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COMMISSION IMPLEMENTING DECISION

of 30.11.2023

**on the financing of the multiannual action plan for 2023 - part IV and 2024 - part II in
favour of the Americas and the Caribbean**

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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) 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(2) thereof

Whereas:

- (1) In order to ensure the implementation of the multiannual action plan for 2023 – part IV and for 2024 – part II in favour of the Americas and the Caribbean (LAC), it is necessary to adopt a multiannual financing decision, which constitutes the multiannual programme for 2023 and 2024. 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 actions provided for in this Decision should contribute to climate mainstreaming in line with Commission Communication 'The European Green Deal' and in the Inter-institutional 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.
- (4) The Commission has adopted the Multiannual Indicative Programme for the Americas and the Caribbean⁴ for the period 2021-2027, which sets out the following priorities: 'Green Transition', 'Digital Transformation and Innovation', 'Sustainable 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)9356, 13.12.2021.

Inclusive Economy’, ‘Democratic Governance, Security and Migration’, and ‘Social Cohesion and Addressing Inequalities’.

- (5) The Commission has adopted the Multiannual Indicative Programmes for Costa Rica⁵, El Salvador⁶, Guatemala⁷, Honduras⁸, and Nicaragua⁹ for the period 2021-2027, which all set out ‘Green Transition’ and/or ‘Sustainable Economic Growth’ among the priorities, in line with the objectives of the multiannual action plan.
- (6) The objectives pursued by the multiannual action plan to be financed under the Regulation (EU) 2021/947 geographic programme ‘the Americas and the Caribbean’ is to contribute to the EU’s overall strategic objectives for its external action, as laid out by the Multiannual Indicative Programmes for the Americas and the Caribbean, Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua for the period 2021-2027. It will seek to build partnerships with Latin America and the Caribbean and advance the external dimension of the European Commission’s policy priorities, notably the sustainable and inclusive economic recovery and digital transformation.
- (7) The action entitled ‘EU-LAC Sustainable and Inclusive Economy Programme (AL-INVEST Next)’ aims to promote sustainable and inclusive economic growth through an EU-LAC Partnership approach, to strengthen EU-LAC trade and investment relations as enablers for sustainable and inclusive economic development (including innovation and Intellectual Property Rights (IPR)), to support sustainable and innovative value chains, and to strengthen responsible business conduct practices in the LAC region, consistent with international standards.
- (8) The action entitled ‘Economic Integration 4 Sustainable Trade’ seeks to strengthen regional integration to increase the benefits of the Association Agreement between Central America and the European Union. The action combines EUR 9 700 000 from the Multiannual Indicative Programme for the Americas and the Caribbean for the period 2021-2027, 200 000 for the Multiannual Indicative Programme for Costa Rica, 2 000 000 for El Salvador, 1 500 000 for Guatemala, 1 500 000 for Honduras, and 600 000 for Nicaragua.
- (9) The action entitled ‘Regulatory Innovation for Central America’ aims at increasing investment in digital transformation through regulatory frameworks conducive to innovation.
- (10) The Commission should acknowledge and accept contributions from other donors in accordance with Article 21(2) of the Financial Regulation, subject to the conclusion of the relevant agreement. Where such contributions are not denominated in euro, a reasonable estimate of conversion should be made.
- (11) The objective and design of all actions fulfil the criteria for Official Development Assistance established by the OECD/DAC, as per the requirements of Article 3(3) of Regulation (EU) 2021/947, contributing to the sustainable development of partner countries and the implementation of the 2030 agenda by supporting decent work and economic growth, industry, innovation, and infrastructure. The countries benefiting from the action which are included in the list of ODA recipients, are identified in the respective action document.

⁵ C(2021)8991, 14.12.2021

⁶ C(2021)9492, 16.12.2021

⁷ C(2021)9072, 14.12.2021

⁸ C(2021)9102, 14.12.2021

⁹ C(2021)9160, 15.12.2021

- (12) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (13) Pursuant to Article 26(1) of Regulation (EU) 2021/947, indirect management is to be used for the implementation of the actions.
- (14) 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 Regulation¹⁰ and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) thereof before a contribution agreement can be signed.
- (15) 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.
- (16) 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.
- (17) 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,

HAS DECIDED AS FOLLOWS:

Article 1
The action plan

The multiannual financing decision, constituting the multiannual action plan for 2023 – part IV and for 2024 – part II in favour of the Americas and the Caribbean, as set out in the Annexes, is adopted.

The action plan shall include the following actions:

- ‘EU-LAC Sustainable and Inclusive Economy Programme (AL-INVEST Next)’, set out in Annex I;
- ‘Economic Integration 4 Sustainable Trade’, set out in Annex II;
- ‘Regulatory Innovation for Central America’, set out in Annex III.

Article 2
Union contribution

The maximum Union contribution for the implementation of the action plan for 2023 is set at EUR 18 500 000 and for 2024 at EUR 58 000 000, and shall be financed from the appropriations entered in the following line of the general budget of the Union:

- (1) General budget of the Union for 2023: budget line 14.020140: EUR 18 500 000;
- (2) General budget of the Union for 2024: budget line 14.020140: EUR 58 000 000.

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

¹⁰ 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.

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.

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 4.3 of the Annexes I, II and III.

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 changes¹¹ 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

Grants may be awarded without a call for proposals in accordance with the conditions set out in the Annexes. Grants may be awarded to the body referred to in the Annexes selected in accordance with point 4.3.1 of Annexes I and II.

Done at Brussels, 30.11.2023

For the Commission

Jutta URPILAINEN

Member of the Commission

¹¹ These changes can come from assigned revenue made available after the adoption of the financing decision.