



Brussels, 11.7.2022
C(2022) 5013 final

COMMISSION IMPLEMENTING DECISION

of 11.7.2022

**on the financing of the annual action plan in favour of the Federal Republic of Somalia
for 2022**

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union (TFEU),

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 (hereafter referred to as ‘Neighbourhood, Development and International Cooperation Instrument – Global Europe’ or as ‘Regulation (EU) 2021/947 of 9 June 2021’), and in particular Article 23(2) and Article 24 thereof,

Whereas:

- (1) In order to ensure the implementation of the annual action plan in favour of the Federal Republic of Somalia for 2022, 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 (‘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 three priorities: Governance and Peacebuilding, Inclusive and Green Economic Growth, and Resilience Building and Social Inclusion.

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 Somalia for the period 2021-2027, C(2021) 9070 final of 14.12.2021.

- (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 promote the sustainable development and stability in the Federal Republic of Somalia.
- (6) The action entitled ‘Strengthening Inclusive Governance in Somalia (SIGS)’ aims to strengthen inclusive and democratic governance with a particular emphasis on promoting political settlements and supporting reconciliation, bottom up democratisation, local governance and political participation at all levels. 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.
- (7) The action entitled ‘Promoting Human Security in Somalia’ will promote human security and sustainable peace through a better-managed and more accountable security sector, capacitated justice institutions and strengthened conflict resolution mechanisms. 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.
- (8) The action entitled ‘Economic Governance and Anti-Corruption Programme’ aims at fostering better economic governance and economic transformation in Somalia, by improving public financial accountability and countering corruption, and addressing the issues constraining job creation and income generation, by facilitating business and trade and increased flows of sustainable investments. 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.
- (9) The action entitled ‘BREACH - Boosting Resilience and Adaptation to Climate Change in Somalia’ aims are reducing gender inequalities by addressing gender-specific needs while mitigating and adapting to climate change, strengthening resilience building, achieving durable solutions to displacement, improving natural resource management and providing sustainable livelihood opportunities. 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.
- (10) The measure entitled ‘Somalia Cooperation Facility I’ will promote and strengthen EU’s engagement and cooperation in Somalia as part of the proposed support measures of the MIP.
- (11) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (12) The Commission should authorise the launch of a call for tender by means of suspensive clause before the adoption of this Decision.
- (13) Pursuant to Article 26(1) of Regulation (EU) 2021/947 indirect management is to be used for the implementation of all actions.
- (14) The Commission is to ensure a level of protection of the financial interest of the Union with regards to entities and persons entrusted with the implementation of the 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.

- (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 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) No 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 annual action plan in favour of the Federal Republic of Somalia for 2022, as set out in the Annexes, is adopted.

The action plan shall include the following actions:

- (a) Strengthening Inclusive Governance in Somalia (SIGS), set out in Annex 1;
- (b) Promoting Human Security in Somalia, set out in Annex 2;
- (c) Economic Governance and Anti-Corruption Programme, set out in Annex 3;
- (d) BREACH - Boosting Resilience and Adaptation to Climate Change in Somalia, set out in Annex 4;
- (e) Somalia Cooperation Facility I, set out in Annex 5.

Article 2
Union contribution

The maximum Union contribution for the implementation of the action plan for 2022 is set at EUR 125 000 000, and shall be financed from the appropriations entered in the following line of the general budget of the Union:

– budget line BGUE-B2022-14.020121-C1-INTPA: EUR 125 000 000

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

⁵ 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.

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 4.4.4.1 and 4.4.4.2 in Annex 1, point 4.4.2 in Annex 2, points 4.4.3, 4.4.4 and 4.4.5 in Annex 3, point 4.4.2 in Annexes 4 and 5.

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 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
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 and point 4.4.1 of Annex 5.

Done at Brussels, 11.7.2022

For the Commission
Jutta URPILAINEN
Member of the Commission

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