



Brussels, 16.3.2022
C(2022) 1783 final

COMMISSION IMPLEMENTING DECISION

of 16.3.2022

on the financing of the individual measure in favour of Ukraine for 2022

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU, Euratom) 2018/1046¹ of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012, and in particular Article 110 thereof,

Having regard to Regulation (EU) 2021/947² of the European Parliament and of the Council of 9 June 2021 establishing the Neighbourhood, Development and International Cooperation Instrument - Global Europe, amending and repealing Decision No 466/2014/EU and repealing Regulation (EU) 2017/1601 and Council Regulation (EC, Euratom) No 480/2009, and in particular Article 23(3) thereof,

Whereas:

- (1) In order to ensure the implementation of the individual measure in favour of Ukraine for 2022, it is necessary to adopt an annual financing Decision, which constitutes the annual work programme, for 2022. Article 110 of Regulation (EU, Euratom) 2018/1046 ('the Financial Regulation') establishes detailed rules on financing Decisions.
- (2) The envisaged assistance is to comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU³.
- (3) The Commission has adopted the Multiannual Indicative Programme for Ukraine⁴ for the period 2021 - 2027, which sets out the following priorities: (a) "a resilient, sustainable and integrated economy"; (b) "accountable institutions, the rule of law and security"; (c) "environmental and climate resilience"; (d) "a resilient digital transformation"; and (e) "a resilient, gender-equal, fair and inclusive society".
- (4) In the night of 24 February 2022, the Russian Federation started an unprovoked and unjustified military aggression against Ukraine.

¹ OJ L 193, 30.7.2018, p.1.

² OJ L 209, 14.6.2021, p.1.

³ www.sanctionsmap.eu Please note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy between the published legal acts and the updates on the website it is the OJ version that prevails.

⁴ Commission Implementing Decision C(2021)9351 of 13.12.2021.

- (5) The objective pursued by the individual measure, to be financed under the Neighbourhood geographic programme of Regulation (EU) 2021/947, is to support societal and state resilience in Ukraine contributing to the government's policy to improve its civilian crisis preparedness and response system.
- (6) The action entitled 'State and Resilience Building Contract for Ukraine' aims at assisting Ukraine to mitigate the impact of the current and potential future crises in Ukraine by strengthening civilian crisis preparedness and management at both central and local level.
- (7) It is necessary to allow for the payment of interest due for late payment on the basis of Article 116(5) of the Financial Regulation.
- (8) In order to allow for flexibility in the implementation of the action plan, it is appropriate to allow changes which should not be considered substantial for the purposes of Article 110(5) of the Financial Regulation.
- (9) The measure provided for in this decision is in accordance with the opinion of the Committee established under Article 45 of Regulation (EU) 2021/947.

HAS DECIDED AS FOLLOWS:

Article 1
The individual measure

The financing Decision, constituting the annual work programme for the implementation of the individual measure in favour of Ukraine for 2022, as set out in the Annex, is adopted.

The individual measure shall include the following action: State and Resilience Building Contract for Ukraine.

Article 2
Union contribution

The maximum Union contribution for the implementation of the individual measure in favour of Ukraine, for 2022 is set at EUR 120 000 000, and shall be financed from the appropriations entered in the following line of the general budget of the Union:

- budget line 14.020111: EUR 120 000 000.

The appropriations provided for in the first paragraph may also cover interest due for late payment.

Article 3
Flexibility clause

Increases⁵ or decreases of up to EUR 10 million and not exceeding 20% of the contribution set in the first paragraph of Article 2, or cumulated reassignments of funds between actions contained in an action plan not exceeding 20% of that contribution, as well as extensions of the implementation period shall not be considered substantial within the meaning of Article 110(5) of Regulation, provided that these changes do not significantly affect the nature and objectives of the actions.

⁵ These changes can come from external assigned revenue made available after the adoption of the financing Decision.

The authorising officer responsible may apply the changes referred to in the first paragraph acting in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 16.3.2022

For the Commission
Olivér VÁRHELYI
Member of the Commission