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ANNEX

of the Commission Implementing Decision amending several Commission Implementing Decisions financing the European Union regional and bilateral cooperation with the Republic of Moldova and Georgia

The Action Documents in the annex to the Decisions listed in Article 1 of the Commission Implementing Decision are amended as follows:

1. The Overall Objectives of these Action Documents:

C(2016)4857 of 20.7.2016 - Commission Implementing Decision on the ENI East Regional Action Programme 2016 and 2017, Part I, to be financed from the general budget of the European Union

C(2016)6833 of 20.10.2016 - Commission Implementing Decision on the ENI East Regional Action Programme 2016 Part II, to be financed from the general budget of the European Union

C(2017)7757 of 17.11.2017 - Commission Implementing Decision on the Neighbourhood East Regional Action Programme 2017 Part I (including 1 action on budget 2018 and 2019), to be financed from the general budget of the European Union

C(2017)7963 of 27.11.2017 - Commission Implementing Decision on the ENI East Regional Action Programme 2017 Part 2 (including two actions on budget 2018 and two actions on budget 2018 & 2019), to be financed from the general budget of the European Union

C(2018)3253 of 28.5.2018 - Commission Implementing Decision on the ENI East Regional Action Programme 2018, Part 1, to be financed from the general budget of the European Union

C(2018)6298 of 4.10.2018 - Commission Implementing Decision on the ENI East Regional Action Programme 2018 part II (including one action on the 2019 budget) to be financed from the general budget of the Union

C(2018)8184 of 29.11.2018 - Commission Implementing Decision on the ENI East Regional Action Programme 2018 part III to be financed from the general budget of the Union

C(2018)8170 of 5.12.2018 - Commission Implementing Decision on the annual action programme in favour of the Eastern Partnership region for 2018

C(2019)5165 of 3.7.2019 - Commission Implementing Decision on the annual ENI East Regional Action Programme 2019 part 1

C(2019)5639 of 24.7.2019 - Commission Implementing Decision on the ENI East Regional Action Programme for 2019, Part 2, including some actions to be carried out in 2020, to be financed from the general budget of the European Union

C(2019)7434 of 17.10.2019 - Commission Implementing Decision on the ENI East Regional Action Programme 2019, part 3, including some actions to be carried out in 2020, to be financed from the general budget of the European Union

C(2019)8382 of 19.11.2019 - Commission Implementing Decision on the ENI East Regional Action Programme 2019 part 4

C(2019)8735 of 28.11.2019 - Commission Implementing Decision on the annual action programme in favour of the Eastern Partnership region for 2019, Part 5

C(2020)4350 of 25.6.2020 - Commission Implementing Decision on the ENI East Regional Action Programme 2020 Part 2, to be financed from the general budget of the European Union

C(2020)6304 of 18.9.2020 - Commission Implementing Decision on the ENI East Regional Action Programme 2020 Part 3 to be financed from the general budget of the European Union

C(2020)3048 of 6.5.2020 - Commission Implementing Decision on a special measure concerning EU COVID-19 solidarity for the Eastern Partnership for 2020 to be financed from the general budget of the Union

C(2020)9248 of 15.12.2020 - Commission Implementing Decision on the ENI East Regional Action Programme 2020 part 4, to be financed from the general budget of the Union

C(2021)5967 of 10.8.2021 - Commission Implementing Decision on the special measure EU support for COVID-19 vaccine deployment in the Eastern Partnership for 2021 to be financed from the general budget of the Union

C(2021)9719 of 16.12.2021 - Commission Implementing Decision on the financing of the multiannual action plan in favour of the NDICI Neighbourhood East Region part 1 for 2021-2022

are amended to include the following:

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

2. The Overall Objectives of these Action Documents:

C(2016)7752 of 24.11.2016 - Commission Implementing Decision on the Annual Action Programme 2016 in favour of the Republic of Moldova to be financed from the general budget of the European Union

C(2017)8292 of 5.12.2018 Commission Implementing Decision amending Commission Implementing Decision C(2017) 7533 of 8.11.2017 on the Annual Action Programme 2017 in favour of the Republic of Moldova to be financed from the general budget of the Union

C(2018)8213 of 5.12.2018 - Commission Implementing Decision on the annual action programme 2018 in favour of the Republic of Moldova

C(2019)7455 of 17.10.2019 - Commission Implementing Decision on the annual action programme in favour of the Republic of Moldova for 2019

C(2020)4805 of 9.7.2020 - Commission Implementing Decision on the annual action programme in favour of the Republic of Moldova for 2020

C(2020)9249 of 15.12.2020 - Commission Implementing Decision on the annual action programme part 2 for 2020 in favour of the Republic of Moldova

are amended to include the following:

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

3. The Overall Objectives of these Action Documents:

C(2016)7556 of 23.11.2016 - Commission Implementing Decision on the Annual Action Programme 2016 in favour of Georgia

C(2017)8575 of 11.12.2017 - Commission Implementing Decision on the Annual Action Programme 2017 in favour of Georgia

C(2018)8064 of 28.11.2018 - Commission Implementing Decision on the Annual Action Programme in favour of Georgia for 2018

C(2019)8383 of 19.11.2019 - Commission Implementing Decision on the Annual Action Programme 2019 in favour of Georgia

C(2020)4959 of 15.7.2020 - Commission Implementing Decision on the Annual Action Programme 2020 in favour of Georgia

are amended to include the following:

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

4. The Specific Objectives of the Action Documents listed in Article 1 of the amending Decision are amended to also include additional *cross-cutting* elements, as listed below:

To address immediate war-related population needs following Russia’s aggression, besides those covered by humanitarian aid and in close co-operation with relevant EU services.

- 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;
- building resilience to deal with crisis situations such as a large influx of refugees, as a result of Russia’s aggression against Ukraine, by developing infrastructures for sanitation, food, shelter, healthcare and to allow for orderly transit for those people wishing to leave the country including for patients in need of healthcare;
- strengthening crisis and conflict response capacities and improving the safety of the population, first responders, and the critical service providers affected by the armed conflict.

To strengthen resilience and build capacities to respond to war-generated impacts following Russia’s aggression:

- 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 / including by supporting the digital and green transition of Moldova and of Georgia;
- rebuilding and restoring livelihoods and social, health and education services in the face of the significant disruptions caused by the war, including actions that are linking relief, rehabilitation, and development in line with build back better principles¹;
- 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 the countries' green transition and sustainable recovery
- enhancing the resilience and response capacities 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.

5. In order to avoid any possible doubts, in the activities envisaged in the Action Documents listed in Article 1 of the amending Decision, the following list of ineligible costs is added:
- 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 measures² is 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 as they are also prohibited by the EU restrictive measures. However, derogations may be granted by the contracting authorities in well justified cases, such as for civil society support and people-to-people contacts, if the EU restrictive measures provide for derogations of such funds.

¹ 'Build back better principles' as provided in the Joint Staff Working Document "Recovery, resilience and reform: post 2020 Eastern Partnership priorities" of 02.7.2021 (SWD(2021) 186 final)

² 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

6. The Implementation Modalities of the Action Documents listed in Article 1 of the amending Decision are amended to include the following paragraphs:

Direct Management (Grants)

a) Purpose of the grant(s)

Pursuant to Article 195(a) of the Financial Regulation, and in light of the emergency resulting from the Russian aggression against Ukraine 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

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 Moldova and of Georgia, as well as in third countries affected by the population outflows, whenever necessary and justified pursuant to Article 43(1) NDICI.

Eligibility for applicants established as a local authority or public body in Belarus or Russia is in principle not allowed due to EU restrictive measures.

c) Exception to the non-retroactivity of costs

Pursuant to Article 193.2 of the Financial Regulation, 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.

Please note, however, that grants shall not be awarded retroactively for actions already completed.