



Brussels, 21.2.2022
C(2022) 961 final

COMMISSION IMPLEMENTING DECISION

of 21.2.2022

on the financing of the Union Civil Protection Mechanism and adopting a multi-annual work programme for 2021-2024 and repealing Implementing Decision C(2021)935 final

COMMISSION IMPLEMENTING DECISION

of 21.2.2022

on the financing of the Union Civil Protection Mechanism and adopting a multi-annual work programme for 2021-2024 and repealing Implementing Decision C(2021)935 final

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) With Implementing Decision C(2021)935 final³, as amended by Implementing Decision C(2021)4759 final⁴, the Commission adopted the financing of the UCPM and the work programme for 2021-2023. In Article 2 of Implementing Decision C(2021)935 final, the maximum Union contribution for the implementation of the UCPM was set, for 2021-2023, at EUR 2 157 800 125.
- (3) With the recent establishment of the Health Emergency Preparedness and Response Authority by Decision C(2021)6712 final⁵, the budgetary allocation for the UCPM resulted into a reduction of EUR 1 266 000 000 of the funds from the European Union Recovery Instrument (respective deduction of EUR 630 000 000 for 2022 and EUR 636 000 000 for 2023). The budgetary change should be appropriately reflected in this Decision and in the work programme as set out in the Annex to this Decision. The

¹ OJ L 193, 30.7.2018, p. 1.

² OJ L 347, 20.12.2013, p. 924.

³ Commission Implementing Decision of 18.2.2021 on the financing of the Union Civil Protection Mechanism and the adoption of the work programme for 2021 (C(2021) 935 final).

⁴ Commission Implementing Decision of 1.7.2021 amending Implementing Decision C(2021)935 on the financing of the Union Civil Protection Mechanism and adopting a multi-annual work programme for years 2021- 2023 (C(2021) 4759 final).

⁵ Commission Decision of 16.9.2021 establishing the Health Emergency Preparedness and Response Authority (C(2021) 6712 final).

multi-annual work programme 2021-2024 contains only actions that will be implemented in the area of civil protection.

- (4) In order to ensure the implementation of the UCPM and in particular to ensure the implementation of rescEU capacities, it is necessary to adopt a multi-annual financing decision, which constitutes the multi-annual work programme for the years 2021-2024. Article 110 of Regulation (EU, Euratom) 2018/1046 establishes detailed rules on financing decisions.
- (5) The multi-annual work programme 2021-2024, 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 set out in the multi-annual financial framework 2017-2021, Council Regulation (EU) 2020/2094⁶ 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 reflected in the multi-annual 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 as well as to allow for capacity building at Union level to enhance preparedness for future major crises of a similar nature. 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 action entitled ‘rescEU capacities’ should develop additional reserve capacities defined as rescEU in order to support Member States in identified and emerging risks, in accordance with Article 12(2) of Decision No 1313/2013/EU.
- (9) The envisaged assistance is to comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU⁷.
- (10) The Commission should acknowledge and accept contributions from other donors in accordance with Article 21(2), point (a), 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.
- (11) Pursuant to Article 62(1), point (c), of Regulation (EU, Euratom) 2018/1046, indirect management can be used for the implementation of the programme.
- (12) 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

⁶ 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).

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 between the published legal acts and the updates on the website, the OJ prevails.

Regulation (EU, Euratom) 2018/1046⁸ and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of the mentioned Regulation before a contribution agreement can be signed.

- (13) 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 (c), (d) or (f), of Regulation (EU, Euratom) 2018/1046.
- (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 multi-annual 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) In order to ensure the capacity of the Union to finance preparedness actions under the UCPM in an uninterrupted manner, costs related to rescEU capacities can be eligible as of 1 January 2021, even if they were incurred before the grant application was submitted, in accordance with Article 25(4) of Decision No 1313/2013/EU.
- (17) Implementing Decision C(2021)935 final, as amended by Implementing Decision C(2021)4759 final, should therefore be repealed.
- (18) 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 multi-annual financing decision, constituting the multi-annual work programme for the implementation of the Union Civil Protection Mechanism ('UCPM') for the years 2021-2024, 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 2021-2024 is set at EUR **1 155 228 892**⁹. 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:
 - (a) budget line 06.0501 – Union Civil Protection Mechanism (rescEU) under the Multiannual Financial Framework for 2021: EUR 128 169 174;
 - (b) budget line 06.0501 – Union Civil Protection Mechanism (rescEU) under the Multiannual Financial Framework for 2022: EUR 97 675 787;

⁸ 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.

⁹ The total financial allocation for 2021-2024 is composed of EUR 739 988 330 from the European Union Recovery Instrument and EUR 415 240 561,75 from the Multiannual Financial Framework (MFF). The latter includes an estimated amount of EUR 45 747 545,75 as Participating States estimated contributions that are subject to further changes.

- (c) budget line 06.0501 – Union Civil Protection Mechanism (rescEU) under the Multiannual Financial Framework for 2023: EUR 27 500 000;
 - (d) budget line 06.0501 – Union Civil Protection Mechanism (rescEU) under the Multiannual Financial Framework for 2024: EUR 161 895 601;
 - (e) 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;
 - (f) budget line 06.0501 - Union Civil Protection Mechanism (rescEU) from funds made available under the European Union Recovery Instrument for 2022: EUR 45 793 652;
 - (g) budget line 06.0501 - Union Civil Protection Mechanism (rescEU) from funds made available under the European Union Recovery Instrument for 2023: EUR 38 176 000.
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 2022, 2023 and 2024 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 as well as to allow for capacity building at Union level to enhance preparedness for future major crises of a similar nature;
 - (b) In addition, funding of activities in third countries or benefitting third countries is only possible where those activities increase the crisis preparedness of the Union.

Article 3

Methods of implementation and entrusted entities or persons

The implementation of the actions carried out by indirect management, as set out in the Annex, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 5.3 of that Annex.

Article 4

Flexibility clause

Cumulated changes¹⁰ 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

¹⁰ 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 5

Grants

Grants may be awarded without a call for proposals in accordance with points (c), (d) or (f) of Article 195 of Regulation (EU, Euratom) 2018/1046 and the conditions set out in the Annex. Grants may be awarded to the bodies selected in accordance with points 2.1.2, 2.2.1, 2.2.2, 2.2.3, and 2.3.3 of the Annex.

Article 6

Retroactivity

Costs incurred for actions related to rescEU capacities under this Decision may be considered eligible as of 1 January 2021, even if they were incurred before the grant application was submitted.

Article 7

Repeal

Implementing Decision C(2021)935 final is repealed.

References to Implementing Decision C(2021)935 final shall be construed as references to this Decision.

Done at Brussels, 21.2.2022

For the Commission
Janez LENARČIČ
Member of the Commission