



Council of the
European Union

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LIMITE

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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION amending Decision (CFSP) 2022/338 on an assistance measure under the European Peace Facility for the supply to the Ukrainian Armed Forces of military equipment, and platforms, designed to deliver lethal force

COUNCIL DECISION (CFSP) 2022/...

of ...

**amending Decision (CFSP) 2022/338 on an assistance measure
under the European Peace Facility
for the supply to the Ukrainian Armed Forces of military equipment,
and platforms, designed to deliver lethal force**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 28(1) and 41(2) thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) Council Decision (CFSP) 2022/338¹ establishes a financial reference amount of EUR 450 000 000 intended to cover supplies to the Ukrainian Armed Forces.
- (2) In light of the ongoing armed conflict on Ukrainian territory, the financial reference amount should be increased by an additional EUR 450 000 000 and the duration of the assistance measure extended by 12 months.
- (3) Decision (CFSP) 2022/338 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

¹ Council Decision (CFSP) 2022/338 of 28 February 2022 on an assistance measure under the European Peace Facility for the supply to the Ukrainian Armed Forces of military equipment, and platforms, designed to deliver lethal force (OJ L 60, 28.2.2022, p. 1).

Article 1

Decision (CFSP) 2022/338 is amended as follows:

(1) in Article 1, paragraph 4 is replaced by the following:

“4. The duration of the Assistance Measure shall be 36 months from the adoption of this Decision.”;

(2) in Article 2, paragraph 1 is replaced by the following:

“1. The financial reference amount intended to cover the expenditure related to the Assistance Measure shall be EUR 900 000 000.”;

(3) in Article 2, paragraph 3 is replaced by the following:

“3. In accordance with Article 29(5) of Decision (CFSP) 2021/509, the administrator for assistance measures may call for contributions following the adoption of this Decision, up to EUR 900 000 000. The funds called by the administrator for assistance measures shall only be used to pay expenditure within the limits approved by the Committee established by Decision (CFSP) 2021/509 in the 2022 amending budget corresponding to the Assistance Measure.”;

(4) in Article 2, paragraph 4 is replaced by the following:

“4. Expenditure related to the implementation of the Assistance Measure shall be eligible as from 1 January 2022 and until a date to be determined by the Council. At least 50 per cent of the financial reference amount shall cover expenditure incurred as of 11 March 2022.”;

(5) Article 5 is replaced by the following:

“Article 5

The Member States shall permit the transit of military equipment, including accompanying personnel, through their territories, including their airspace, consistent with Article 56(3) of Decision (CFSP) 2021/509.”.

Article 2

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

Done at ...,

For the Council

The President
