



Brussels, 12.11.2024  
C(2024) 7767 final

**COMMISSION IMPLEMENTING DECISION**

**of 12.11.2024**

**on the financing of the special measure in favour of Libya for 2024**

# COMMISSION IMPLEMENTING DECISION

of 12.11.2024

## on the financing of the special measure in favour of Libya for 2024

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council of 23 September 2024 on the financial rules applicable to the general budget of the Union<sup>1</sup>, and in particular Article 110 thereof,

Having regard to Regulation (EU) 2021/947<sup>2</sup> 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(1) and (4) thereof,

Whereas:

- (1) In order to ensure the implementation of special measure in favour of Libya for 2024, it is necessary to adopt an annual financing Decision, which constitutes the annual work programme, for 2024 in accordance with Article 110(2) of Regulation (EU, Euratom) 2024/2509 ('the Financial Regulation').
- (2) The envisaged assistance should comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU<sup>3</sup>.
- (3) The measure provided for in this Decision should contribute to climate mainstreaming in line with Commission Communication 'The European Green Deal'<sup>4</sup> and in the Interinstitutional Agreement of 16 December 2020 between the European Parliament, the Council of the European Union and the European Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management, as well as on new own resources, including a roadmap towards the introduction of new own resources<sup>5</sup>.
- (4) The objectives pursued by the special measure to be financed under the Neighbourhood geographic programme of Regulation (EU) 2021/947 should strengthen the Public Finance System and enhance investments for the green and digital transition; strengthen justice and the rule of law in Libya; contribute to stabilisation, post conflicts and natural disasters recovery, and long-term resilience.

---

<sup>1</sup> OJ L 239, 26.9.2024, ELI: <http://data.europa.eu/eli/reg/2024/2509/oj>.

<sup>2</sup> OJ L 209, 14.6.2021, p.1.

<sup>3</sup> [www.sanctionsmap.eu](http://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.

<sup>4</sup> COM(2019)640 final of 11 December 2019.

<sup>5</sup> OJ L 433I, 22.12.2020, p. 28.

- (5) The situation in Libya remains unpredictable and marked by political instability and armed conflict. A declaration of crisis has been issued in 2011. It was consistently renewed since then and extended again in June 2024. A high level of flexibility and responsiveness is needed to adapt EU programmes to this volatile context. The EU bilateral cooperation with Libya is currently not covered by a Multiannual Indicative Programme. The EU has planned its bilateral cooperation since 2017 through yearly ‘special measures’, rather than through a multiannual programming process. The aim is to allow optimal responses to the rapidly changing situation in the country in order to adapt to unforeseeable circumstances. It is therefore justified to adopt a special measure.
- (6) The action entitled ‘INVEST4LIBYA: Strengthening the Public Finance System and Enhancing Investment for the Digital and Green Transition’ aims to strengthen the Public Finance System and enhance investments for the green and digital transition.
- (7) The action entitled ‘Support to Justice and Rule of Law Systems in Libya’ aims to strengthen justice and the rule of law in Libya.
- (8) The action entitled ‘Recovery and Development in Libya Facility’ aims to contribute to stabilisation, post conflicts and natural disasters recovery, and long-term resilience.
- (9) The objective and design of all actions fulfil the criteria for Official Development Assistance established by the OECD/DAC, as per the requirements of Article 3(4) of Regulation (EU) 2021/947, contributing to the sustainable development of partner countries and the implementation of the 2030 agenda by supporting the implementation of the SDGs (Main SDGs supported: SDG 8, SDG 11 and SDG 16). The countries benefiting from the action which are included in the list of ODA recipients, are identified in the respective action document.
- (10) It is necessary to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants in accordance with article 198 (a) of the Financial Regulation.
- (11) Pursuant to Article 62(1), point (c) of the Financial Regulation, indirect management is to be used for the implementation of the measure.
- (12) 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 157(3) of the Financial Regulation.
- (13) To that end, and before a contribution agreement can be signed, such entities and persons are to be subject to an assessment of their systems and procedures in accordance with Article 157(4) of the Financial Regulation<sup>6</sup> and, if necessary, to appropriate supervisory measures in accordance with Article 157(5) of the Financial Regulation.
- (14) 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.
- (15) In order to allow for flexibility in the implementation of the measure, it is appropriate to determine the changes which should not be considered substantial for the purposes of Article 110(5) of the Financial Regulation.

---

<sup>6</sup> Except for the cases of Article 157(7) of the Financial Regulation, where the Commission may decide not to require an ex-ante assessment.

(16) The measure provided for in this Decision is in accordance with the opinion of the NDICI Neighbourhood Committee.

HAS DECIDED AS FOLLOWS:

*Article 1*  
*The measure*

The annual financing Decision, constituting the annual work programme for the implementation of the special measure in favour of Libya for 2024, as set out in the annexes, is adopted.

The measure shall include the following actions:

- INVEST4LIBYA: Strengthening the Public Finance System and Enhancing Investment for the Digital and Green Transition set out in Annex I;
- Support to Justice and Rule of Law Systems in Libya set out in Annex II;
- Recovery and Development in Libya Facility set out in Annex III.

*Article 2*  
*Union contribution*

The maximum Union contribution for the implementation of the measure for 2024 is set at EUR 35 000 000, 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 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 4.3.2 of Annex I; 4.3.2 of Annex II; and 4.3.1 of Annex III.

*Article 4*  
*Flexibility clause*

Increases or decreases of up to EUR 10 million and not exceeding 20% of the contribution set in Article 2, first paragraph, 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 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 Annexes. Grants may be awarded to the bodies selected in accordance with point 4.3.1 of Annex I and 4.3.1 of Annex II.

Done at Brussels, 12.11.2024

*For the Commission*  
*Olivér VÁRHELYI*  
*Member of the Commission*