



Brussels, 10.11.2022
C(2022) 8241 final

COMMISSION IMPLEMENTING DECISION

of 10.11.2022

**on the financing of the 2022 Annual Action Plan in favour of the Republic of The
Gambia**

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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) No 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(1) and (2),

Whereas:

- (1) In order to ensure the implementation of the 2022 Annual Action Plan in favour of the Republic of The Gambia, 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 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 actions provided for in this Decision contribute to climate mainstreaming in line with the European Green Deal and the inter-institutional agreement.
- (4) The Commission has adopted the National Multiannual Indicative Programme⁴ for the period 2021-2027 which sets out the following priorities “Promoting Good Governance”, “Green Economy for sustainable growth and jobs” and “Human development”.
- (5) The objectives pursued by the annual action plan to be financed under the Regulation (EU) 2021/947, geographic programme ‘Sub-Saharan Africa’ are to foster a transformational shift towards an inclusive green growth economic model, to focus on

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 Decision on the adoption of the National Indicative Programme between the European Union and the Republic of The Gambia, C(2021)9361 final of 15.12.2021

an integrated approach addressing development, security and governance, and to strengthen the strategic partnership between the EU and The Gambia.

- (6) The action entitled “The Gambia’s Responsive and Accountable Democratic Transition” pursues supporting the process leading to the adoption of a new Constitution and the amendment of laws inherited from the previous regime, supporting the implementation of the Truth, Reconciliation and Reparation Commission recommendations, and also strengthening local governance to consolidate the democratic path.
- (7) The action entitled “Support to the Gambian Security Sector Reform process for improved Human Security, Migration and Border management” seeks to ensure the continuity with recent EU’s efforts on supporting Gambian security sector reform by reinforcing the oversight mechanisms of the security forces, improving the working conditions and the expertise of the Police and reinforcing border management and the fight against irregular migration.
- (8) The measure entitled “Cooperation Facility for The Gambia” aims at supporting: (i) the implementation of the EU-Gambia partnership, including actions financed by Regulation (EU) 2021/947 and Team Europe Initiatives to which they contribute; (ii) policy dialogue with the Government and other key stakeholders; and (iii) EU strategic communication and public diplomacy in The Gambia, including actions against disinformation and promoting legal pathways on migration.
- (9) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (10) Pursuant Article 26(1) of Regulation (EU) 2021/947 of 9 June 2021, indirect management is to be used for the implementation of actions in Annexes 1, 2 and 3.
- (11) 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 Regulation⁵ and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) thereof before a contribution agreement can be signed.

To this end, the Commission in accordance with Article 154(6) of the Financial Regulation retains the financial management responsibilities laid down in point 4.4.2 of Annex 3.

- (12) 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.
- (13) In order to allow for flexibility in the implementation of the action plan measure, it is appropriate to allow changes which should not be considered substantial for the purposes of Article 110(5) of the Financial Regulation.
- (14) 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,

⁵ 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.

HAS DECIDED AS FOLLOWS:

Article 1

The annual financing decision, constituting the annual action plan for the implementation of the 2022 annual action plan in favour of the Republic of The Gambia, as set out in the Annexes, is adopted.

The action plan shall include the following actions:

- (a) The Gambia's Responsive and Accountable Democratic Transition set out in Annex 1;
- (b) Support to the Gambian Security Sector Reform process to for improved Human Security, Migration and Border management set out in Annex 2;
- (c) Cooperation Facility for The Gambia set out in Annex 3.

Article 2

Union contribution

The maximum Union contribution for the implementation of the action plan for 2022 is set at EUR 18 000 000, and shall be financed from the appropriations entered in the budget line 14.020120 – Western Africa of the general budget of the Union.

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 Annexes, 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 Annex 1 and point 4.4.2 of Annexes 2 and 3.

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 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.

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

Article 5

Grants

Grants may be awarded without a call for proposals in accordance with the conditions set out in Annex 2. Grants may be awarded to the bodies referred to in the Annex selected in accordance with point 4.4.1. of Annex 2.

Done at Brussels, 10.11.2022

For the Commission

Jutta URPILAINEN

Member of the Commission