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C(2023) 8516 final

**COMMISSION IMPLEMENTING DECISION**

**of 1.12.2023**

**on the financing of the annual action plan in favour of Ecuador for 2024**

# COMMISSION IMPLEMENTING DECISION

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## on the financing of the annual action plan in favour of Ecuador for 2024

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),

Whereas:

- (1) In order to ensure the implementation of the Annual Action Plan in favour of Ecuador for 2024, 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 environmental protection, climate change, and digital governance 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 'Americas and the Caribbean' are to promote Ecuador's climate action concerning the bioeconomy and forest management and to contribute to the digital transformation and e-governance.

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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> C(2021) 9114, 14.12.2021

- (6) The action entitled ‘Ukumari EU - Ecuador Forest Partnership: Traditional knowledge for forest conservation and bio-economy promotion’ will contribute to local revitalisation, the fight against climate change and the promotion of the circular economy by establishing development corridors related to the sustainable use and innovation of bamboo and its value chains; and strengthen the local and national competent authorities’ capacities to prevent, monitor, control forest fires and their causes, enhancing landscape connectivity, providing fundamental ecosystem services and contributing to improve the environment and the living conditions of local communities. 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 ‘Spearheading Digital Governance transformation in Ecuador’ will promote a data-driven digital transformation of the governance system through achieving full digitalisation of administrative processes, strengthening interoperability in the area of security, justice and social policy, to provide better quality services to citizens. The action will increase the efficiency, effectiveness and transparency of public administration; enhance independent work of oversight bodies to undertake effective technical evaluations or inspections of the executive and conduct performance monitoring available to the public; and increase the equal participation of women, men, girls and boys, in all their diversity, in decision-making processes, in all spheres and at all levels of political and public life, including online, taking on leadership roles, to equally enjoy and exercise their human rights and be able seek redress if these rights are denied.
- (8) The Commission should authorise the launch of a call for proposals by means of a suspensive clause before the adoption of this Decision.
- (9) Pursuant to Article 26(1) of Regulation (EU) 2021/947 indirect management is to be used for the implementation of the Action outlined in Annex 1.
- (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 in favour of Ecuador for 2024, as set out in the Annexes, is adopted.

The action plan shall include the following actions:

- (a) ‘Ukumari EU – Ecuador Forest Partnership: Traditional knowledge for forest conservation and bio economy promotion’, set out in Annex 1;
- (b) ‘Spearheading Digital Governance transformation in Ecuador’, set out in Annex 2.

*Article 2*  
*Union contribution*

The maximum Union contribution for the implementation of the action plan for 2024 is set at EUR 10 200 000, and shall be financed from the appropriations entered in the following line of the general budget of the Union:

- budget line BGUE-B2024-14.020140-C1-INTPA: EUR 10 200 000;

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 2024 following the adoption of that budget by the budget 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 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 1 and point 4.4.5 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 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.

*Article 5*  
*Grants – Procurement*

Launching a call for tender under a suspensive clause before the adoption of this Decision shall be authorised as of the date set out in point 4.4.1 of Annex 2.

Done at Brussels, 1.12.2023

*For the Commission*  
*Jutta Urpilainen*  
*Member of the Commission*