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COMMISSION IMPLEMENTING DECISION

of 12.12.2022

**on financing emergency response actions under the Union Civil Protection Mechanism
for 2023**

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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) 2018/1046 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 966/2012¹, and in particular Article 110 thereof,

Having regard to Decision No 1313/2013/EU of the European Parliament and of the Council of 17 December 2013 on a Union Civil Protection Mechanism², and in particular Article 25(5) thereof,

Whereas:

- (1) In order to ensure the implementation of the Union Civil Protection Mechanism and guarantee the continuity of emergency response actions thereunder, it is necessary to adopt an annual financing decision for the year 2023. Article 110 of Regulation (EU, Euratom) 2018/1046 ('the Financial Regulation') establishes detailed rules on financing decisions.
- (2) Response actions under the Union Civil Protection Mechanism essentially consist of dispatching expert teams, giving financial support to transporting civil protection assistance in the event of disasters inside and outside the Union, in compliance with Commission Implementing Decision 2014/762/EU³, in particular Chapters 12 and 13 thereof, and providing financial support to operational costs of deployment of assistance from the European Civil Protection Pool and rescEU reserve inside and outside the Union, in accordance with Commission Implementing Decision (EU) 2019/1310⁴.
- (3) Pursuant to a request for assistance, there may be a need to take additional necessary supporting and complementary action in order to facilitate the coordination of response in the most effective way under the Union Civil Protection Mechanism, in accordance with Article 22, point c) of Decision No 1313/2013/EU.

¹ OJ L 193, 30.7.2018, p. 1.

² OJ L 347, 20.12.2013, p. 924.

³ Commission Implementing Decision 2014/762/EU of 16 October 2014 laying down rules for the implementation of Decision No 1313/2013/EU of the European Parliament and of the Council on a Union Civil Protection Mechanism (OJ L 320, 16.10.2014, p. 1).

⁴ Commission Implementing Decision (EU) 2019/1310 of 31 July 2019 laying down rules on the operation of the European Civil Protection Pool and rescEU (OJ L 204, 02.08.2019, p. 94).

- (4) The Union financial support for transport resources should cover eligible costs such as short-term rental of warehousing capacities, repackaging of Member States'⁵ assistance and local transport of pooled assistance, where this is necessary to make the pooling of Member States' assistance operationally effective, in accordance with Article 23(4) of Decision No 1313/2013/EU.
- (5) In accordance with Article 12 of Commission Implementing Decision (EU) 2019/1310⁶, the Union financial assistance for operational costs should cover all the costs of running a capacity during an operation that are necessary to make it operationally effective.
- (6) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (7) The envisaged assistance is to comply with the conditions and procedures set out by the restrictive measures⁷ adopted pursuant to Article 215 TFEU.
- (8) 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.
- (9) In order to allow for flexibility in the implementation of this Decision, it is appropriate to define changes which should not be considered substantial for the purposes of Article 110(5) of the Financial Regulation.
- (10) Pursuant to Article 25(5) of Decision No 1313/2013/EU, the application of the examination procedure referred to in Article 33(2) of that Decision is not required for the financing of disaster response actions under the Union Civil Protection Mechanism.

HAS DECIDED AS FOLLOWS:

Article 1
Emergency response actions

The annual financing decision for the implementation of emergency response actions under the Union Civil Protection Mechanism ('rescEU') for 2023, as set out in the Annex, is adopted.

Article 2
Union contribution

1. The maximum Union contribution for the implementation of the emergency response actions for 2023 is set at EUR 27 500 000 and shall be financed from the

⁵ In light of Article 28(1a) of Decision No 1313/2013/EU, where reference is made to Member States, it shall be understood as including Participating States as defined in Article 4(12) of Decision No 1313/2013/EU.

⁶ Commission Implementing Decision (EU) 2019/1310 of 31 July 2019 laying down rules on the operation of the European Civil Protection Pool and rescEU (OJ L 204, 2.8.2019, p. 94).

⁷ www.sanctionsmap.eu. 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 the OJ prevails.

appropriations entered in budget line 06.0501⁸ - Union Civil Protection Mechanism (rescEU) of the general budget of the Union.

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

2. The implementation of this Decision is subject to the availability of the appropriations provided for in the general budget of the Union for 2023, following the adoption of that budget by the budget authority or as provided for in the system of provisional twelfths.

Article 3
Flexibility clause

Cumulated changes to the allocations to specific actions not exceeding 20 % of the maximum Union contribution set in the first paragraph of Article 2 of this Decision shall not be considered to be substantial for the purposes of Article 110(5) of the Financial Regulation, where those changes do not significantly affect the nature of the actions and the objective of the measures provided for by this Decision. The increase of the maximum Union contribution set in the first paragraph of Article 2 of this Decision shall not exceed 20 %.

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

Article 4
Grants

Grants may be awarded without a call for proposals to competent authorities designated by Member States as set out in the Annex. They may be awarded to the other entities authorised by the Member State to request and receive financial support from the Commission on behalf of that Member State in accordance with actions set out in point 2.1 of the Annex.

Done at Brussels, 12.12.2022

For the Commission
Janez LENARČIČ
Member of the Commission

⁸ Under reserve of nomenclature changes. In case of application of the system of provisional twelfths, nomenclature should be aligned with the structure of the 2023 budget.