

EN  
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Reply  
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Since the start of Russia's unprovoked and unjustified military aggression against Ukraine, the EU has provided EUR 2.5 billion in assistance measures under the European Peace Facility (EPF) to reimburse Member States for lethal and non-lethal equipment provided to the Ukrainian Armed Forces.

At the request of the High Representative, the Ukrainian authorities have issued a statement on the end use of equipment received under the EPF, in accordance with the Council Decisions on EPF assistance measures to support the Ukrainian Armed Forces<sup>1</sup>. This includes the provision that the goods delivered under the EPF will be for the exclusive use of the Ukrainian Armed Forces, that they will neither be transferred to other services, nor re-exported, and that the Ukrainian Armed Forces will adequately secure them. In addition, all deliveries financed under the EPF are registered by type and category of military equipment.

Monitoring of the use of this military equipment is to be carried out under the authority of the High Representative, once the equipment has been definitely and contractually received and where the security situation on the ground allows, including where relevant by possible on-site inspections.

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<sup>1</sup> Council Decision (CFSP) 2022/809 of 23 May 2022 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, OJ L 145, 24.5.2022, p. 40; Council Decision (CFSP) 2022/810 of 23 May 2022 amending Decision (CFSP) 2022/339 on an assistance measure under the European Peace Facility to support the Ukrainian Armed Forces, OJ L 145, 24.5.2022, p. 42; Council Decision (CFSP) 2022/1284 of 21 July 2022 amending Decision (CFSP) 2022/339 on an assistance measure under the European Peace Facility to support the Ukrainian Armed Forces, OJ L 195, 22.7.2022, p. 91; Council Decision (CFSP) 2022/1285 of 21 July 2022 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, OJ L 195, 22.7.2022, p. 93.

The control of the export and transit of arms provided to Ukraine under the EPF by EU Member States is subject to national legislation, Council Common Position 2008/944/CFSP<sup>2</sup> and the Arms Trade Treaty. The obligations stemming from these legal acts are legally binding for EU Member States. Decisions regarding the export and transit of military items to be provided through the EPF remain a matter of national competence. The final decision on whether to authorise or deny an individual request for the export or transit of military equipment is adopted by the competent authorities of EU Member States.

The EPF finances expenditure arising from actions not charged to the EU's budget, according to Article 1.1 of Council Decision (CFSP) 2021/509<sup>3</sup>.

Nevertheless, the overall financial reference amount intended to cover the expenditure related to the Assistance Measure established under Decision (CFSP) 2022/338 is 2.33 billion euros.

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<sup>2</sup> Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment, OJ L 335, 13.12.2008, p. 99.

<sup>3</sup> Council Decision (CFSP) 2021/509 of 22 March 2021 establishing a European Peace Facility, and repealing Decision (CFSP) 2015/528, OJ L 102, 24.3.2021, p. 14.