



Brussels, 12.4.2022
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COMMISSION IMPLEMENTING DECISION

of 12.4.2022

**the financing of the annual action plan in favour of the NDICI Neighbourhood East
Region part 2 for 2021**

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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 Regulation (EU) 2021/947 of the European Parliament and of the Council of 9 June 2021 establishing the Neighbourhood, Development and International Cooperation Instrument - Global Europe and amending and repealing Decision No 466/2014/EU and repealing Regulation (EU) 2017/1601 and Council Regulation (EC, Euratom) No 480/2009 (hereafter referred to as ‘Neighbourhood, Development and International Cooperation Instrument – Global Europe’)², and in particular Article 23(2) thereof,

Whereas:

- (1) In order to ensure the implementation of the annual action plan in favour of the NDICI Neighbourhood East Region part 2 for 2021, it is necessary to adopt an annual financing Decision, which constitutes the annual work programme, for 2021. Article 110 of Regulation (EU, Euratom) 2018/1046 (‘the Financial Regulation’) establishes detailed rules on financing Decisions.
- (2) The envisaged assistance is to comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU³.
- (3) The actions provided for in this Decision contribute to climate and biodiversity mainstreaming in line with the European Green Deal⁴ and the inter-institutional agreement.
- (4) The Commission has adopted the Multiannual Indicative Programme for the Neighbourhood East Region⁵ for the period 2021-2027, which sets out the following priority areas: 1: Resilient, sustainable and integrated economies; 2: Accountable

¹ OJ L 193, 30.7.2018, p.1.

² OJ L 209, 14.6.2021, p.1.

³ www.sanctionsmap.eu Please 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 it is the OJ version that prevails.

⁴ The European Green Deal - Communication from the Commission COM(2019) 640 dated 11/12/2019.

⁵ Commission Implementing Decision adopting a multiannual indicative programme for the Eastern neighbourhood for the period 2021-2027 – C(2021)9370 adopted on 15/12/2021.

- institutions, the rule of law and security; 3: Environmental and climate resilience; 4: Resilient digital transformation; 5: Resilient, gender equal, fair and inclusive societies.
- (5) The objectives pursued by the annual action plan to be financed under Regulation (EU) 2021/947 geographic programme ‘Neighbourhood’ are to contribute to 1: Resilient, sustainable and integrated economies; 2: Accountable institutions, the rule of law and security; 3: Environmental and climate resilience; 4: Resilient digital transformation; 5: Resilient, gender equal, fair and inclusive societies.
 - (6) The action entitled ‘EU EMPOWER’ (Annex I) aims at fostering functioning pluralistic, participatory and representative democracy in the Eastern Neighbourhood.
 - (7) The action entitled ‘Support to Public Administration Capacity Building in EaP’ (Annex II) aims at providing better public services in the Eastern Partnership region.
 - (8) The action entitled ‘Neighbourhood Investment Platform (NIP) – 2021 East’ (Annex III) and the actions implemented through budgetary guarantees provisioned under this decision aim at facilitating additional investments in infrastructure in transport, energy, environment, with a particular focus on climate change mitigation and adaptation, and to support social and private sector development in the European Neighbourhood Partner Countries.
 - (9) The action entitled ‘EU4Youth IV: Youth engagement and empowerment’ (Annex IV) aims to contribute to the EU4Youth programme’s overall objective, which is to foster active participation of youth in both democratic life and in the labour markets of the beneficiary countries, with a focus on disadvantaged youth.
 - (10) In order to ensure the implementation of budgetary guarantees of the European Fund for Sustainable Development Plus (EFSD+), eligible under the Neighbourhood, Development and International Cooperation Instrument – Global Europe, it is appropriate to provision the EFSD+ compartment of the Common Provisioning Fund with contribution in 2021 from the general budget of the Union.
 - (11) In order to ensure the implementation of the External Lending Mandate, established by Decision No 466/2014/EU of the European Parliament and of the Council of 16 April 2014 granting an EU guarantee to the European Investment Bank against losses under financing operations supporting investment projects outside the Union⁶, prolonged until the end of 2021 in line with Article 49 of the Neighbourhood, Development and International Cooperation Instrument – Global Europe Regulation, it is appropriate to provision the Guarantee Fund for External Action compartment of the Common Provisioning Fund with a contribution in 2021 from the general budget of the Union.
 - (12) The Commission should acknowledge and accept contributions from other donors in accordance with Article 21(2) of the Financial Regulation, subject to the conclusion of the relevant agreement for the implementation of the actions “Neighbourhood Investment Platform (NIP) (Annex III) and “EU4Youth IV: Youth engagement and empowerment” (Annex IV). Where such contributions are not denominated in euro, a reasonable estimate of conversion should be made.
 - (13) Pursuant to Article 26(1) of Regulation (EU) 2021/947, indirect management is to be used for the implementation of the actions “EU EMPOWER” (Annex I), “Neighbourhood Investment Platform (NIP) (Annex III), “EU4Youth IV: Youth engagement and empowerment” (Annex IV).

⁶ *OJ L 135, 8.5.2014, p. 1.*

- (14) 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 the Financial Regulation. 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 the Financial Regulation⁷ and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) thereof before a contribution agreement can be signed.
- (15) It is necessary to allow for the payment of interest due for late payment on the basis of Article 116(5) of the Financial Regulation.
- (16) In order to allow for flexibility in the implementation of the action plan, it is appropriate to allow changes which should not be considered substantial for the purposes of Article 110(5) of the Financial Regulation.
- (17) The action plan provided for in this Decision is in accordance with the opinion of the Neighbourhood, Development and International Cooperation Instrument Committee established under Article 45 of Regulation (EU) 2021/947.

HAS DECIDED AS FOLLOWS:

Article 1
The action plan

The annual financing Decision, constituting the annual work programme for the implementation of the annual action plan NDICI Neighbourhood East Region part 2 for 2021, as set out in the Annexes, and the provisioning for budgetary guarantees in the Neighbourhood East region in the compartments of the Common Provisioning Fund for the European Fund for Sustainable Development Plus, and for the Guarantee Fund for External Action, is adopted.

The action plan shall include the following actions:

- (a) - Annex I: EU EMPOWER;
- (b) - Annex II: Support to Public Administration Capacity Building in EaP;
- (c) - Annex III: Neighbourhood Investment Platform (NIP) – 2021 East;
- (d) - Annex IV: EU4Youth IV: Youth engagement and empowerment.

Article 2
Union contribution

The maximum Union contribution for the implementation of the action plan for 2021 is set at EUR 92 690 000, and shall be financed from the appropriations entered in the budget line 14.020111 of the general budget of the Union:

The appropriations provided for in the first paragraph may also cover interest due for late payment.

⁷ Except for the cases referred to in Article 154(6) of the Financial Regulation, where the Commission may decide, not to require an ex-ante assessment.

Article 3
Provisioning for budgetary guarantees

The maximum Union contribution for the provisioning of the Common Provisioning Fund for 2021 is set at EUR 141 232 432.32 and shall be financed from the appropriations entered in the following sub-headings of budget line 14.020170 “NDICI - Global Europe – Provisioning of the Common Provisioning Fund” of the General Budget:

- budget line 14.020170.01: EUR 137 398 588 : EFSD+ compartment.
- budget line 14.020170.05: EUR 3 833 844.32 : ELM legacy in GFEA compartment.

Article 4
Methods of implementation and entrusted entities or persons

The implementation of the actions carried out by way of indirect management, as set out in Annexes I, III and IV, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 4.3.2 of the Annex I and in point 4.2.1 of the Annexes III and IV.

Article 5
Flexibility clause

Increases or decreases of up to EUR 10 million and not exceeding 20% of the contribution set in the first paragraph of Article 2, or cumulated changes⁸ to the allocations of specific actions not exceeding 20% of that contribution, as well as extensions of the implementation period shall not be considered substantial within the meaning of Article 110(5) of the Financial Regulation, where these changes do not significantly affect the nature and objectives of the actions.

The authorising officer responsible may apply the changes referred to in the first paragraph acting in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 12.4.2022

For the Commission
Olivér VÁRHELYI
Member of the Commission

⁸ These changes can come from assigned revenue made available after the adoption of the financing decision.