



Brussels, 10.12.2021
C(2021) 9348 final

COMMISSION IMPLEMENTING DECISION

of 10.12.2021

**on the financing of the individual measure in favour of the Republic of Moldova for
2021**

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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) 2018/1046 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) 2021/947² 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 Individual measure in favour of the Republic of Moldova for 2021, it is necessary to adopt an annual financing Decision, which constitutes the annual work programme, for 2021. Article 110 of Regulation (EU, Euratom) 2018/1046 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 Commission aims at adopting in the first half of 2022 the Multiannual Indicative Programme for Moldova for the period 2021-2027, which sets out the following priorities under the general heading of resilience: A resilient, sustainable and integrated economy; accountable institutions, the rule of law and security; environment and climate resilience; a resilient digital transformation; resilient, fair and inclusive societies. These priorities are fully aligned with the Joint Communication on Eastern Partnership Policy beyond 2020⁴.
- (4) However, this current measure is urgently needed as Moldova is facing a significant increase of gas prices as a consequence both of very tight global energy markets and of a recently-amended contract with its gas supplier. Ahead of the winter season 2021,

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 JOIN(2020)7 final

Moldova will have to purchase its gas at prices about three or four times higher than in previous years. The rise in gas prices will put significant pressure on Moldova's public finances and on the ability of the most vulnerable citizens to afford gas throughout the winter. This energy crisis is taking place in a context aggravated by the COVID-19 pandemic and its economic and social impact. No other means of financing this measure are available at present. It is therefore justified in the present case to adopt an individual measure pursuant to Article 23(3) of Regulation (EU) No 2021/947.

- (5) The objectives pursued by the measure to be financed under the Neighbourhood geographic programme of the Neighbourhood, Development and International Cooperation Instrument are to provide an effective and urgent response to the aforementioned energy crisis.
- (6) The action entitled "State and Resilience Building Contract in favour of the Republic of Moldova" aims to mitigate the socio-economic impact of the rising gas prices in particular on the vulnerable groups, strengthen the Government's overall capacity to deliver tailor made services to these vulnerable groups and basic services to its population, and support the long-term socio-economic recovery, energy security, and energy transition of Moldova.
- (7) It is necessary to allow for the payment of interest due for late payment on the basis of Article 116(5) of Regulation (EU, Euratom) 2018/1046.
- (8) 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 Regulation (EU, Euratom) 2018/1046.
- (9) The measure provided for in this Decision is in accordance with the opinion of the Committee established under Article 45 of Regulation (EU) No 2021/947 of 9 June 2021.

HAS DECIDED AS FOLLOWS:

Article 1
The measure

The annual financing Decision, constituting the annual work programme for the implementation of the Individual measure in favour of the Republic of Moldova for 2021, as set out in the Annex, is adopted.

The measure shall include the following action: "State and Resilience Building Contract in favour of the Republic of Moldova".

Article 2
Union contribution

The maximum Union contribution for the implementation of the measure for 2021 is set at EUR 60 000 000.00, and shall be financed from the appropriations entered in the following line of the general budget of the Union:

- budget line 14.020111: EUR 60 000 000.00

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

Article 3
Flexibility clause

Increases⁵ or decreases of up to EUR 10 million not exceeding 20% of the contribution set in the first paragraph of Article 2 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 Regulation (EU, Euratom) 2018/1046, 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.

Done at Brussels, 10.12.2021

For the Commission
Olivér VÁRHELYI
Member of the Commission

⁵ These changes can come from external assigned revenue made available after the adoption of the financing Decision.