



Council of the
European Union

Brussels, 18 April 2023
(OR. en)

8382/23

LIMITE

TRANS 143
RELEX 467

NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Association of third countries to the Connecting Europe Facility programme - Explanatory note from the Commission

In view of the meeting of the Working Party on Transport - Intermodal Questions and Networks on 21 April 2023, delegations will find in the annex an explanatory note of the Commission services on the above subject.

Explanatory note of the Commission services on the association of third countries to the Connecting Europe Facility programme

Regulation (EU) 2021/1153 of the European Parliament and of the Council of 7 July 2021 on the establishing the Connecting Europe Facility and repealing Regulations (EU) No 1316/2013 and (EUR) No 283/2014¹, and in particular the Article 5 of it stipulates that the Connecting Europe Facility (CEF) shall be open to the participation of the third countries mentioned in the aforementioned Article.

To date, the Commission has received requests from Ukraine and the Republic of Moldova to be associated to the CEF programme, including all three sectors – transport, energy and digital. These requests are based on their respective association agreements which lay down the principles to their participation in the EU programmes:

- the Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part², provides for Ukraine's participation in the EU programmes, in particular the Articles 451 and 452, and Protocol III;
- the Protocol I to the Association Agreement³ between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part, on a Framework Agreement between the European Union and the Republic of Moldova provides for the Republic of Moldova's participation in the EU programmes.

For the multi-annual financial framework 2021-2027, the Commission has developed a harmonized approach towards third country association to the EU programmes, including a standard agreement template.

The Commission has carried out consultations with Ukraine and the Republic of Moldova concerning the association to the CEF programme with the aim to sign the agreements. The Commission has been informing the CEF transport committee⁴ on the progress of the consultations.

¹ OJ L 249, 14.7.2021, p. 38.

² OJ L 161, 29.5.2014, p. 3–2137.

³ OJ L 260, 30.8.2014, p. 4.

⁴ Established in accordance of the Article 24 of the Regulation (EU) 2021/1153