



Brussels, 26.5.2023
C(2023) 3570 final

COMMISSION IMPLEMENTING DECISION

of 26.5.2023

on the financing of the annual action plan part II in favour of El Salvador 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(2) thereof,

Whereas:

- (1) In order to ensure the implementation of the annual action plan in favour of El Salvador for 2023 part II, it is necessary to adopt an annual financing decision, which constitutes the annual 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 Commission has adopted the Multiannual Indicative Programme (MIP 2021-2027) for the period 2021-2027⁴, which sets out the following priorities: (1) Digitalization; (2) Green Transition; (3) Governance and Human Development.
- (4) The objectives pursued by the annual action plan to be financed under the NDICI is to contribute to the EU's overall strategic objectives for its external action, as laid out by the Multiannual Indicative Programme (MIP) for El Salvador for the period 2021-2027. It will seek to build partnerships with El Salvador and advance the external dimension of the Union's policy priorities on Digital transformation and innovation, specifically in areas related to digital skills and capacities, digital governance, as well as the promotion of good governance in the country.

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 El Salvador for the period 2021-2027, C(2021)9492 final of 16.12.2021.

- (5) The action entitled **“Adolescent girls protected from gender-based violence and early pregnancy in the Eastern region of El Salvador”** aims to enable adolescent girls to avoid pregnancy, live free from sexual violence and realise their rights to bodily autonomy in 14 Municipalities in the Eastern region of El Salvador.
- (6) The support measure entitled **“EU-El Salvador Cooperation Facility - Second Phase 2021-2024”** aims to consolidate the image of the EU in El Salvador as a reliable and effective development partner through the efficient and inclusive implementation of the MIP 2021-2027 and possible Team Europe Initiatives (TEI) in El Salvador.
- (7) Pursuant to Article 26(1) of Regulation (EU) 2021/947, direct and indirect management are to be used for the implementation of the actions.
- (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 direct and 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.
- (9) 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.
- (10) 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.
- (11) 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 part II in favour of El Salvador for 2023, as set out in the Annexes, is adopted.

The action plan shall include the following actions:

- (a) The action entitled “Adolescent girls protected from gender-based-violence and early pregnancy in the Eastern region of El Salvador ” set out in Annex I;
- (b) The measure entitled “EU-El Salvador Cooperation Facility Second Phase 2021-2024”, set out in Annex II.

⁵ 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.

Article 2
Union contribution

The maximum Union contribution for the implementation of the action plan part II for 2023 is set at EUR 6 500 000, and shall be financed from the appropriations entered in the following lines of the general budget of the Union :

– BGUE-B2023-14.020140: EUR 6 500 000

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 a combination of direct and 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 4.3.1 of Annex I.

Article 4
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 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, 26.5.2023

For the Commission
Jutta URPILAINEN
Member of the Commission

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