EUROPEAN
COMMISSION

Brussels, 20.11.2026
COM(2026) 642 final

2026/0368 (NLE)

Proposal for a

COUNCIL IMPLEMENTING DECISION

establishing the satisfactory fulfilment of the conditions for the partial payment of the tenth 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 Facility[1], and in particular Article 26(4) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) Pillar I of the Ukraine Facility (the 'Facility'), established by Regulation (EU) 2024/792, makes financial support of up to EUR 46 873 049 093,86, as set out in Council Implementing Decision (EU) 2026/1447[2] and the equivalent in EUR of NOK 1 000 000 000, as set out in that Decision[3], available to Ukraine for the period 2024-2027.

(2) The financial support takes the form of non-repayable support and loans.

(3) Financial support under Pillar I of the Facility is allocated largely on the basis of the Ukraine Plan (the 'Plan')[4], which the Council approved by the Implementing Decision (EU) 2024/1447[5]. The Plan sets out the step that Ukraine must fulfil in order to receive the quarterly instalments.

(4) To date, EUR 40 314 825 630,86 has been disbursed to Ukraine under Pillar I of the Facility. Of that amount, EUR 4 753 049 093,86 has been disbursed in the form of non-repayable financial support and EUR 27 671 776 537 in the form of loans under the first nine instalments of the Plan. In addition, Ukraine received

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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).

3 In accordance with Implementing Decision (EU) 2024/1447 (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), Norway will provide NOK 1 000 000 000 as an additional financial contribution to Pillar I of the Facility in the form of non-repayable financial support, following the entry into force of a transfer agreement between Norway and the Commission and the transfer of the related financial contribution.

4 Financial support under Pillar I of the Facility includes exceptional bridge financing as set out in Article 25 of Regulation (EU) 2024/792 (Regulation (EU) 2024/792 of of the European Parliament and of the Council of 29 February 2024 establishing the Ukraine Facility, OJ L, 2024/792, 29.2.2024, ELI: http://data.europa.eu/eli/reg/2024/792/oj) in addition to the support available under the Ukraine Plan.

5 Council Implementing Decision (EU) 2024/1447 of 14 May 2024 on the approval of the assessment of the Ukraine Plan (OJ L, 2024/1447, 14.5.2024, ELI: http://data.europa.eu/eli/dec_impl/2024/1447/oj).

EUR 6 000 000 000 as exceptional bridge financing and EUR 1 890 000 000 as pre-financing, pursuant to Articles 24 and 25 of Regulation (EU) 2024/792.

(5) 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 1 636 477 803 from those first nine instalments was used to clear the pre-financing of the Facility loan.

(6) On 5 November 2026, Ukraine submitted a request for payment of parts of the seventh, eighth, ninth and tenth instalments under the Plan, amounting to EUR 4 134 971 466. The request also covered three steps in the eleventh instalment.

(7) In particular, the request was accompanied by documents presented as evidence that Ukraine had fulfilled two steps in the seventh instalment, two steps in the eighth instalment of which one is partially fulfilled, two steps in the ninth instalment of which one is partially fulfilled, and seven steps in the tenth instalment. Ukraine also submitted the documents required under the agreements concluded pursuant to Articles 9, 10 and 22 of Regulation (EU) 2024/792[6].

(8) The steps underpinning Ukraine's latest payment request relate to various reforms and investments set out in the Plan which broadly fall under the chapters on: public administration reform; public financial management; the judicial system and human rights; the fight against corruption and money laundering; the management of public assets; business environment; the energy sector; transport; and digital transformation.

(9) As set out in the Annex to this Decision, the Commission has assessed Ukraine's request in detail in accordance with Article 26(3) of Regulation (EU) 2024/792. It has concluded that Ukraine has satisfactorily fulfilled steps 1.2 and 6.9 under the seventh instalment, steps 1.5 (partially fulfilled) and 3.7 under the eighth instalment, steps 6.3 (partially fulfilled) and 10.9 under the ninth instalment and steps 1.4, 4.18, 6.4, 8.13, 10.16, 10.21 and 11.9 under the tenth instalment.

(10) In addition, the Commission has assessed that Ukraine has satisfactorily fulfilled steps 2.10, 6.10 and 14.5 under the eleventh instalment. Therefore, in line with the methodology for handling partial fulfilment of steps in the Plan set out in the Communication from the Commission of 17 April 2026[7], the Commission proposes to take this into account as a mitigating factor.

(11) Furthermore, the Commission has assessed that Ukraine continues to fulfil the pre-condition for Union support 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.

(12) In its payment request, Ukraine confirmed that it had not reversed any measures related to the steps which it had previously satisfactorily fulfilled.

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6 The respective agreements include: the framework agreement concluded pursuant to Article 9 of Regulation (EU) 2024/792, the financing agreement concluded pursuant to Article 10 of Regulation (EU) 2024/792, and the loan agreement concluded pursuant to Article 22 of Regulation (EU) 2024/792 (Regulation (EU) 2024/792 of of the European Parliament and of the Council of 29 February 2024 establishing the Ukraine Facility, OJ L, 2024/792, 29.2.2024, ELI: http://data.europa.eu/eli/reg/2024/792/oj).

7 Communication from the Commission amending the methodology for handling the partial fulfilment of steps in the Ukraine Plan under the Ukraine Facility Regulation and replacing Communication C(2025) 1725 (OJ C, 2026/2328, 17.4.2026, ELI: http://data.europa.eu/eli/C/2026/2328/oj).

(13) This Decision should therefore establish that Ukraine has satisfactorily fulfilled the relevant conditions for payment of the seventh instalment in respect of two outstanding steps under the Plan, of the eighth instalment in respect of two outstanding steps of which one is partially fulfilled, of the ninth instalment in respect of two outstanding steps of which one is partially fulfilled, and of the tenth instalment in respect of seven steps.

(14) Considering Ukraine's urgent financing needs, it is of the utmost importance to disburse the funds as soon as possible. With a view to expediting the process, this Decision should enter into force on the date 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

1. In accordance with the Commission's assessment provided pursuant to Article 26 of Regulation (EU) 2024/792, set out in the Annex to this Decision, the Council establishes that Ukraine has satisfactorily fulfilled the relevant conditions for the partial payment pursuant to Implementing Decision (EU) 2024/1447 of the seventh, eighth, ninth and tenth instalments of financial assistance under the Ukraine Plan. Such assistance shall amount to EUR 2 946 297 070 before clearing the pre-financing, of which EUR 294 408 294 corresponds to the seventh instalment, EUR 262 804 869 corresponds to the eighth instalment, EUR 224 939 512 corresponds to the ninth instalment, and EUR 2 164 144 395 corresponds to the tenth instalment.

2. Taking into account the satisfactory fulfilment of three steps under the eleventh instalment, the importance of the steps that have not been fulfilled, the reasons for their non-fulfilment, and the importance of the steps that have been fulfilled early, a mitigating factor amounting to EUR 590 221 197 is applied, thereby reducing the suspension value corresponding to the unfulfilled steps under the tenth instalment.

Article 2

This Decision shall enter into force on the date 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