



Brussels, 16.12.2021
C(2021) 9564 final

COMMISSION IMPLEMENTING DECISION

of 16.12.2021

on the financing of the annual action plan in favour of Sri Lanka for 2021

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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, and in particular Article 23(2) thereof,

Whereas:

- (1) In order to ensure the implementation of the annual action plan in favour of Sri Lanka for 2021, 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 action 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 recovery for Sri Lanka and an inclusive and peaceful society.
- (5) The objectives pursued by the annual action plan to be financed under Regulation (EU) 2021/947 geographic programme 'Asia and the Pacific' are to 1) advance social cohesion in Sri Lanka and 2) contribute to the green recovery and transition of the Sri Lankan economy and society.

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 Sri Lanka for the period 2021-2027, C(2021)9291 final of 15.12.2021.

- (6) The action entitled ‘Strengthening Social Cohesion and Peace in Sri Lanka (SCOPE)’ seeks to advance social cohesion in order to contribute to a more inclusive, peaceful and prosperous society in Sri Lanka, by continuing and expanding the work undertaken by the EU in the field of reconciliation. The action aims to strengthen community and institutional resilience and public discourse, and provide incentives and opportunities for inter-ethnic collaboration and equitable access to resources for men and women in all their diversity and with a focus on the green economic sector. The Commission should acknowledge and accept contribution from other donors in accordance with Article 21(2) of the Financial Regulation, subject to the conclusion of the relevant agreement. Where such contribution are not denominated in euro, a reasonable estimate of conversion should be made.
- (7) The action entitled ‘EU Green Policy Dialogue Facility’ aims to support sustainable and inclusive growth contributing to the transition to a low-carbon, resource efficient and circular economy. The action intends to contribute to the inclusive and green recovery and transition of the Sri Lankan economy and society. Aligning with EU policy priorities, global and national agenda and building on previous ad hoc interventions, the EU will support Sri Lanka to decouple growth from carbon emissions and unsustainable production and consumption patterns through an effective sectoral policy dialogue. The Commission should acknowledge and accept contribution from other donors in accordance with Article 21(2) of the Financial Regulation, subject to the conclusion of the relevant agreement. Where such contribution are not denominated in euro, a reasonable estimate of conversion should be made.
- (8) Pursuant to Article 26(1) of Regulation (EU) 2021/947, indirect management is to be used for the implementation of the action.
- (9) 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.
- (10) 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.
- (11) In order to allow for flexibility in the implementation of the annual 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.
- (12) 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 annual action plan in favour of Sri Lanka for 2021, as set out in the Annexes, is adopted.

The action plan shall include the following actions:

- (a) Strengthening Social Cohesion and Peace in Sri Lanka (SCOPE) set out in Annex I;
- (b) EU Green Policy Dialogue Facility set out in Annex II.

Article 2
Union contribution

The maximum Union contribution for the implementation of the annual action plan in favour of Sri Lanka for 2021 is set at EUR 13 000 000 and shall be financed from the appropriations entered in the budget line B2021-14.020131-C1-INTPA 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 4.3.1 of the Annexes I and II.

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.

Done at Brussels, 16.12.2021

For the Commission
Jutta URPIAINEN
Member of the Commission

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