



Brussels, 21.11.2022
C(2022) 8302 final

COMMISSION IMPLEMENTING DECISION

of 21.11.2022

**on the financing of the multiannual action plan in favour of French Polynesia for 2022
and 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 Council Decision (EU) 2021/1764 of 5 October 2021 on the association of the Overseas Countries and Territories with the European Union including relations between the European Union on the one hand, and Greenland and the Kingdom of Denmark on the other², and in particular Articles 81 and 82 thereof, making Article 23(2) of Regulation (EU) 2021/947 applicable.

Whereas:

- (1) In order to ensure the implementation of the programme for sustainable water management in French Polynesia, it is necessary to adopt a multiannual financing decision, which constitutes the multiannual work programme, for 2022 and 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 action provided for in this Decision contributes to climate and biodiversity mainstreaming in line with the European Green Deal⁴ and the inter-institutional agreement⁵.

¹ OJ L 193, 30.7.2018, p.1.

² OJ L 355, 7.10.2021, p.6.

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 Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, The European Green Deal, COM(2019)640 final.

⁵ Interinstitutional Agreement of 16 December 2020 between the European Parliament, the Council of the European Union and the European Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management, as well as on new own resources, including a roadmap towards the introduction of new own resources, OJ L-433 I, 22.12.2020, p. 28.

- (4) The Commission has adopted the Multiannual Indicative Programme for French Polynesia for the period 2021-2027⁶, which sets out the following priority: sustainable water management.
- (5) The objectives pursued by the multiannual action plan to be financed under the Decision (EU) 2021/1764 are to contribute to the green and resilient transition of French Polynesia, as also laid out by the Multiannual Indicative Programme (MIP).
- (6) The action entitled ‘Programme for sustainable water management in French Polynesia’ aims to support the implementation of the Water Sector Policy of French Polynesia. To do so, the action will expand access to drinking water and sanitation for French Polynesia inhabitants while ensuring integrated management of water resources in the face of climate change constraints.
- (7) Applicable in pursuance of Article 81 of Decision (EU) 2021/1764, indirect management is to be used for the implementation of the actions set out in the Annex.
- (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 Regulation⁷ 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 Committee established under Article 90 of Decision (EU) 2021/1764 did not deliver an opinion for the action plan provided for in this Decision,

HAS DECIDED AS FOLLOWS:

Article 1 *The action plan*

The multiannual financing decision, constituting the multiannual action plan in favour of French Polynesia for the sustainable water management programme, as set out in the Annex, is adopted.

The action plan shall include the following action:

- (a) Programme for sustainable water management in French Polynesia set out in the Annex.

⁶ Commission Decision on the adoption the 9 Multiannual Indicative Programmes for Overseas Countries and Territories for the period 2021-2027 C(2021)9164 final of 15.12.2021.

⁷ 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 for 2022 and 2023 is set at EUR 31 100 000, for an amount of EUR 2 388 055 for 2022 and for an amount of EUR 28 711 945 for 2023, and shall be financed from the appropriations entered in the following line of the general budget of the Union :

(a) budget line 14.050200.01: EUR 31 100 000;

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 general budget of the Union for 2023 following the adoption of that budget by the budget authority.

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 4.4.1 of the Annex.

Article 4
Flexibility clause

Increases or decreases of up to EUR 10 million not exceeding 20% of the contribution set in the first paragraph of Article 2, considering each financial year separately, 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 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, 21.11.2022

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.