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COMMISSION IMPLEMENTING DECISION

of 17.4.2023

on the financing of the support measures in 2023 for crisis response actions undertaken under the Rapid Response Pillar of the Neighbourhood, Development and International Cooperation Instrument

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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, amending and repealing Decision No 466/2014/EU and repealing Regulation (EU) 2017/1601 and Council Regulation (EC, Euratom) No 480/2009² and in particular Article 24 thereof,

Whereas:

- (1) In order to ensure the implementation of support measures in 2023, it is necessary to adopt an annual financing decision, which constitutes the annual work programme for 2023. 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 objectives pursued by the measure to be financed by the Regulation (EU) 2021/947 rapid response actions pillar are to support the identification, preparation, follow up and evaluation activities related to the implementation of the relevant action and to the achievement of its objectives, as well as to ensure third party monitoring in countries in which crisis response actions are implemented and where access to regular monitoring is limited.
- (4) The support measures are established as a flexible tool aiming at the provision of reliable and effective technical assistance to beneficiaries in the areas covered by the rapid response pillar. The activities under the support measures may include third party monitoring and needs assessments to support the implementation of projects in countries with fragile security conditions.

¹ OJ L 193, 30.7.2018, p. 1.

² OJ L 209, 14.6.2021, p. 1.

³ www.sanctionsmap.eu. 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, the OJ prevails.

- (5) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (6) Pursuant to Article 26(1) of Regulation (EU) 2021/947, indirect management is to be used for the implementation of the action.
- (7) 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 Regulation⁴ and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) thereof before a contribution agreement can be signed.
- (8) 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.
- (9) In order to allow for flexibility in the implementation of the measure, it is appropriate to allow changes which should not be considered substantial for the purposes of Article 110(5) of the Financial Regulation.
- (10) The measure provided for in this Decision does not fall within the categories of measures for which the prior opinion of the European Parliament and Neighbourhood, Development and International Cooperation Instrument Committee is required. The European Parliament and the Committee established under Article 45 of Regulation (EU) 2021/947 should be informed of this Decision within one month following its adoption.

HAS DECIDED AS FOLLOWS:

Article 1
The measure

The annual financing decision, constituting the annual measure for the implementation of the support measures in 2023 for crisis response actions undertaken under the Rapid Response Pillar of the Neighbourhood, Development and International Cooperation Instrument, as set out in the Annex, is adopted.

The measure shall include the following action:

‘Support measures in 2023 for crisis response actions undertaken under the Rapid Response Pillar of the Neighbourhood, Development and International Cooperation Instrument’, set out in the Annex.

Article 2
Union contribution

The maximum Union contribution for the implementation of the measure for 2023 is set at EUR 2 000 000, and shall be financed from the appropriations entered in the budget line 14 02 03 10 of the general budget of the Union.

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

⁴ Except for the cases of Article 154(6) of Regulation (EU, Euratom) 2018/1046, where the Commission may decide, not to require an ex-ante assessment.

Article 3
Methods of implementation and entrusted entities or persons

The implementation of the actions carried out by way of indirect management, as set out in the Annex, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 4.1.3 of the Annex.

Article 4
Flexibility clause

Increases or decreases of up to EUR 10 000 000 and not exceeding 20% of the contribution set in the first paragraph of Article 2, or cumulated changes⁵ 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 for the purposes of Article 110(5) of the Financial Regulation, provided that 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. Those changes shall be applied in accordance with the principles of sound financial management and proportionality.

Article 5
Grants

Grants may be awarded without a call for proposals in accordance with the conditions set out in the Annex. Grants may be awarded to the bodies selected in accordance with point 4.1.1 of the Annex.

Done at Brussels, 17.4.2023

For the Commission
Josep BORRELL FONTELLES
High Representative / Vice-President

⁵ These changes can come from assigned revenue made available after the adoption of the financing decision.