



Brussels, 27.4.2022
C(2022) 2850 final

COMMISSION IMPLEMENTING DECISION

of 27.4.2022

**on the financing of the second Individual Measure in favour of the Republic of Moldova
for 2021**

COMMISSION IMPLEMENTING DECISION

of 27.4.2022

on the financing of the second Individual Measure in favour of the Republic of Moldova for 2021

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 second 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 ('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 mainstreaming in line with the European Green Deal⁴ and the inter-institutional agreement.
- (4) The Commission aims at adopting in the first half of 2022 the Multiannual Indicative Programme for European Union support to the Republic of 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; and resilient, fair and inclusive societies. These priorities are fully

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 COM(2019)640 of 11.12.2019.

aligned with the Association Agenda for 2021-27 and the Joint Communication on Eastern Partnership Policy beyond 2020⁵.

- (5) It is justified to adopt an individual measure pursuant to Article 23(3) of Regulation (EU) 2021/947 as the measure is needed to immediately alleviate the economic and social impact of the COVID-19 pandemic aggravated by the gas crisis. No other means of financing this measure are available at present.
- (6) The objectives pursued by this second individual measure to be financed under the ‘Neighbourhood’ geographic programme are to support Moldova’s economic development, green transition, structural reforms efforts and other EU-related commitments.
- (7) The action entitled ‘EU4Recovery and Resilience’ will contribute to resilient, sustainable and inclusive economic development, as well as pave the way for a fully-fledged green transition for the Republic of Moldova.
- (8) The action entitled ‘EU4Reforms’ will support Moldova in the implementation of EU related commitments, notably the Association Agreement including a Deep and Comprehensive Free Trade Agreement (DCFTA)⁶, with a particular focus on justice, security, and strategic communication.
- (9) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (10) Pursuant to Article 26(1) of Regulation (EU) 2021/947 of 9 June 2021, indirect management is to be used for the implementation of the measure.
- (11) 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 Regulation⁷ and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) thereof before a contribution agreement can be signed.
- (12) 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.
- (13) 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.
- (14) 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.

⁵ JOIN(2020) 7 final

⁶ OJ L 260, 30.8.2014, p. 4–738

⁷ 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.

HAS DECIDED AS FOLLOWS:

Article 1
The Measure

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

The measure shall include the following actions:

- Annex I: EU4Recovery and Resilience;
- Annex II: EU4Reforms.

Article 2
Union contribution

The maximum Union contribution for the implementation of the individual measure for 2021 is set at EUR 52 000 000, and shall be financed from the appropriations entered in budget line 14.020111 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 4.3.3 of the Annexes I and II.

Article 4
Flexibility clause

Increases⁸ or decreases of up to EUR 10 million and 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 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.

⁸ These changes can come from external assigned revenue made available after the adoption of the financing Decision.

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 I and II.

Done at Brussels, 27.4.2022

For the Commission
Olivér VÁRHELYI
Member of the Commission