



Brussels, 15.12.2022
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COMMISSION IMPLEMENTING DECISION

of 15.12.2022

on the financing of the second individual measure for Morocco 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) No 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 and 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 second individual measure for Morocco, an annual financing decision must be adopted, which constitutes the annual work programme for the year 2022. Article 110 of Regulation (EU, Euratom) 2018/1046 ('the Financial Regulation') establishes detailed rules on financing decisions.
- (2) The planned assistance is to comply strictly with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU³.
- (3) The action contributes to climate and biodiversity mainstreaming, in line with the European Green Deal⁴ and the Interinstitutional Agreement.
- (4) The new EU-Morocco Multi-Annual Indicative Programme (MIP) 2021-2027 is currently being prepared. It cannot yet be adopted as it has to be finalised on the basis of the future EU-Morocco partnership priorities, which are currently being negotiated.
- (5) In accordance with Article 23(3) of Regulation (EU) 2021/947, adopting this individual measure is justified in order to maintain financing of development actions for Morocco for 2022.
- (6) The objectives of the individual measure to be financed under the Neighbourhood, Development and International Cooperation Instrument – Global Europe, 'Neighbourhood' geographical programme, are to support Morocco's economic and

¹ OJ L 193, 30.7.2018, p. 1.

² OJ L 209, 14.6.2021, p. 1.

³ www.sanctionsmap.eu. It should be noted that the sanctions map is an IT tool listing the sanctions regimes. The sanctions stem from legal acts published in the *Official Journal* (OJ). In case of discrepancy the OJ prevails.

⁴ COM(2019)640 final of 11.12.2019.

social development, including through actions to promote good governance and more effective civil society participation in defining and implementing the development policies undertaken by the government.

- (7) The objective of the action entitled ‘Support for the energy transition in Morocco – Green Energy’ is to contribute to the transition towards a more low-carbon economy and society in Morocco, in accordance with the Paris Agreement and in line with the EU-Morocco Green Partnership.
- (8) The objective of the action entitled ‘Support programme for the cultural and creative industries in Morocco’ is to help strengthen the cultural and creative industries sector in order to drive economic development and the social inclusion of young people in Morocco, in the context of a post-COVID-19 recovery.
- (9) The objective of the action entitled ‘Support programme for higher education, research & innovation and mobility’ is to contribute to the promotion and sustainability of academic and professional opportunities for students, graduates, doctoral candidates and researchers in the ‘higher education/research & development/innovation’ ecosystem.
- (10) The objective of the action entitled ‘Support programme for justice reform – Phase II’ is to strengthen the rule of law through a justice system that is more accessible, independent and aligned with international standards.
- (11) The objective of the action entitled ‘Technical Cooperation Facility (TCF) – Morocco’ is to support Morocco’s socio-economic development through the implementation of the EU-Morocco MIP 2021-2027.
- (12) In accordance with Article 26(1) of Regulation (EU) 2021/947, the measure should be implemented through indirect management.
- (13) The Commission is to ensure a level of protection of the financial interests of the Union with regard to entities and persons entrusted with the implementation of EU funds by indirect management as provided for in Article 154(3) of the Financial Regulation.
- (14) 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) of the Financial Regulation 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 measure, changes not considered substantial for the purposes of Article 110(5) of the Financial Regulation should be allowed.
- (17) 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 ADOPTED THIS DECISION:

Article 1
The measure

The annual financing Decision, constituting the annual work programme for the implementation of the second individual measure for Morocco for 2022, as set out in the Annexes, is hereby adopted.

The measure shall include the following actions:

- Support for the energy transition in Morocco – Green Energy, as set out in Annex I;
- Support programme for the cultural and creative industries in Morocco, as set out in Annex II;
- Support programme for higher education, research & innovation and mobility, as set out in Annex III;
- Support programme for justice reform – Phase II, as set out in Annex IV;
- Technical Cooperation Facility (TCF) – Morocco, as set out in Annex V.

Article 2
Union contribution

The maximum Union contribution for the implementation of the measure for 2022 is set at EUR 126 000 000 and shall be financed from the appropriations entered in budget line 14.020110 of the general budget of the Union.

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 under 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 points 4.4.2 and 4.4.3 of Annex I, points 4.3.2 and 4.3.3 of Annex IV, and points 4.3.3 and 4.3.4 of Annex V.

Article 4
Flexibility clause

Increases⁵ or decreases of up to EUR 10 000 000, not exceeding 20% of the contribution set in the first paragraph of Article 2, cumulated changes to the allocations of specific actions not exceeding 20% of that contribution, or extensions of the implementation period, shall not be considered substantial for the purposes of Article 110(5) of the Financial Regulation, provided that they do not significantly affect the actions' nature or objectives.

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

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, 15.12.2022

For the Commission
Olivér VÁRHELYI
Member of the Commission