



Brussels, 18.10.2022
C(2022) 7449 final

COMMISSION IMPLEMENTING DECISION

of 18.10.2022

**on the financing of the individual measure for the provisioning of the External Lending
Mandate legacy portfolio for past European Investment Bank operations in Türkiye**

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on the financing of the individual measure for the provisioning of the External Lending Mandate legacy portfolio for past European Investment Bank operations in Türkiye

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) 2021/1529 of the European Parliament and of the Council of 15 September 2021 establishing the Instrument for Pre-Accession Assistance (IPA III)², and in particular Article 9(1) thereof,

Whereas:

- (1) In order to ensure the implementation of the provisioning of the Common Provisioning Fund for the External Lending Mandate (ELM) legacy portfolio for past European Investment Bank (EIB) operations in Türkiye, 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 actions provided for in this Decision contribute to climate mainstreaming in line with the European Green Deal⁴ and the inter-institutional agreement.
- (4) The Commission has adopted a Pre-Accession Assistance ('IPA III') Programming Framework⁵ for the period 2021 – 2027, which identifies five thematic windows for

¹ OJ L 193, 30.7.2018, p.1.

² OJ L 330, 20.9.2021, 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 COM(2019)640 of 11.12.2019

⁵ Commission Implementing Decision C(2021)8914 of 10.12.2021 on the Instrument for Pre-Accession Assistance (IPA III) Programming Framework for the period 2021-2027.

the delivery of the specific objectives and thematic priorities of Regulation (EU) 2021/1529.

- (5) The objective pursued by the individual measure is to provide financial resources to replenish the relevant compartment of the Common Provisioning Fund in line with the evolution of the outstanding disbursed portfolio of EIB financing operations in Türkiye, covered by EU guarantees for pre-2021 external mandates of the EIB.
- (6) 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.
- (7) 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.
- (8) The measure provided for in this Decision is in accordance with the opinion of the IPA III Committee set up by Article 17 of Regulation (EU) 2021/1529.

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 contribution to the provisioning of the Common Provisioning Fund in 2022 for the ELM legacy portfolio for past EIB financing operations in Türkiye, is adopted.

Article 2
Union contribution

The maximum Union contribution for the implementation of the measure referred to in Article 1 is set at EUR 68 736 808 and shall be financed from the appropriations entered in the following lines of the general budget of the Union:

- budget line 15 02 02 03.04: EUR 68 736 808 (ELM legacy);

The appropriation provided for in the first sub-paragraph may also cover interest due for late payment.

Article 3
Flexibility clause

Increases⁶ 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 and execution 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.

Done at Brussels, 18.10.2022

For the Commission
Olivér VÁRHELYI
Member of the Commission

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