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COMMISSION IMPLEMENTING DECISION

of 16.12.2021

**on the financing of the multiannual action plan in favour of the NDICI Neighbourhood
East Region part 1 for 2021-2022**

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on the financing of the multiannual action plan in favour of the NDICI Neighbourhood East Region part 1 for 2021-2022

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 480/2009², and in particular Article 23(2) and Article 43 thereof,

Whereas:

- (1) In order to ensure the implementation of the NDICI Neighbourhood East Regional Action Programme part 1 for 2021-2022, it is necessary to adopt a multiannual financing Decision, which constitutes the multiannual work programme, for 2021 and 2022. 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 Deal and the inter-institutional agreement.
- (4) The Commission has adopted the Multiannual Indicative Programme for the Neighbourhood East Region for the period 2021-2027⁴, which sets out the following priorities areas: 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.

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 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

- (5) The objectives pursued by the multiannual action plan to be financed under the 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 “Strengthening interconnectivity through implementation of Common Aviation Area Agreements and improved civil aviation safety” (Annex I) aims at enhancing the capabilities of the Eastern Partner Countries to implement EU aviation acquis requirements of Common Aviation Area agreements and increasing the level of civil aviation safety in the Eastern Partner Countries.
- (7) The action entitled “Strengthening Environmental Resilience and Maritime Safety for Black and Caspian Sea riparian states” (Annex II) aims at strengthening the maritime safety and security as well as marine environmental protection in the wider Black Sea region.
- (8) The action entitled “Supporting Resilience across borders – EUBAM” (Annex III) aims at supporting Moldova’s and Ukraine’s efforts to effectively manage their common border and actively supporting concrete measures linked to the resolution of the Transnistrian conflict.
- (9) The action entitled “Structural reform facility (Phase 3)” (Annex IV) aims at contributing towards the development of sustainable and equitable economic growth models in the Eastern Partnership countries, which can generate more investments and improve socio-economic conditions and employment opportunities for citizens.
- (10) The action entitled “EU4Digital: supporting digital economy and society in the Eastern Partnership – Phase II” (Annex V) aims at advancing a wide-ranging digital policy agenda and at supporting harmonisation of EU regulations extending the benefits of the EU’s Digital Single Market to the Eastern Partnership.
- (11) The action entitled “Technical Assistance and Information Exchange (TAIEX) 2021-2022” (Annex VI) aims at supporting Eastern Neighbourhood beneficiaries in implementing their commitments made under EU-related agreements through intensified cooperation and in achieving regulatory convergence and legislative approximation towards high standards, aligning to the EU policies through a better understanding of the EU legislation and the adoption of best practices.
- (12) The action entitled “Eastern Partnership Civil Society Facility for Resilient and Inclusive Societies” (Annex VII) aims to reinforce civic resilience and grassroots democracy by strengthening the capacity of local civil society organisations as well as think tanks to meaningfully engage in policy making and dialogue, promote open civic space, and serve the needs of local communities.
- (13) The action entitled “Global allocation 2021-2022” (Annex VIII) aims at strengthening the means of implementation for sustainable development in line with the objectives of the Eastern Partnership by providing support to strengthening the management, implementation and follow-up of external actions and enhancing information, communication and visibility activities towards awareness and understanding of the European Neighbourhood Policy.
- (14) In accordance with Article 43 of Regulation (EU) 2021/947, the actions II and VI are of a global, trans-regional or regional nature, fostering regional cooperation with Turkey, Iran, Kazakhstan and Turkmenistan. The actions’ objectives and design fulfil the criteria for Official Development Assistance established by the OECD/DAC, as

per the requirements of Article 3(3) of Regulation (EU) 2021/947, contributing to the sustainable development of partner countries and the implementation of the 2030 agenda by fostering participation development and good governance; aid to environment; gender equality and women's and girl's empowerment; and trade development. Due to the project's nature and the importance to ensure complete regional coverage, the eligibility of the action extends exceptionally to Turkey, Iran, Kazakhstan and Turkmenistan, as their participation constitutes a substantial element to ensure the coherence and effectiveness of Union financing or to foster regional or trans-regional cooperation.

- (15) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (16) Pursuant to Article 26(1) of Regulation (EU) 2021/947, indirect management is to be used for the implementation of the action plan.
- (17) 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 Regulation⁵ and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) thereof before a contribution agreement can be signed.
- (18) 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.
- (19) 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.
- (20) 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 of 9 June 2021.

HAS DECIDED AS FOLLOWS:

Article 1
The action plan

The multiannual financing Decision, constituting the multiannual work programme for the implementation of the multiannual action plan in favour of the NDICI Neighbourhood East Region for 2021-2022, as set out in the Annexes, is adopted.

The action plan shall include the following actions:

- Annex I: Strengthening interconnectivity through implementation of Common Aviation Area Agreements and improved civil aviation safety
- Annex II: Strengthening Environmental Resilience and Maritime Safety for Black and Caspian Sea riparian states
- Annex III: Supporting Resilience across borders – EUBAM

⁵ 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.

- Annex IV: Structural Reform Facility (Phase 3)
- Annex V: EU4Digital: supporting digital economy and society in the Eastern Partnership – Phase II
- Annex VI: Technical Assistance and Information Exchange (TAIEX) 2021-2022
- Annex VII: Eastern Partnership Civil Society Facility for Resilient and Inclusive Societies
- Annex VIII: East Global Allocation 2021-2022.

Article 2
Union contribution

The maximum Union contribution for the implementation of the multiannual action plan for 2021 and 2022 is set at EUR 111 370 000, and shall be financed from the appropriations entered in the budget line 14.02.01.11 of the general budget of the Union.

- EUR 58 570 000 for 2021
- EUR 52 800 000 for 2022

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

The implementation of this Decision is subject to the availability of the appropriations provided for in the general budget of the Union for 2022 as adopted by the budgetary authority.

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 I, II, III, IV, VII and VIII 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 Annexes I, II and III, in point 4.3.2 of Annex IV and in point 4.3.3 of Annexes VII and VIII.

Article 4
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, considering each financial year separately, or cumulated reassignments of funds between actions contained in an action plan 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.

Article 5
Grants

Grants may be awarded without a call for proposals in accordance with the conditions set out in the Annexes. Grants may be awarded to the bodies referred to in the Annexes selected in accordance with point 4.3.1 of the Annexes IV, VII and VIII.

Done at Brussels, 16.12.2021

For the Commission
Olivér VÁRHELYI
Member of the Commission