Russia's war on Ukraine: The EU's financing of military assistance to Ukraine

In an unprecedented and unanimous reaction to Russia's war on Ukraine that began on 24 February 2022, the EU swiftly decided to make available €500 million from the European Peace Facility – followed soon after by additional financing – to fund EU military assistance and to deliver military equipment to Ukraine. For the first time in its history, the EU is now using a dedicated, although off-budget, tool to finance – but not to deliver, with that responsibility falling on Member States alone – lethal military equipment to a third country.

EU mobilisation of €2 billion for military assistance to Ukraine

In response to a request by Ukraine for military assistance, the EU High Representative for Foreign Affairs and Vice-President of the Commission (HR/VP), Josep Borrell, on 27 February 2022 announced a proposal to use the European Peace Facility (EPF), an off-EU budget instrument operational since 1 July 2021, to fund emergency assistance measures to the country. The proposal included a support package worth €450 million for military equipment and platforms designed to deliver lethal force, and a €50 million package to finance supplies such as fuel, protective equipment and emergency medical items. In accordance with Article 7 of Council Decision (CFSP) 2021/509 establishing the EPF, CFSP (Common Foreign and Security Policy) assistance measures or operations require the prior adoption of a basic legal act, in the form of a specific Council decision. On 28 February 2022, the Council adopted the corresponding decisions for two assistance measures under the EPF aimed at assisting the Ukrainian armed forces: Decision (CFSP) 2022/338 for equipment designed to deliver lethal force, and Decision (CFSP) 2022/339 for non-lethal support. Totalling €500 million, these first assistance measures run from 28 February 2022 until 28 February 2024.

Following the informal European Council meeting in Versailles on 10-11 March 2022, the Council adopted two further decisions on 23 March, namely Council Decisions (CFSP) 2022/471 and (CFSP) 2022/472. These increased the financial reference amounts by a further €500 million, again split into €450 million for equipment designed to deliver lethal force, and €50 million for non-lethal support. On 13 April 2022, the Council adopted two additional decisions, (CFSP) 2022/636 and (CFSP) 2022/637, adding a further €500 million, with the same split of €450 million for lethal equipment, and €50 million for non-lethal support. The duration of the original assistance measures to 2024 was extended to 28 February 2027. Ahead of the G7 Foreign Affairs Ministers meeting in Germany, HR/VP Borrell announced on 13 May a proposal for a new tranche of €500 million to support the military of Ukraine. The Council considered the proposal on 16 May. With this fourth tranche included, the EU will thus, so far, have approved funds worth €2 billion since 28 February 2022 for military assistance.

US and UK assistance for Ukraine

As of 6 May 2022, US security assistance to Ukraine amounted to US$3.8 billion since 25 February, including US$3.2 billion via seven Presidential Drawdowns. These allow the President to authorise the direct transfer of items and services from US stocks without prior Congressional approval. On 28 April, US President Joe Biden sent an emergency request to Congress for an additional US$20 billion, to address immediate needs for military supplies in Ukraine and other countries impacted by the war (split between the Ukraine Security Assistance Initiative, Foreign Military Financing, and the replenishment of the Department of Defense stocks). On 10 May 2022, with an overwhelming majority, the House passed a bill for a US$40 billion military, financial and humanitarian aid package for Ukraine, of which US$24 billion was set aside for military support, increasing the military package initially proposed by President Biden. US military support to Ukraine since 24 February now amounts to almost US$28 billion. As to the UK, Prime Minister Boris Johnson pledged an extra £1.3 billion in military support to Ukraine just before the G7 Summit of 7 May. The new pledge almost doubles the UK's previous commitments to Ukraine.

This is a further update of a publication, the previous edition of which was released on 30 March 2022.
**Member States' participation in the EPF and in the EPF budget**

The EPF has a financial ceiling of €5.692 billion (in current prices) for 2021-2027. Member States contribute to the EPF budget according to their GNI. Denmark has opted out of the EU’s Common Security and Defence Policy (CSDP), but is nevertheless an implementing actor for the relevant Council Decisions which allow for the delivery to Ukraine of equipment designed to deliver lethal force. A referendum will take place on 1 June 2022 to decide on Denmark’s CSDP participation, signalling a possible end to the Danish opt-out. By contrast, Austria and Ireland do not participate in the delivery of weapons to Ukraine and only contribute to the EPF budget according to their GNI. The clearing house mechanism and the EPF are designed to support the implementation of the EU’s Common Security and Defence Policy (CSDP), and the military training component – the latter mainly funded through the EPF. In the context of Russia’s war on Ukraine, Member States provide ‘non-lethal’ assistance covered by Council Decisions 2022/339, 2022/472 and 2022/637. Denmark has opted out of the EPF. Member States, through the EPF Committee, composed of a representative of each Member State, validate the proposals for the EPF reimbursement made by the EUMS. Each Member State delivers the equipment and arms individually. Weapons and equipment delivered by Member States are mainly taken from their existing stocks. Given the emergency situation in Ukraine, and the fact that the war is raging at the EU borders, Council Decisions 338 and 339 allow Member States’ ministries, acting as implementing actors, to quickly deliver equipment to Ukraine, without being subjected to the tender and procurement standard procedure set out by the EPF. The Member States may ask for reimbursement, but not all the equipment delivered to Ukraine is necessarily eligible for reimbursement under the EPF, as Member States’ offers need to match priorities regularly updated by the Ukrainian Army. Moreover, Member States may supply Ukraine with military equipment and not ask for EPF reimbursement. The Administrator for Assistance Measures, responsible for their financial implementation, is the Director of the Service for Foreign Policy Instruments (SIP, European Commission).

### Enlargement of the mandate of EUAM Ukraine

The EU Advisory Mission (EUAM) to Ukraine, a civilian CSDP mission, began operations in December 2014. Its mandate is to contribute to the creation of an accountable and efficient civilian security sector. Following Russia’s war on Ukraine, EUAM was forced to evacuate. However, on 18 March 2022 the Council tasked EUAM with the temporary, additional mission of advising Ukrainian authorities, to facilitate the flow of refugees from Ukraine to Poland, Romania and Slovakia and the flow of humanitarian aid into Ukraine. On 18 May, EUAM returned to Kyiv. The European Council of 24-25 March 2022 called for those responsible for war crimes in Ukraine, and their accomplices, to be held to account. Accordingly, the Council decided on 13 April to enlarge the mandate of EUAM Ukraine to include support for Ukrainian prosecution services. EUAM is now also in charge of facilitating the investigation and prosecution of any international crimes committed in the context of Russia’s war on Ukraine. The role of Eurojust in this regard is likely to increase with the Commission’s proposal of 25 April to amend the Eurojust Regulation to reinforce its mandate by giving Eurojust the legal power to collect, preserve and share evidence of war crimes. EUAM’s new mandate also confirms its provisional presence in third (Moldova) or EU countries (probably Poland and Slovakia) neighbouring Ukraine. The Council adopted, on 2 December 2021, an assistance measure under the EPF to support the Armed Forces of Moldova (Council Decision (CFSP) 2021/2136). The European Parliament held an extraordinary plenary session on 1 March 2022 with Ukrainian President Volodymyr Zelensky and the Speaker of the Ukrainian Parliament, Ruslan Stefanchuk, speaking from Kyiv. That day, it adopted a resolution calling for the EPF to be used to allocate significant additional funding to provide Ukraine with defensive military capacity, the full and immediate implementation of the assistance measures to Ukraine, tougher sanctions against Russia, new efforts to consider Ukraine’s request for EU candidate status, and an urgent reassessment of EUAM’s mandate, including for the mission to be updated with a military training component – the latter possibly funded through the EPF. Parliament also supports the strengthening of the EU Border Assistance Mission to Moldova (EUBAM). On 12 May 2022, the Committee on Foreign Affairs adopted a draft recommendation (to go to plenary in June) to the Council and HR/VP Borrell, recommending that they draw lessons from the use of the EPF in order to support Ukraine, increase its funding and build on the clearing house mechanism, and that Parliament be involved in the further implementation and scrutiny of the EPF. President Roberta Metsola visited Kyiv on 1 April to meet President Zelensky, condemn the Russian attack and express support for the Ukrainian people.