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Proposal for a

COUNCIL IMPLEMENTING DECISION

establishing the satisfactory fulfilment of the conditions for the payment of the fourth instalment under the Ukraine Plan of the Ukraine Facility

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2024/792 of the European Parliament and of the Council of 29 February 2024 establishing the Ukraine Facility¹, and in particular Article 26(4) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Pillar I of the Ukraine Facility ('Facility') makes financial support of up to EUR 38 270 000 000 available to Ukraine for the period 2024-2027 in the form of non-repayable support and of loans. Financing under Pillar I is mainly allocated on the basis of the Ukraine Plan of the Ukraine Facility ('the Plan'). The Plan sets out the reform and investment agenda for Ukraine, and the qualitative and quantitative steps that are linked to funding under Pillar I of the Facility.
- (2) Pursuant to Article 19 of Regulation (EU) 2024/792, the Council adopted Implementing Decision (EU) 2024/1447² on the approval of the assessment of the Plan. The timetable for monitoring and implementing the Plan, including the qualitative and quantitative steps that are linked to the funding under Pillar I of the Facility, are set out in the Annex to that Decision.
- (3) The total sum of financial resources made available for the Plan under Implementing Decision (EU) 2024/1447 amounts to EUR 32 270 000 000, of which EUR 5 270 000 000 is in the form of non-repayable financial support and up to EUR 27 000 000 000 is in the form of a loan.
- (4) In accordance with Articles 24 and 25 of Regulation (EU) 2024/792, EUR 6 000 000 000 has been disbursed to Ukraine as exceptional bridge financing, and EUR 1 890 000 000 has been disbursed to Ukraine in the form of pre-financing

¹ OJ L, 2024/792, 29.2.2024, ELI: <http://data.europa.eu/eli/reg/2024/792/oj>.

² Council Implementing Decision (EU) 2024/1447 of 14 May 2024 on the approval of the assessment of the Ukraine Plan (OJ L, 2024/1447, 24.5.2024, ELI: http://data.europa.eu/eli/dec_impl/2024/1447/oj).

representing an advance payment of 7% of the loan support that Ukraine is eligible to receive under the Plan.

- (5) In accordance with Article 26(4) of Regulation (EU) 2024/792, EUR 11 939 263 363 has been disbursed to Ukraine in the first three instalments under the Plan, of which EUR 3 400 000 000 has been disbursed in the form of non-repayable financial support and EUR 8 307 021 428 in the form of loans. In accordance with the Loan Agreement concluded between the Union and Ukraine pursuant to Article 22 of Regulation (EU) 2024/792, an amount of EUR 625 259 677 from the first three instalments was utilised to clear the pre-financing of the loan.
- (6) In accordance with Article 26(2) of Regulation (EU) 2024/792, on 6 June 2025, Ukraine submitted a duly justified request for the payment of a part of the fourth instalment of the loan support, amounting to EUR 3 286 218 317. The request was accompanied by a series of documents demonstrating the satisfactory fulfilment of 13 steps, as well as all other documents required under Article 12 of the Framework Agreement, Article 5 of the Financing Agreement and Article 6 of the Loan Agreement concluded between the Union and Ukraine pursuant to Articles 9, 10 and 22, respectively, of Regulation (EU) 2024/792.
- (7) In accordance with Implementing Decision (EU) 2024/1447, Ukraine has provided, along with its request for payment, evidence demonstrating the satisfactory fulfilment of 13 steps due by the first quarter of 2025. Those 13 steps relate to various reforms set out in the Plan under the chapters on public administration reform, management of public assets, human capital, decentralisation and regional policy, agri-food sector, management of critical raw materials, digital transformation and green transition and environmental protection. Legislation has entered into force on the civil service remuneration, preschool education, public consultations on public policy, strengthening the cyber security capabilities of state information resources and critical information infrastructure and on the State Climate Policy. The strategy for the development of Ukrainian culture as well as action plan for digitalisation of public services until 2026 and action plan for the establishment of a national greenhouse gas emissions trading system have been adopted. Ukraine has also adopted the roadmap on the separation of public service obligations (PSO) and non-PSO activities, long-term plan on the irrigation system, revised plan for allocation and use of radio spectrum. An upgraded e-cabinet for subsoil users has been set up.
- (8) In accordance with Article 26(4) of Regulation (EU) 2024/792, the Commission has assessed Ukraine's request in detail and made a positive assessment of the satisfactory fulfilment of 13 qualitative and quantitative steps out of the 16 steps included in the fourth instalment, as specified in the Annex to this Decision. That positive assessment has been made in the context of the implementation of the Plan. Further alignment with the EU *acquis* will be facilitated through the EU accession process.
- (9) The Commission has assessed that Ukraine continues to fulfil the pre-condition for Union support as set out in Article 5 of Regulation (EU) 2024/792. In particular,

Ukraine continues to uphold and respect effective democratic mechanisms, including a multi-party parliamentary system and the rule of law, and to guarantee respect for human rights, including the rights of persons belonging to minorities.

- (10) Measures related to the steps for which Ukraine had achieved satisfactory fulfilment in the previous instalments of the Plan have not been reversed by Ukraine.
- (11) Therefore, this Decision should establish that the relevant conditions for the payment of the fourth instalment in respect of 13 of the 16 steps under the Plan have been satisfactorily fulfilled.
- (12) Considering the difficult fiscal situation Ukraine is facing, it is of the utmost importance to disburse the funds as soon as possible. Given the urgency of the situation and with a view to expediting the process, this Decision should enter into force on the day of its publication in the *Official Journal of the European Union* and should apply from the date of its adoption,

HAS ADOPTED THIS DECISION:

Article 1

The satisfactory fulfilment of the relevant conditions for the partial payment of the fourth instalment amounting to EUR 3 286 218 317 as set out in the Annex to Implementing Decision (EU) 2024/1447 is hereby established in line with the assessment, provided by the Commission in accordance with Article 26 of Regulation (EU) 2024/792, annexed to this Decision.

Article 2

This Decision shall enter into force on the day of its publication in the *Official Journal of the European Union*.

It shall apply from the date of its adoption.

Done at Brussels,

For the Council
The President