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COMMISSION IMPLEMENTING DECISION

of 17.12.2021

**on the financing of the individual measure for the multi-country migration programme
in favour of the Southern Neighbourhood 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) No 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(3) thereof,

Whereas:

- (1) In order to ensure the implementation of the individual measure for the multi country migration programme in favour of the Southern Neighbourhood 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 is expected to adopt the Multiannual Multi-Country Migration Programme for the Southern Neighbourhood for the period 2021-2027 in early 2022. This Programme is in line with the New Pact on Migration and Asylum and reflecting the Joint Communication on a Renewed Partnership with the Southern Neighbourhood. The objectives pursued by this Programme are to (i) protect those in need and support host countries, (ii) enhance partnerships to strengthen migration governance and management, and (iii) foster cooperation on readmission and reintegration.
- (4) Given that the Multiannual Multi-Country Migration Programme for the Southern Neighbourhood for the period 2021-2027 will not be adopted until early 2022, the

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.

adoption of this individual measure without a programming document is justified to ensure the continuity of funding certain activities which are life-saving and that cannot wait until the adoption of the relevant Programme.

- (5) This measure comprises the following actions:
- (a) ‘Increasing protection and resilience of migrants, forcibly displaced persons and host communities in Libya’ that aims at saving lives and improving the resilience of vulnerable migrants, migrants at risk, persons of concern, refugees and host communities (including internally displaced persons and returnees) in Libya and to increase social cohesion among these groups.
 - (b) ‘EU Support to Border Management Institutions in Libya and Tunisia’ that will contribute to the improvement of respective state services through the institutional development of the Maritime Rescue Coordination Centres and the Border Guard Training Academies in Libya and Tunisia.
 - (c) ‘Supporting sustainable Protection, Return and Reintegration in North Africa’ that contributes to the safe return of vulnerable and stranded migrants from North Africa and to the sustainable reintegration of North African returnees into countries of origin.
 - (d) ‘Towards a Holistic Approach to Labour Migration Governance and Labour Mobility in North Africa (THAMM III)’ that aims to expand labour mobility schemes between North African countries and EU Member States.
- (6) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (7) Pursuant to Article 26(1) of Regulation (EU) No 2021/947, indirect management is to be used for the implementation of the action plan.
- (8) 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 Regulation (EU, Euratom) 2018/1046 (“Financial Regulation”).
- (9) 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 Regulation and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of the Financial Regulation before a contribution agreement can be signed.
- (10) 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.
- (11) 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.
- (12) The measure provided for in this Decision is in accordance with the opinion of the Neighbourhood, Development and International Cooperation Instrument – Global Europe Committee established under Article 45 of Regulation (EU) No 2021/947.

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 multi-country migration programme in favour of the Southern Neighbourhood for 2021, as set out in the Annexes, is adopted.

The measure shall include the following actions:

- Annex I: Increasing protection and resilience of migrants, forcibly displaced persons and host communities in Libya;
- Annex II: EU Support to Border Management Institutions in Libya and Tunisia;
- Annex III: Supporting sustainable Protection, Return and Reintegration in North Africa;
- Annex IV: Towards a Holistic Approach to Labour Migration Governance and Labour Mobility in North Africa (THAMM III).

Article 2

Union contribution

The maximum Union contribution for the implementation of the action plan for 2021 is set at EUR 165 000 000, and shall be financed from the appropriations entered in the budget line 14.02.01.10 for an amount of EUR 165 000 000 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 and point 4.3.1 of the other Annexes.

Article 4

Grants

Grants may be awarded without a call for proposals in accordance with the conditions set out in the Annex. Grants may be awarded to the bodies referred to in the Annex I selected in accordance with point 4.3.1 of the Annex.

Article 5

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, 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, 17.12.2021

For the Commission
Olivér VÁRHELYI
Member of the Commission