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COMMISSION IMPLEMENTING DECISION

of 4.10.2022

**on the financing of the individual measure for the multi-country migration programme
in favour of the Southern Neighbourhood for 2022**

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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) 2018/1046¹ 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 966/2012, and in particular Article 110 thereof,

Having regard to Regulation (EU) 2021/947² 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 480/2009, and in particular Article 23 (3) thereof,

Whereas:

- (1) In order to ensure the implementation of the individual measure for the multi-country migration programme in favour of the Southern Neighbourhood for 2022, it is necessary to adopt an annual financing Decision, which constitutes the annual work programme, for 2022. Article 110 of Regulation (EU, Euratom) 2018/1046 ('the Financial Regulation') establishes detailed rules on financing decisions.
- (2) The envisaged assistance should comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU³.
- (3) The Commission plans to adopt the Multiannual Multi-Country Migration Programme for the Southern Neighbourhood for 2021-2027, which in line with the New Pact on Migration and Asylum and reflecting the Joint Communication on a Renewed Partnership with the Southern Neighbourhood, sets out the following priorities. The first priority addresses the need to provide protection to forcibly displaced persons, including asylum seekers, refugees, internally displaced persons, and other persons in need, including migrants in vulnerable situations, as well as host communities, notably in North Africa. The second priority aims at strengthening migration and asylum governance and management, while the third priority aims at fostering return,

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.

readmission and sustainable reintegration. Supporting a comprehensive approach to legal migration and mobility is the fourth priority.

- (4) The objectives pursued by the measure to be financed under the Neighbourhood geographic programme of the Neighbourhood, Development and International Cooperation Instrument should (i) protect those in need and support host countries; and (ii) strengthen migration and asylum governance and management.
- (5) The Commission aims to adopt the Multiannual Multi-Country Migration Programme for the Southern Neighbourhood for the period 2021-2027 in the coming months. In line with the article 23(3) of the Regulation (EU) 2021/947, the adoption of this individual measure is justified to ensure the continuity of funding in particular for activities (i) providing protection to persons in need and host communities and (ii) strengthening migration and asylum governance and management in the region. A gap in the implementation of these activities would be detrimental to the efforts conducted so far and would have a negative impact on the achieved results and also in terms of sustainability of the action.
- (6) The first action entitled ‘Support to Cross-Border Cooperation and Integrated Border Management in North Africa’ aims to contribute to enhanced border security and safety through mutually beneficial cross-border cooperation, in particular against organized crime groups, including those involved in migrant smuggling.
- (7) The second action entitled ‘Enhancing international police cooperation against migrant smuggling in North Africa’ aims to strengthen law enforcement’s capacity across North Africa to effectively investigate and prosecute organized crime groups engaging in migrant smuggling.
- (8) The third action entitled ‘Strengthening Protection and Resilience of Refugees, Asylum-seekers and Migrants in Vulnerable Situations in Egypt’ aims to strengthen the resilience of and contribute to the protection of refugees, asylum-seekers and migrants in vulnerable situations in Egypt and to promote social cohesion with host communities in urban centres.
- (9) The fourth action entitled “‘Strengthening the operational capacity of the Egyptian Coast Guard and Egyptian Border Guards to manage migration flows through effective border surveillance and search and rescue at land and sea” aims to strengthen the operational capacity of the Egyptian Coast Guard and of the Egyptian Border Guards to perform effective maritime surveillance and Search and Rescue (SAR) operations at sea, with a view to preventing irregular departures from the Mediterranean Sea and to rescuing migrants engaged in life-threatening sea journeys.
- (10) Pursuant to Article 26(1) of Regulation (EU) 2021/947, indirect management is to be used for the implementation of the measure.
- (11) 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 Regulation and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) thereof before a contribution agreement can be signed.

- (12) 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.
- (13) 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.
- (14) The measure provided for in this decision is in accordance with the opinion of the Committee established under Article 45 of Regulation (EU) 2021/947.

HAS DECIDED AS FOLLOWS:

Article 1
The measure

The annual financing Decision, constituting the annual work programme for the implementation of the individual measure for the multi-country migration programme in favour of the Southern Neighbourhood for 2022, as set out in the annexes, is adopted.

The measure shall include the following actions:

- ‘Support to Cross-Border Cooperation and Integrated Border Management in North Africa’ set out in Annex I;
- ‘Enhancing international police cooperation against migrant smuggling in North Africa’ set out in Annex II;
- ‘Strengthening Protection and Resilience of Refugees, Asylum-seekers and Migrants in Vulnerable Situations in Egypt’ set out in Annex III;
- “Strengthening the operational capacity of the Egyptian Coast Guard and Egyptian Border Guards to manage migration flows through effective border surveillance and search and rescue at land and sea” set out in Annex IV.

Article 2
Union contribution

The maximum Union contribution for the implementation of the measure for 2022 is set at EUR 62 000 000, and shall be financed from the appropriations entered in the following line of the general budget of the Union:

- budget line 14.020110 - Southern neighbourhood for an amount of EUR 62 000 000

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

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 Annexes, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 4.3.1 of the Annex I, point 4.2.1 of the Annex II and point 4.3.2 of the Annex III and 4.3.1 of Annex IV.

Article 4
Flexibility clause

Increases⁴ 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 changes 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, 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 acting in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 4.10.2022

For the Commission
Olivér VÁRHELYI
Member of the Commission

⁴ These changes can come from external assigned revenue made available after the adoption of the financing Decision.