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**COMMISSION IMPLEMENTING DECISION**

**of 10.5.2023**

**on the financing of the annual action plan part 1 in favour of Ecuador for 2023**

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## on the financing of the annual action plan part 1 in favour of Ecuador for 2023

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 966/2012<sup>1</sup>, 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 480/2009<sup>2</sup>, and in particular Article 23(2) thereof,

Whereas:

- (1) In order to ensure the implementation of the annual action plan part 1 in favour of Ecuador 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 TFEU<sup>3</sup>.
- (3) The actions provided for in this Decision contribute to climate mainstreaming in line with the European Green Deal and the inter-institutional agreement.
- (4) The Commission has adopted the National Multiannual Indicative Programme<sup>4</sup> for the period 2021-2027, which sets out the following priorities: Support to sustainable trade and investments; Enhance climate and environment action on green innovation and productivity; and Good Governance.
- (5) The objectives pursued by the annual action plan to be financed under the Regulation (EU) 2021/947 geographic programme 'the Americas and the Caribbean' are to promote Ecuador's transitions towards inclusive sustainable economic growth and to contribute to the consolidation of democracy in Ecuador.

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<sup>1</sup> OJ L 193, 30.7.2018, p.1.

<sup>2</sup> OJ L 209, 14.6.2021, p.1.

<sup>3</sup> [www.sanctionsmap.eu](http://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.

<sup>4</sup> Decision C(2021)9114, 14.12.2021

- (6) The action entitled ‘A Green Deal for Ecuador’ will enhance institutional and financial framework relevant for Green Deal and Ecological Transition; reduce the gap between supply and demand for financing and making the technological transition towards sustainable mobility; create conditions for bankability of climate low-carbon and, climate-mitigation projects at decentralised level as well as conditions for financing sustainable mobility; and improve and make more effective and participative local governance mechanisms for the implementation of water projects in tackling public finance and the decentralised autonomous governments with the highest prevalence of chronic childhood malnutrition. The Commission should acknowledge and accept contribution[s] from other donors in accordance with Article 21(2) of the Financial Regulation, subject to the conclusion of the relevant agreement. Where such contribution[s] are not denominated in euro, a reasonable estimate of conversion should be made.
- (7) The action entitled ‘Strengthening of inclusive Ecuadorian democratic governance and prevention of violence against women’ will strengthen integrity, transparency, accountability and efficiency of the electoral processes and institutions while ensuring a fair and transparent campaign environment; support more inclusive political participation of women and underrepresented groups throughout the electoral cycle; and enhance effectiveness of measures for prevention of and response to violence against women and girls.
- (8) It is appropriate to authorise the award of the grants without a call for proposals and to provide for the conditions for awarding the grant.
- (9) Pursuant to Article 26(1) of Regulation (EU) 2021/947 indirect management is to be used for the implementation of the action.
- (10) 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 Regulation<sup>5</sup> and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) thereof before a contribution agreement can be signed.
- (11) 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.
- (12) 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.
- (13) The action plan provided for in this Decision is in accordance with the opinion of the NDICI-Global Europe Committee established under Article 45 of Regulation (EU) 2021/947,

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<sup>5</sup> Except for the cases of Article 154(6) of Regulation (EU, Euratom) 2018/1046, 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 part 1 in favour of Ecuador for 2023, as set out in the Annexes, is adopted.

The action plan shall include the following actions:

- (a) ‘A Green Deal for Ecuador. An inclusive, sustainable and resilient economy, stimulated by innovations and investments at decentralised level’, set out in Annex 1;
- (b) ‘Strengthening of inclusive Ecuadorian democratic governance and prevention of violence against women’, set out in Annex 2.

*Article 2*  
*Union contribution*

The maximum Union contribution for the implementation of the action plan part 1 for 2023 is set at EUR 17 800 000, and shall be financed from the appropriations entered in the following line of the general budget of the Union:

- General budget of the Union for 2023: budget line 14.020140: EUR 17 800 000;

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 4.3.2 of Annex 1 and point 4.3.2 of Annex 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 changes<sup>6</sup> 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.

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<sup>6</sup> These changes can come from 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 4.3.1 of Annex 1.

Done at Brussels, 10.5.2023

*For the Commission*  
*Jutta URPIAINEN*  
*Member of the Commission*