

EN

ANNEX

Commission Implementing Decision amending several Commission Implementing Decisions financing the European Union bilateral and regional cooperation with Ukraine

Modification of the Action Documents annexed to the Decisions listed in the Amending Decision

1. The Overall Objectives of the Action Documents are amended to also include the following:

“Strengthen Ukraine’s resilience to respond to urgent needs by the Ukrainian central and local authorities as well as the population resulting from the war situation following the Russian aggression.”

2. The Specific Objectives of the Action Documents are amended to also include additional cross-cutting elements, as listed below:

To address immediate war-related population needs, besides those covered by humanitarian aid:

- addressing the immediate population needs and provide inter alia water, sanitation, energy, food, health care and health products, shelter to reduce the impact of the war on the distressed population complementing EU humanitarian and civil protections assistance;
- addressing war-related needs and carrying out short-term rehabilitation and reconstruction to enable the victims from the armed conflicts to benefit from a minimum of socio-economic standards;
- providing support for measures to address the impact of sudden population movements and casualty events with relevance to the war situation;
- strengthening crisis and conflict response capacities and improving safety of the population and the critical service providers affected by the armed conflict.

To strengthen resilience and build capacities to respond to war-generated impacts:

- enhancing capacities to strengthen energy security, critical infrastructure protection as well as cyber-security and information security to respond to hybrid threats by contributing to a resilient digital environment in line with human rights standards and principles
- strengthening economic resilience and supporting individuals, communities, institutions, and countries to quickly recover from the shocks of the armed conflict and to build back better / supporting digital and green transition of Ukraine;

- rebuilding and restoring livelihoods and social and health services in the face of the significant disruptions caused by the war, including actions that are linking relief, rehabilitation and development;
 - enhancing societal resilience including support to fight against disinformation and by promoting an enabling environment for media, civil society and the support to internally displaced people and refugees;
 - contributing to the enhancement of the country's energy resilience by restoring and strengthening its production, delivery and supply capabilities following the negative effects of the war; while contributing to country's green transition and sustainable recovery
 - enhancing the resilience of institutions at national, regional and local level, and promoting international cooperation, including support to European integration.
 - Rebuild and improve the supply of goods and necessities delivered by sea, rail, air and roads through the improvement or the reconstruction of national supply chains and infrastructure destroyed, captured or otherwise impacted by the war.
3. In order to avoid any possible doubts, the activities envisaged in the Action Document are amended by the following list of ineligible costs:
- a. Any expenditure arising from operations having military or defence implications (e.g. military equipment, arms, ammunitions). This does not include expenditure linked to the provision of personal protective equipment.
 - b. Making available funds or other economic resources, directly or indirectly, to or for the benefit of any natural or legal person, entity or body listed in EU restrictive measures¹ are prohibited, subject to possible exceptions provided for in those restrictive measures.
 - c. Expenditures which may benefit, in any possible way, Belarusian or Russian public authorities are also forbidden. However, exemptions may be granted by the contracting authorities in well justified cases, such as for humanitarian purposes, civil society support and people-to-people contacts.
4. The Implementation Modalities are integrated into the following paragraph of the Action Documents:

Direct Management (Grants)

a) Purpose of the grant(s)

Pursuant to Article 195 FR, grants may be awarded directly for the purpose of implementing activities contributing to the achievement of any of the cross-cutting specific objectives. Such grants may be considered as complementing and integrating any of the activities already under implementation under any of the components of the relevant action.

b) Type of applicants targeted

¹ 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

Application to be awarded grants may be submitted by any legal entities, natural persons or groupings without legal personality; local authorities, public bodies, international organisations, NGOs, economic operators such as SMEs, EU Member State administrations or their mandated bodies.

Eligible actions shall be implemented within the territory of Ukraine, as well as in third countries affected by the population outflows, whenever necessary.

Eligibility for applicants established as a local authority or public body in Belarus or Russia is in principle not allowed.

c) Exception to the non-retroactivity of costs

Pursuant to Article 193.2 FR, costs incurred after the 24 February 2022, may exceptionally be considered as eligible if incurred before the award of a grant, in the event of extreme urgency where an early engagement by the Union would be of major importance.