



Brussels, 16.12.2021
C(2021) 9675 final

COMMISSION IMPLEMENTING DECISION

of 16.12.2021

**on the financing of the 2021 Annual Action Plan in favour of the Federal Republic of
Nigeria**

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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(2) thereof,

Whereas:

- (1) In order to ensure the implementation of the 2021 Annual Action Plan in favour of the Federal Republic of Nigeria, it is necessary to adopt an annual financing decision, which constitutes the annual work programme for 2021. 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 contribute to climate and biodiversity mainstreaming in line with the European Green Deal and the inter-institutional agreement.
- (4) The Commission has adopted the National Multiannual Indicative Programme for the period 2021-2027⁴ which sets out the following priorities 'Green and digital economy', 'Governance, Peace and Migration', and 'Human Development'.
- (5) The objectives pursued by the annual action plan to be financed under Regulation 2021/947 geographic programme 'Sub-Saharan Africa' are to create jobs for youth,

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 Implementing Decision adopting a multiannual indicative programme for the Federal Republic of Nigeria for the period 2021-2027, C(2021)9273 final of 15.12.2021.

support democratic governance and strengthen the strategic partnership between the EU and Nigeria.

- (6) The action entitled ‘EU Support to Innovation and Jobs for Youth in Nigeria’ pursues the creation of new green and smart jobs for the youth through enhancement of employability, entrepreneurship and improvement of innovation and digitalisation.
- (7) The action entitled ‘EU Support To Democratic Governance In Nigeria’ intends to prevent democratic reversal and promote democratic consolidation in Nigeria by engendering the conditions for inclusive, transparent, credible and peaceful elections and a more inclusive decision-making process with the meaningful participation of all sectors of society.
- (8) The action entitled ‘Cooperation Facility’ aims at strengthening the strategic partnership between the EU and Nigeria. It will pay particular attention to the promotion of EU values and enhance public awareness, understanding and appreciation of the EU-Nigeria relationship. It will also support policy dialogue and the implementation of programmes and projects developed in the 2021-2027 Multi-Annual Indicative Programme.
- (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) The Commission should authorise the launch of a call for proposals and tender by means of a suspensive clause before the adoption of this Decision.
- (11) Pursuant to Article 26(1) of Regulation (EU) 2021/947, indirect management is to be used for the implementation of actions in Annexes 1 and 3.
- (12) 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.
- (13) 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.
- (14) 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.
- (15) 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.
- (16) The action plan provided for in this Decision is in accordance with the opinion of the Neighbourhood, Development and International Cooperation Instrument – Global Europe 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 action plan

The annual financing decision, constituting the annual action plan for the implementation of the 2021 annual action plan in favour of the Federal Republic of Nigeria, as set out in the Annexes, is adopted.

The action plan shall include the following actions:

- (a) EU Support to Innovation and Jobs for Youth in Nigeria (INN-JOBS) set out in Annex 1;
- (b) EU Support to Democratic Governance in Nigeria (EU-SDGN) Phase II set out in Annex 2;
- (c) Cooperation Facility (CF) set out in Annex 3.

Article 2
Union contribution

The maximum Union contribution for the implementation of the action plan for 2021 is set at EUR 115 400 000, and shall be financed from the appropriations entered in the budget line 14.020120 – Western Africa: EUR 115 400 000 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 in points 4.4.2 and 4.4.3 of Annex 1 or selected in accordance with the criteria laid down in point 4.4.3 of Annex 3.

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 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 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.

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

Article 5
Grants and Procurement

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.

Launching a call for proposals or tender under a suspensive clause before the adoption of this Decision shall be authorised as of the date set out in points 4.4.1 and 4.4.2 of Annex 2.

Done at Brussels, 16.12.2021

For the Commission
Jutta URPILAINEN
Member of the Commission