



Brussels, 15.12.2022
C(2022) 9290 final

COMMISSION IMPLEMENTING DECISION

of 15.12.2022

on the financing of the Union Civil Protection Mechanism and adopting a multiannual work programme for 2021-2025 repealing and replacing Implementing Decision C(2022) 961 final

(Text with EEA relevance)

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on the financing of the Union Civil Protection Mechanism and adopting a multiannual work programme for 2021-2025 repealing and replacing Implementing Decision C(2022) 961 final

(Text with EEA relevance)

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) The Union Civil Protection Mechanism ('UCPM'), established by Decision No 1313/2013/EU, aims to strengthen cooperation between the Union and Member States and facilitate coordination in the field of civil protection in order to improve the effectiveness of systems for preventing, preparing for and responding to natural and man-made disasters.
- (2) The multiannual work programme for years 2021-2024 and the financing thereof was adopted by Commission Implementing Decision C(2022) 961 final³ and then amended by Commission Implementing Decision C(2022) 2474 final⁴. In Decision C(2022) 2474 final, the Commission set the maximum Union contribution for the UCPM at EUR 1 804 169 598 for years 2021-2024.
- (3) The extended grant allocation until 2025 concerns only action entitled 'rescEU capacities', which is essential to allow for the planned financing of aerial forest firefighting capacities as part of 'rescEU' to address an alarming acceleration of wildfires across Europe. The additional funds for the planned financing of 'rescEU

¹ OJ L 193, 30.7.2018, p. 1.

² OJ L 347, 20.12.2013, p. 924.

³ C(2022) 961 final, Commission Implementing Decision of 21.2.2022 on the financing of the Union Civil Protection Mechanism and adopting a multiannual work programme for 2021-2024 and repealing Implementing Decision C(2021) 935 final.

⁴ C(2022) 2474 final, Commission Implementing Decision of 25.4.2022 amending Commission Implementing Decision C(2022) 961 final on the financing of Decision No 1313/2013/EU of the European Parliament and of the Council on a Union Civil Protection Mechanism.

capacities' under action 2.2 of the Annex to this Decision give rise to the increase of budgetary allocation to the maximum Union contribution to EUR 2 873 508 890.

- (4) In order to ensure the implementation of the UCPM, and in particular due to the nature of the actions entitled 'rescEU capacities', which require additional budgetary resources from the Multiannual Financial Framework beyond its annual allocation, it is necessary to adopt a multiannual financing decision which constitutes the multiannual work programme for the years 2021-2025. Article 110 of Regulation (EU, Euratom) 2018/1046 establishes detailed rules on financing decisions.
- (5) The multiannual work programme 2021-2025, as set out in the Annex to this Decision, identifies the actions that should be eligible for financial assistance under the UCPM in the field of prevention, preparedness and horizontal actions.
- (6) In addition to the financial envelope for the Union Civil Protection Mechanism set out in the multiannual financial framework 2021-2027, Council Regulation (EU) 2020/2094⁵ established the European Union Recovery Instrument, whereby funds are allocated in the form of external assigned revenue to civil protection to support the recovery in the aftermath of the COVID-19 crisis. That additional funding should be included in the multiannual work programme, as set out in the Annex to this Decision.
- (7) Actions funded from the European Union Recovery Instrument should only be used for preparedness measures clearly related to the difficulties faced during the COVID-19 pandemic with the aim to prevent further waves of COVID-19 and of major crises of a similar nature, with significant public health consequences, as well as to allow for capacity building at Union level to enhance preparedness for future major crises of a similar nature, with significant public health consequences. Funding of activities in third countries or benefitting third countries should only be possible where those activities increase the crisis preparedness of the Union.
- (8) The Health Emergency Preparedness and Response ('HERA') actions that are funded from the UCPM should be implemented in accordance with Article 12 of Decision No 1313/2013/EU. Those actions should be implemented under the action entitled 'rescEU capacities' as laid down under point 2.2.3 of the Annex to this Decision. In addition, the IT Platform will be implemented under action 3.6 of the Annex to this Decision entitled 'IT support systems'. Accordingly, the budgetary allocation for HERA-related activities of EUR 636 000 000 for 2023 should be included in the multiannual work programme of the UCPM for 2021-2025.
- (9) The Commission should acknowledge and accept contributions from other donors in accordance with Article 21(2), point (e), of Regulation (EU, Euratom) 2018/1046 subject to the conclusion of the relevant agreement. Where such contributions are not denominated in euro, a reasonable estimate of conversion should be made.
- (10) The envisaged assistance is to comply with the conditions and procedures set out by the restrictive measures⁶ adopted pursuant to Article 215 TFEU.
- (11) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants on the basis of Article 195, points

⁵ Council Regulation (EU) 2020/2094 of 14 December 2020 establishing a European Union Recovery Instrument to support the recovery in the aftermath of the COVID-19 crisis (OJ L 433I, 22.12.2020, p. 23).

⁶ 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.

- (a), (c) or (d), of Regulation (EU, Euratom) 2018/1046. Grants may be awarded without a call for proposals to bodies in accordance with Article 195, point (c), of Article 195 of Regulation (EU, Euratom) 2018/1046 to those bodies that are competent authorities of Member States that have a de jure or de facto monopoly situation for actions related to civil protection matters or disaster management activities.
- (12) Pursuant to Article 62(1), point (c), of Regulation (EU, Euratom) 2018/1046 and Article 25(2) of Decision No 1313/2013/EU, indirect management can be used for the implementation of the programme.
- (13) 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 Regulation (EU, Euratom) 2018/1046. 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 Regulation (EU, Euratom) 2018/1046⁷ and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of the mentioned Regulation before a contribution agreement can be signed.
- (14) It is necessary to allow for the payment of interest due for late payment based on Article 116(5) of Regulation (EU, Euratom) 2018/1046.
- (15) In order to allow for flexibility in the implementation of the multiannual work programme, 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.
- (16) Implementing Decision C(2022) 961 final should therefore be repealed and replaced.
- (17) The measures provided for in this Decision are in accordance with the opinion of the Civil Protection Committee established by Article 33 of Decision No 1313/2013/EU,

HAS DECIDED AS FOLLOWS:

Article 1

The work programme

The multiannual financing decision, constituting the multiannual work programme for the implementation of the Union Civil Protection Mechanism ('UCPM') for the years 2021-2025, as set out in the Annex, is adopted.

Article 2

Union contribution

- (1) The maximum Union contribution for the implementation of the work programme for 2021-2025 is set at **EUR 2 873 508 890**⁸. It shall be financed from contributions from other donors to the general budget of the Union and from the appropriations entered in the following lines of the general budget of the Union:

⁷ The Commission may decide not to require an ex-ante assessment as referred to in paragraphs 3 and 4 in accordance with Article 154(6) of Regulation (EU, Euratom) 2018/1046.

⁸ The total financial allocation for 2021-2025 is composed of EUR 2 028 853 590 from the European Union Recovery Instrument and EUR 844 655 300 from the Multiannual Financial Framework (MFF). This amount includes an estimated amount of EUR 67 094 246 as UCPM Participating States and EFTA contributions that are subject to further changes.

- (a) budget line 06.0501 – Union Civil Protection Mechanism (rescEU) under the Multiannual Financial Framework for 2021: **EUR 127 740 471**;
 - (b) budget line 06.0501 – Union Civil Protection Mechanism (rescEU) under the Multiannual Financial Framework for 2022: **EUR 228 847 594**;
 - (c) budget line 06.0501 – Union Civil Protection Mechanism (rescEU) under the Multiannual Financial Framework for 2023: **EUR 184 809 900**;
 - (d) budget line 06.0501 – Union Civil Protection Mechanism (rescEU) under the Multiannual Financial Framework for 2024: **EUR 158 123 544**;
 - (e) budget line 06.0501 – Union Civil Protection Mechanism (rescEU) under the Multiannual Financial Framework for 2025: **EUR 145 133 791**;
 - (f) budget line 06.0501 - Union Civil Protection Mechanism (rescEU) from funds made available under the European Union Recovery Instrument for 2021: **EUR 656 018 678**;
 - (g) budget line 06.0501 - Union Civil Protection Mechanism (rescEU) from funds made available under the European Union Recovery Instrument for 2022: **EUR 691 993 652**;
 - (h) budget line 06.0501 - Union Civil Protection Mechanism (rescEU) from funds made available under the European Union Recovery Instrument for 2023: **EUR 680 841 260**.
- (2) The appropriations provided for in paragraph 1 may also cover interest due for late payment.
- (3) The implementation of this Decision is subject to the availability of the appropriations provided for in the general draft budget of the Union for 2023, 2024 and 2025 following the adoption of that budget by the budgetary authority.
- (4) Funding from the European Union Recovery Instrument shall only be used if the following cumulative conditions are met for each individual financing decision:
- (a) The funding shall be used for preparedness measures clearly related to the difficulties faced during the COVID-19 crisis, and that aim to address the risk of further waves of COVID-19 and of major crises of a similar nature, with significant public health consequences, as well as to allow for capacity building at Union level to enhance preparedness for future major crises of a similar nature, with significant public health consequences;
 - (b) Funding of activities in third countries or benefitting third countries is only possible where those activities increase the preparedness of the Union for the crises referred to in point (a).

Article 3

Methods of implementation and entrusted entities or persons

Cumulated changes⁹ 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 within the meaning of Article 110(5) of Regulation (EU, Euratom) 2018/1046, where those changes do not significantly affect the nature of the actions

⁹ These changes can come from assigned revenue made available after the adoption of the financing decision.

and the objective of the work programme. 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 in accordance with the conditions set out in the Annex. Grants may be awarded to the bodies selected in accordance with points 2.1.1, 2.1.2, 2.2.1, 2.2.2, 2.2.3, and 2.3.3 of the Annex.

Article 6

Repeal

Implementing Decision C(2022) 961 final is repealed and replaced.

References to Implementing Decision C(2022) 961 final shall be construed as references to this Decision.

Done at Brussels, 15.12.2022

For the Commission
Janez LENARČIČ
Member of the Commission