



Brussels, 16.12.2021
C(2021) 9457 final

COMMISSION IMPLEMENTING DECISION

of 16.12.2021

on the financing of the annual action plan in favour of Uganda for 2021

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union (TFEU),

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) 2021/947 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 480/2009², and in particular Article 23(2) thereof,

Whereas:

- (1) In order to ensure the implementation of the annual action plan in favour of Uganda 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 and biodiversity mainstreaming in line with the European Green Deal and the inter-institutional agreement.
- (4) The Commission has adopted the National Multiannual Indicative Programme⁴ for the period 2021-2027, which sets out the following priorities: green and climate transition, sustainable and inclusive growth and jobs, democratic governance and social inclusion.
- (5) The objectives pursued by the annual action plan to be financed under Regulation (EU) 2021/947 geographic programme 'Sub-Saharan Africa' are to contribute to Uganda's efforts to (i) reduce poverty through strengthened civil society engagement

¹ OJ L 193, 30.7.2018, p.1.

² OJ L 209, 14.6.2021, p.1.

³ 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.

⁴ Commission Implementing Decision adopting a multiannual indicative programme for Uganda for the period 2021-2027, C(2021) 9149 final of 15.12.2021

in development processes and (ii) promote sustainable and inclusive growth and job creation.

- (6) The action entitled ‘Civil Society in Uganda Support Programme II (CUSP II)’ has the following objectives: the regulatory and operational environment for civil society organizations is more conducive; the meaningful and structured participation of civil society in inclusive sub-national and national development processes is strengthened; civil society organizations’ responsiveness, sustainability and resilience are enhanced. The Commission should acknowledge and accept contributions from other donors in accordance with Article 21(2) of the Financial Regulation, subject to the conclusion of the relevant agreement. Where such contributions are not denominated in euro, a reasonable estimate of conversion should be made.
- (7) The action entitled ‘Supporting sustainable investments in the agriculture sector in Uganda’ has the following objectives: to contribute towards a sustainable and inclusive growth and job creation in Uganda; to promote growth and job creation by investing in fully integrated and sustainable agribusiness Micro, Small and Medium-sized Enterprises (MSMEs) that create and retain wealth within Uganda; to contribute to the increased security of land rights and enhanced access to finance resulting in improved livelihoods, food security, and poverty alleviation for small-scale farmers, in particular for women and marginalised groups in Central Uganda. The Commission should acknowledge and accept contributions from other donors in accordance with Article 21(2) of the Financial Regulation, subject to the conclusion of the relevant agreement. Where such contributions are not denominated in euro, a reasonable estimate of conversion should be made.
- (8) Pursuant to NDICI-Global Europe Article 26(1) of Regulation (EU) 2021/947 indirect management is to be used for the implementation of the action.
- (9) 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 Regulation⁵ and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) thereof 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 action plan, 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 action plan provided for in this Decision is in accordance with the opinion of the Neighbourhood, Development and International Cooperation Instrument Committee – Global Europe established under Article 45 of Regulation (EU) 2021/947.

⁵ 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 action plan

The annual financing decision, constituting the annual action plan for the implementation of the annual action plan in favour of Uganda for 2021, as set out in the Annexes, is adopted.

The action plan shall include the following actions:

- (a) Civil Society in Uganda Support Programme II (CUSP II) set out in Annex 1;
- (b) Supporting sustainable investments in the agricultural sector in Uganda set out in Annex 2.

Article 2
Union contribution

The maximum Union contribution for the implementation of the action plan for 2021 is set at EUR 27 000 000, and shall be financed from the appropriations entered in the budget line BGUE-B2021-14.020121-C1-INTPA 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 4.4 of the Annexes 1 and 2.

Article 4
Flexibility clause

Increases or decreases of up to EUR 10 000 000 and not exceeding 20 % of the contribution set in the first paragraph of Article 2, or cumulated changes⁶ 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.

Done at Brussels, 16.12.2021

For the Commission
Jutta URPIAINEN
Member of the Commission

⁶ These changes can come from assigned revenue made available after the adoption of the financing decision.