



Brussels, 16.12.2021  
C(2021) 9369 final

**COMMISSION IMPLEMENTING DECISION**

**of 16.12.2021**

**on the financing of the annual action plan in favour of Iraq for 2021**

# COMMISSION IMPLEMENTING DECISION

of 16.12.2021

## on the financing of the annual action plan in favour of Iraq for 2021

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 966/2012<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 in favour of Iraq 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 of the Treaty on the Functioning of the European Union (TFEU)<sup>3</sup>.
- (3) The Commission has adopted the National Multiannual Indicative Programme for the period 2021-2027<sup>4</sup>, which sets out the following priorities: Job creation and economic diversification; Human development and social contract; and Digital participatory governance and democracy.
- (4) The objectives pursued by the annual action plan as part of the Commission Implementing Decision adopting a multiannual indicative programme for Iraq for the period 2021-2027 to be financed under Regulation (EU) 2021/947, geographic programme ‘Asia and the Pacific’ are to increase decent employment and literacy, reduce poverty and inequality, promote rule of law for all Iraqis especially displaced populations and those in the most vulnerable situations.

---

<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> Commission Implementing Decision adopting a multiannual indicative programme for Iraq for the period 2021-2027, C(2021) 9133 final of 15.12.2021

- (5) The action entitled ‘Support to durable solutions for Iraq’s displaced populations: integration into the national labour market and national systems for education and social protection’ will work through four components: i) Improved economic inclusion, labour market formalisation and access to decent jobs; ii) Improved and equal access to quality and shock-resilient national education systems; iii) Improved and equal access to reformed quality, equitable and shock-silent national social protection systems; and iv) Improved civil identification and registration as well as housing/land/property rights.
- (6) The Commission should authorise the launch of a call for tender by means of a suspensive clause before the adoption of this Decision.
- (7) Pursuant Article 26(1) of Regulation (EU) 2021/947 indirect management is to be used for the implementation of the action.
- (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. 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 Regulation (EU, Euratom) 2018/1046<sup>5</sup> and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of Regulation (EU, Euratom) 2018/1046 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 Regulation (EU, Euratom) 2018/1046.
- (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 Regulation (EU, Euratom) 2018/1046.
- (11) The action plan 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) 2021/947.

HAS DECIDED AS FOLLOWS:

*Article 1*  
*The action plan*

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

The action plan shall include the following action: “Support to durable solutions for Iraq’s displaced populations: integration into the national labour market and national systems for education and social protection” set out in the Annex.

*Article 2*  
*Union contribution*

The maximum Union contribution for the implementation of the action plan for 2021 is set at EUR 75 000 000, and shall be financed from the appropriations entered in the following line of the general budget of the Union :

---

<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.

– budget line 14 02 01 30 NDICI Middle East and Central Asia.

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 Annex, 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 the Annex.

### *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 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 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.

### *Article 5*

#### *Procurement*

Launching a call for tender under a suspensive clause before the adoption of this Decision shall be authorised as set out in point 5.1 and 5.2 of the Annex.

Done at Brussels, 16.12.2021

*For the Commission*

*Jutta URPILAINEN*

*Member of the Commission*

---

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