



Brussels, 22.12.2021
C(2021) 9971 final

COMMISSION IMPLEMENTING DECISION

of 22.12.2021

on the financing of the individual measure in favour of India for 2022

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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(3) thereof,

Whereas:

- (1) In order to ensure the implementation of the individual measure in favour of India for 2022, it is necessary to adopt an annual financing decision, which constitutes the annual work programme, for 2022. 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 action provided for in this Decision contributes to climate and biodiversity mainstreaming in line with the European Green Deal and the inter-institutional agreement.
- (4) The Commission has adopted the Regional Multiannual Indicative Programme⁴ for the period 2021-2027⁵, which sets out the following priorities: 1) Green Deals; 2) Sustainable and Inclusive Growth; 3) Governance, People, Peace, Security.
- (5) The objectives pursued by the individual measure to be financed under the Regulation (EU) 2021/947 geographic programme Asia and the Pacific are to reinforce cooperation on sustainable modernisation and climate action both at strategic and

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 C(2021) 9251.

⁵ Commission Implementing Decision adopting a multiannual indicative programme for the Asia Pacific region for the period 2021-2027, C(2021) 9251 final of 15.12.2021

operational levels to enhance the EU-India partnership pursuing the European Green Deal objectives.

- (6) The action entitled ‘Climate, Energy, Trade and Innovation Support in India’ will help to deliver key priorities of the Regional Multiannual Indicative Programme and the EU-India Strategic Roadmap 2025. The action will (i) reinforce cooperation between the EU, the EU Member States and India to ensure clean, affordable, reliable energy supply for all, in support of the EU – India Clean Energy and Climate Partnership (ii) strengthen trade and investment relations and (iii) enhance EU-India partnership on innovation and digitalisation.
- (7) Pursuant to Article 26(1) of Regulation (EU) 2021/947 indirect management may 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 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 Regulation⁶ 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 measure, 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 measure provided for in this Decision does not fall within the categories of measures for which the prior opinion of the Committee is required. The European Parliament and the Committee, established under Article 45 of Regulation (EU) 2021/947, should be informed of this Decision within one month following its adoption.

HAS DECIDED AS FOLLOWS:

Article 1
The measure

The annual financing decision, constituting the measure for the implementation of the individual measure in favour of India for 2022, as set out in the Annex, is adopted.

The measure shall include the following action: Climate, Energy, Trade and Innovation Support in India.

⁶ 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.

Article 2
Union contribution

The maximum Union contribution for the implementation of the measure for 2022 is set at EUR 5 000 000, and shall be financed from the appropriations entered in the following budget line of the general budget of the Union:

– B2022-14.020131-C1-INTPA .

The appropriations provided for in the first paragraph may also cover interest due for late payment.

The implementation of this Decision is subject to the availability of the appropriations provided for in the draft general budget of the Union for 2022, following the adoption of that budget by the budgetary authority or as provided for in the system of provisional twelfths.

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 and not exceeding 20% of the contribution set in the first paragraph of Article 2 or cumulated changes⁷ 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, 22.12.2021

For the Commission
Jutta URPILAINEN
Member of the Commission

⁷ These changes can come from assigned revenue made available after the adoption of the financing decision.