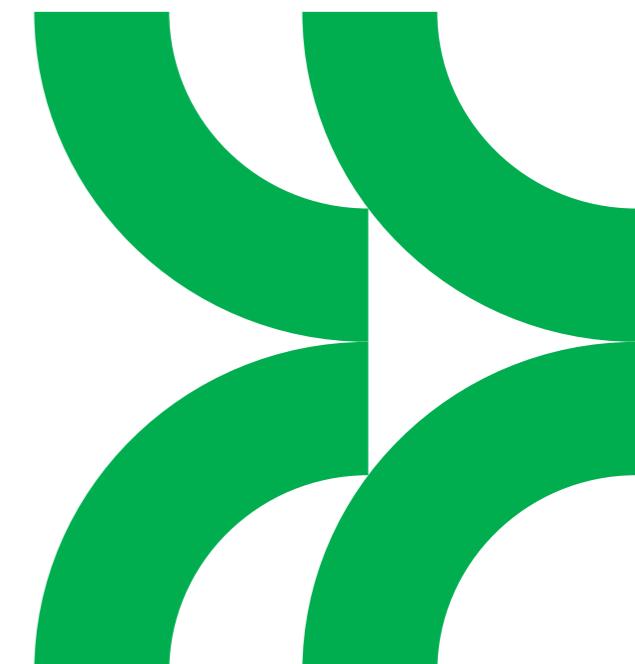
# Security of supply: a Union-wide regime

EDIP establishes the first EU-level security-of-supply regime for defense products to anticipate, prepare for and respond to supply crises that risk fragmenting the internal market. In summary, it operates across the following three pillars:

- **Preparedness:** The Commission will map defense supply chains, identify crisis-relevant products and bottlenecks, draw up and update lists of national certification authorities, and facilitate cross-certification. Member States must give the fastest treatment legally possible to permitting, qualification and certification applications for facilities producing crisisrelevant products. In a declared crisis, Council implementing acts may set maximum processing times for intra-EU transfer licenses of crisisrelevant components under Directive 2009/43/EC; such time limits may not exceed two weeks and may be accompanied by enduse declarations.

• **Crisis response:** Upon activation of a security-related supply-crisis, the Union can deploy measures to ease intra-EU transfers, prioritize orders of crisis-relevant products, and support emergency innovation actions aimed at shortening delivery lead times, simplifying production processes for mass production, or replacing components with EU-available alternatives. Economic operators in the Union that become subject to thirdcountry prioritized measures must notify the Commission where those measures could significantly affect the Union's security of supply.

• **Cooperative procurement facilitators:** In a crisis, where Member States are engaged in common procurement, they may add contracting authorities to existing framework agreements and rely on targeted derogations to allow direct awards where necessary to implement defense cooperation that requires identical or interchangeable equipment across participating countries.



# What's coming next: Europe's Defense Readiness Roadmap 2030

The EDIP Regulation will enter into force on the day following that of its publication in the Official Journal of the European Union. As regards the Program, which is expected to see its budget increased following legislators' calls to redirect third country financial contributions made under the SAFE, with priority for the FAST mechanism. By June 30, 2027, the European Commission (**EC**) will publish an evaluation report assessing its implementation and impact, and the need for its revision.

On a broader level, co-legislators have also reached an agreement regarding the Regulation as regards incentivizing defense-related investment in the EU budget (so-called '**defense mini-omnibus**'), amending the corresponding regulations to open key EU-funding programs to defense-related investments (the Digital Europe Program, European Defense Fund (EDF), Connecting Europe Facility, Strategic Technologies for Europe Platform (STEP), and Horizon Europe). Additionally, on November 19, the EC presented its "**Military Mobility**" Regulation, introducing the first comprehensive and harmonized EU framework for military transport. Both developments are relevant as they open additional EU funding windows for defense related projects, and streamline cross border infrastructure financing, accelerating procurement and contracting pipelines, and creating new opportunities across dual-use infrastructure and logistics.

Besides, and coinciding with the inter-institutional agreement on EDIP, on October 16, 2025, the European Commission presented its Communication on a "**Defense Readiness Roadmap**". This document proposes concrete milestones to close capability gaps by 2030, connect procurement to industrial capacity, and launch pan-European flagships; with joint procurement moving toward 35% of total defense investment, and at least 55% of investment sourced from the EDTIB.

The Roadmap is structured around key priorities: (i) ensuring credible deterrence and rapid response to aggression, (ii) strengthening Europe's industrial and technological base to sustain modern warfare capabilities, (iii) accelerating defense investment and innovation, (iv) deepening cooperation with NATO and transatlantic partners, and (v) enhancing collective preparedness to face a global and multidimensional threat landscape.

So-called "capability coalitions" will drive delivery in "priority areas" (air and missile defense, artillery, ammunition, cyber warfare, ground combat, drones/counterdrones, maritime, mobility and strategic enablers); with the EDA and Member States providing the analytical backbone and annual reporting to the European Council.

Furthermore, the launch of flagship projects will serve to steer investments and a coordinated approach in pan-European projects implying progress in sectors across and beyond the core areas outlined above: the [European Drone Defense Initiative](#), the [Eastern Flank Watch](#), and the [European Air and Space Shields](#).

The latter aligns closely with the European Space Agency's "European Resilience from Space" initiative announced on October 28, 2025, by ESA Director General Josef Aschbacher. The ESA program aims to pool national space capabilities and develop a network of defense-grade reconnaissance satellites and related services – intelligence, surveillance, secure communications, and navigation – to strengthen Europe's resilience and autonomy in the face of evolving security threats. Whereas European space programs are primarily civil (Galileo, IRIS<sup>2</sup>), this initiative is designed to directly support armed forces and defense users.

Below is a concise view of the main legislative and programmatic milestones:

MEASURE	NATURE	KEY MILESTONES/DATES
Defense Readiness Omnibus + Mini-Omnibus	Legislative packages	Adoption by end-2025, Q1 2026.
Military Mobility Regulation	Legislative package	Adoption by end-2026; New Military Mobility window under Connecting Europe Facility (CEF) operational by end-2027.
Capability Coalitions	Intergovernmental/process	Lead nations defined by early-2026; Launch projects H1-2026; ≥40% Joint procurement by end-2027; Contracts in place by end-2028.
European Drone Defense Initiative + Eastern Flank Watch	Programmatic flagships	EU Council endorsement by end-2025; Q1-2026 launch both initiatives with first EDIP and SAFE pre-financing; End2026: initial operational capacity. Functional by end 2028.
European Air Shield	Programmatic flagship	EU Council endorsement by end-2025; Q2-2026 launch; EDF/EDIP prioritization by end-2026.
European Space Shield	Programmatic flagship	EU Council endorsement by end-2025; Q2-2026 launch; EDF/EDIP prioritization from 2026.
Tech Alliances for Defense	Programmatic	End2025: Establishment by the EC, bridging dual use innovation to capability needs.
Industrial ramp-up overview + Critical raw materials risk/action plan	Programmatic	Mid2026: Commission overview of industrial capacity rampup needs. H22026: CRM dependency risk analysis and Action Plan.
Financing architecture (next Multi-Financial Framework (MFF))	Budgetary	End2027: new MFF instruments operational (Competitiveness Fund defense window; Horizon dualuse; Military Mobility window) Q32028: SAFE at least 50% disbursed.

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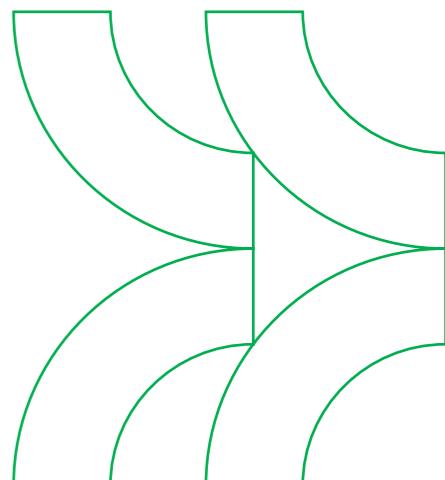
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