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**COMMISSION IMPLEMENTING DECISION**

**of 14.11.2024**

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

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

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council of 23 September 2024 on the financial rules applicable to the general budget of the Union<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(1) and 2 thereof,

Whereas:

- (1) In order to ensure the implementation of the annual action plan in favour of Nicaragua for 2024, it is necessary to adopt an annual financing decision, which is to constitute the annual work programme, for 2024 in accordance with Article 110(2) of Regulation (EU, Euratom) 2024/2509 ('the Financial Regulation').
- (2) The envisaged assistance is to comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 of the Treaty on the Functioning of the European Union<sup>3</sup>.
- (3) 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.
- (4) The action provided for in this Decision should contribute to climate, and biodiversity and gender-equality mainstreaming in line with Commission Communication 'The European Green Deal'<sup>4</sup> and in the Inter-institutional Agreement of 16 December 2020 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<sup>5</sup>.

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<sup>1</sup> OJ L 239, 26.9.2024, ELI: <http://data.europa.eu/eli/reg/2024/2509/oj>.

<sup>2</sup> OJ L 209, 14.6.2021, p.1, ELI: <http://data.europa.eu/eli/reg/2021/947/oj>.

<sup>3</sup> See [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> COM (2019) 640 final of 11 December 2019.

<sup>5</sup> 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 433I, 22.12.2020, p. 28, ELI: [http://data.europa.eu/eli/agree\\_interinstit/2020/1222/oj](http://data.europa.eu/eli/agree_interinstit/2020/1222/oj)).

- (5) The Commission has adopted the National Multiannual Indicative Programme for Nicaragua, for the period 2021-2027<sup>6</sup>, as amended following the mid-term review<sup>7</sup>, which sets out the following priorities: environmental and climate change adaptation and mitigation, and inclusive and sustainable economic growth.
- (6) 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 contribute to the adaptation of the vulnerable population in Nicaragua’s Dry Corridor to the effects of climate change, and to enhance socioeconomic integration and social cohesion of the forcibly displaced persons and migrants in Costa Rica.
- (7) The action entitled “*Local strategic alliances for adaptation to climate change, phase II (ALLACC II)*” aims to contribute to the adaptation of vulnerable population located at the Dry corridor in Nicaragua to the effects of climate change, particularly those related to water access and integrated water management.
- (8) The action entitled “*Support to forcibly displaced persons and economic migrants in Costa Rica (HOPE Project)*”, aims to enhance socioeconomic integration and social cohesion of the forcibly displaced persons and migrants in Costa Rica. 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.
- (9) 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.
- (10) The objective and design of the 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 contributing to urban renewal, peace and security. The countries benefiting from the action which are included in the list of ODA recipients, are identified in the respective action document.
- (11) Pursuant to Article 62(1), point (c), of the Financial Regulation and Article 26(1) of Regulation (EU) 2021/947 indirect management is to be used for the implementation of the actions set out in both Annexes.
- (12) It is necessary to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants in accordance with Article 198 of the Financial Regulation.
- (13) The Commission is to ensure a level of protection of the financial interests of the Union with regard to persons and entities entrusted with the implementation of Union funds by indirect management as provided for in Article 157(3) of the Financial Regulation. To that end, and before a contribution agreement can be signed, such

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<sup>6</sup> Commission Implementing Decision adopting the multiannual indicative programme for Nicaragua for the period 2021-2027, C(2021)9160 final of 15.12.2021.

<sup>7</sup> Commission Implementing Decision amending country, multi-country and regional Multiannual Indicative Programmes 2021-2027 for Sub-Saharan Africa, Asia and the Pacific, Americas and the Caribbean and the Multiannual Indicative Programmes on Civil Society Organisations, Global Challenges and Human Rights and Democracy, C(2024)7502 final of 31.10.2024.

persons and entities are to be subject to an assessment of their systems and procedures in accordance with Article 157(4) of the Financial Regulation<sup>8</sup> and, if necessary, to appropriate supervisory measures in accordance with Article 157(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,

HAS DECIDED AS FOLLOWS:

#### *Article 1*

#### **The action plan**

The annual financing decision, constituting the annual action plan for the implementation of the the annual action plan in favour of Nicaragua for year 2024, as set out in the Annexes, is adopted.

The action plan shall include the following actions:

- (a) Local strategic alliances for adaptation to climate change, phase II (ALLACC II) set out in Annex I;
- (b) Support forcibly displaced persons and economic migrants in Costa Rica (HOPE) set out in Annex II.

#### *Article 2*

#### **Union contribution**

The maximum Union contribution for the implementation of the action plan for 2024 is set at EUR 30 000 000, and shall be financed from the appropriations entered in budget line 14.020140 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*

#### **Flexibility clause**

Increases or decreases of up to EUR 10 million and not exceeding 20% of the maximum Union contribution set in the first paragraph of Article 2 or cumulated changes<sup>9</sup> 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, where those 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.

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<sup>8</sup> Except for the cases referred to in Article 157(7) of the Financial Regulation, where the Commission may decide, not to require an ex-ante assessment.

<sup>9</sup> These changes can come from assigned revenue made available after the adoption of the financing decision.

*Article 4*

**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[es], 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 the Annex I and 4.4.2 of the Annex II.

Done at Brussels, 14.11.2024

*For the Commission*

*Jutta URPILAINEN*

*Member of the Commission*