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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION establishing the position to be adopted on behalf of the European Union in the written procedure by the Participants to the Arrangement on Officially Supported Export Credits as regards the Common Line extending Ukraine's eligibility for tied aid

COUNCIL DECISION (EU) 2025/...

of ...

**establishing the position to be adopted on behalf of the European Union
in the written procedure by the Participants to the Arrangement
on Officially Supported Export Credits
as regards the Common Line extending Ukraine's eligibility for tied aid**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(4), first subparagraph, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The guidelines contained in the Arrangement on Officially Supported Export Credits (the ‘Arrangement’), developed within the framework of the Organisation for Economic Cooperation and Development (OECD), have been transposed and thus been made legally binding in the Union by virtue of Regulation (EU) No 1233/2011 of the European Parliament and of the Council¹.
- (2) Article 32 of the Arrangement lays down the country eligibility conditions for tied aid. In accordance with paragraph (a) thereof, no tied aid may be provided to countries whose per capita gross national income (GNI), according to the World Bank data, is above the upper limit for lower middle income countries. A country is reclassified only after its World Bank category has remained unchanged for two consecutive years.
- (3) In accordance with Article 35(e) of the Arrangement, a Participant to the Arrangement may, exceptionally and subject to the adoption of a Common Line, provide tied aid to a country that would otherwise not be eligible pursuant to Article 32 of the Arrangement.
- (4) In July 2025, the World Bank classified Ukraine as an upper middle income country for the second time. This implies that Ukraine is no longer eligible to receive tied aid. However, in line with the Union’s unwavering commitment to provide support to Ukraine and its people for as long as it is needed, it is in the interests of the Union to continue to be able to grant tied aid to Ukraine.

¹ Regulation (EU) No 1233/2011 of the European Parliament and of the Council of 16 November 2011 on the application of certain guidelines in the field of officially supported export credits and repealing Council Decisions 2001/76/EC and 2001/77/EC (OJ L 326, 8.12.2011, p. 45, ELI: <http://data.europa.eu/eli/reg/2011/1233/oj>).

- (5) The Participants to the Arrangement (the ‘Participants’) are to decide, in a written procedure, on the European Union’s proposal for a Common Line in accordance with Chapter IV, Section 5 of the Arrangement to extend Ukraine’s eligibility for tied aid.
- (6) In accordance with Article 59(a) of the Arrangement, Common Lines are valid for a period of two years. Common Lines which do not relate to a specific transaction may be extended in accordance with the procedures laid down in Articles 54 to 58 of the Arrangement. Since the Union may need to continue providing exceptional support to Ukraine for longer than two years, it is in the interests of the Union to be able to agree the extension of the proposed Common Line for up to a maximum of four years.
- (7) It is appropriate to establish the position to be taken on the Union's behalf regarding the proposed Common Line extending Ukraine’s eligibility for tied aid as well as the potential further extension thereof, as the proposed Common Line, once agreed, will be binding on the Union and will be capable of decisively influencing the content of Union law by virtue of Article 1 of Regulation (EU) No 1233/2011.
- (8) The position of the Union in the written procedure by the Participants should therefore be to support the proposal based on the draft Common Line attached to this Decision, and to support a potential extension thereof,

HAS ADOPTED THIS DECISION:

Article 1

1. The position to be adopted on the Union's behalf in the written procedure by the Participants to the Arrangement on Officially Supported Export Credits (the 'Participants') as regards the Common Line extending Ukraine's eligibility for tied aid shall be based on the draft Common Line attached to this Decision.
2. The position to be adopted on the Union's behalf in the written procedure by the Participants as regards the extension of the Common Line referred to in paragraph 1 shall be to support the extension for up to a maximum of four years.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at ..., ...

For the Council

The President
