COMMISSION IMPLEMENTING DECISION

of 12.4.2022

amending Implementing Decision C(2022)1783 final on the financing of the individual measure in favour of Ukraine for 2022
THE EUROPEAN COMMISSION,

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


Whereas:

(1) By Commission Implementing Decision C(2022)1783 final the Commission adopted the individual measure in favour of Ukraine for 2022 including one action: “State and Resilience Building Contract for Ukraine”.

(2) Following the unprovoked and unjustified military aggression initiated on 24 February 2022 by Russia against Ukraine, the urgent need arose to provide a quick response to support the Ukrainian authorities and the Ukrainian population under these unprecedented circumstances.

(3) Consequently, it is considered appropriate to modify the Implementing Decision C(2022)1783 final in order to contribute to the Union response to address some of the most urgent needs resulting from the war in Ukraine by introducing a new action with a budget of EUR 330 000 000, to be financed under the Neighbourhood geographic programme of Regulation (EU) 2021/947.

(4) The increase in the financial allocation, under Implementing Decision C(2022)1783 final should contribute to the additional action: “Action II - EU Emergency Support Programme for Ukraine”, aimed at alleviating the suffering of the Ukrainian

---

3 Commission Implementing Decision of 16 March 2022 on the financing of the individual measure in favour of Ukraine for 2022.
population caused by the military attack on Ukraine by Russia and strengthen the resilience of Ukraine.

(5) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.

(6) The Commission should authorise the eligibility of costs as of a date preceding that of submission of a grant application, which is prior to the date of adoption of this Decision.

(7) Pursuant to Article 26(1) of Regulation (EU) 2021/947, indirect management is to be used for the implementation of the action.

(8) The Commission is to ensure a level of protection of the financial interests of the Union with regards to entities and persons entrusted with the implementation of Union funds by indirect management as provided for in Article 154(3) of the Financial Regulation.

(9) To this end, such entities and persons are to be subject to an assessment of their systems and procedures in accordance with Article 154(4) of the Financial Regulation and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) thereof before a contribution agreement can be signed.

(10) It is necessary to allow for the payment of interest due for late payment on the basis of Article 116(5) of Regulation (EU, Euratom) 2018/1046.

(11) 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 Regulation (EU, Euratom) 2018/1046.

(12) Therefore, Decision C(2022)1783 final should be amended accordingly.

(13) The proposed assistance is to comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU⁴.

(14) This amendment is in accordance with the opinion of the Committee established under Article 45 of Regulation (EU) 2021/947.

HAS DECIDED AS FOLLOWS:

Sole Article

Implementing Decision C(2022)1783 final is amended as follows:

Article 1 is replaced by the following article:

“Article 1

The measure

The annual 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 Annexes, is adopted.

The individual measure shall include the following actions:

⁴ 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.
Annex I: State and Resilience Building Contract for Ukraine
Annex II: EU Emergency Support Programme for Ukraine.”

Article 2 is replaced by the following article:

“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 450 000 000, and shall be financed from the appropriations entered in the following line of the general budget of the Union:

(a) - budget line 14.020111: EUR 450 000 000.

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

The following articles are added:

“Article 4
Methods of implementation and entrusted entities or persons

The implementation of the actions carried out by way of indirect management, as set out in Annex II, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 4.3.2 of Annex II.

Article 5
Grants

Grants may be awarded without a call for proposals in accordance with the conditions set out in Annex II. Grants may be awarded to the bodies selected in accordance with point 4.3.1 of Annex II.

Article 6
Retroactivity

The amendment provided for by this Decision shall apply to costs incurred as from 24 February 2022 in accordance with Article 193(2) of Regulation 2018/1046 on the financial rules applicable to the general budget of the Union and under the specific conditions foreseen in the Annex of the present decision.”

The text of the Annex to this decision is added as Annex II.

Done at Brussels, 12.4.2022

For the Commission
Olivér VÁRHELYI
Member of the Commission