



Brussels, 1.8.2023
C(2023) 5370 final

COMMISSION IMPLEMENTING DECISION

of 1.8.2023

**on the financing of the annual action plan in favour of the Republic of The Gambia for
2023**

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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) 2021/947 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,

Whereas:

- (1) In order to ensure the implementation of the annual action plan in favour of the Republic of The Gambia for 2023, it is necessary to adopt an annual financing decision, which constitutes the annual work programme, for 2023. 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 agreement⁵.
- (4) The Commission has adopted the National Multiannual Indicative Programme⁶ for the period 2021-2027 which sets out the following priorities 'Promoting Good Governance', 'Green Economy for sustainable growth and jobs. and 'Human development'.

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 COM (2019) 640 final of 11 December 2019.

⁵ OJ L 433I, 22.12.2020, p. 28.

⁶ Commission Implementing Decision adopting a multiannual indicative programme for the Republic of The Gambia for the period 2021-2027, C(2021)9361 final, 14.12.2021.

- (5) The objectives pursued by the annual action plan to be financed under the Regulation (EU) 2021/947 geographic programme ‘Sub-Saharan Africa’ are to foster a transformational shift towards an inclusive green growth economic model, to focus on an integrated approach addressing development, security and governance, and to strengthen the strategic partnership between the EU and The Gambia.
- (6) The action entitled ‘State and Resilience Building Contract (SRBC 4) for The Gambia’ pursues supporting The Gambian Government in its willingness to accomplish several key reforms with the specific objectives of consolidating democracy, rule of law, reconciliation and transitional justice, of improving migration management, of strengthening the national social protection system, and of improving public finance management.
- (7) The action entitled ‘Youth Empowerment Programme (YEP) - Tourism’ seeks to increase the competitiveness, inclusiveness, and sustainability of the Gambia’s tourism sector and creative industries by proposing a more diversified touristic offer with sustainable and inclusive products and services; and by diversifying the source markets and increasing benefits for ancillary industries.
- (8) 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 action in Annex 2.
- (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 Regulation⁷ 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 Committee established under Article 45 of Regulation (EU) 2021/947,

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 the Republic of The Gambia for 2023, as set out in the Annexes, is adopted.

The action plan shall include the following actions:

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.

- (a) State and Resilience Building Contract (SRBC 4) for The Gambia, set out in Annex 1;
- (b) Youth Empowerment Programme (YEP) – Tourism, set out in Annex 2.

Article 2
Union contribution

The maximum Union contribution for the implementation of the action plan for 2023 is set at EUR 50 000 000, and shall be financed from the appropriations entered in the following lines of the general budget of the Union :

– budget line 14.020120 – Western Africa: EUR 50 000 000.

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 4.4.1 of Annex 2.

Article 4
Flexibility clause

Increases or decreases of up to EUR 10 000 000 not exceeding 20% of the contribution set in the first paragraph of Article 2 or cumulated changes⁸ 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 Regulation (EU, Euratom) 2018/1046 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, 1.8.2023

For the Commission
Jutta URPILAINEN
Member of the Commission

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