



Brussels, 1.12.2023
C(2023) 8490 final

COMMISSION IMPLEMENTING DECISION

of 1.12.2023

on the financing of the annual action plan in favour of Iraq for 2023

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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 Iraq for 2023, it is necessary to adopt an annual financing decision, which constitutes the annual work programme, for 2023. 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 Commission Communication 'The European Green Deal'⁴ 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 resources⁵.
- (4) The Commission has adopted the National Multiannual Indicative Programme⁶ for the period 2021-2027, which sets out the following priorities: job creation and economic

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 COM (2019) 640 final of 11 December 2019.

⁵ OJ L 433I, 22.12.2020, p. 28.

⁶ Commission Implementing Decision adopting a multiannual indicative programme for Iraq for the period 2021-2027, C(2021)9133 final of 15 December 2021.

diversification; human development and social contract; and digital participatory governance and democracy.

- (5) The objectives pursued by the annual action plan to be financed under the Regulation (EU) 2021/947 geographic programme ‘Asia and the Pacific’ are to contribute to climate change action and girls’ education in Iraq.
- (6) The action entitled ‘Greening Iraq’ pursues the specific objectives of (1) increased investments in green, sustainable, and climate-resilient agriculture and forestry including renewable energy solutions, benefitting in particular women, children, youth, displaced persons, disabled persons, and persons living in vulnerable situations; (2) enhanced delivery of accessible, smart, and energy saving municipal services including water and sanitation management, including renewable energy solutions, benefitting in particular women, children, youth, displaced persons, disabled persons, and persons living in vulnerable situations; and (3) improved transparency, accountability, and credibility of the judicial system in regards to environmental justice, including enhanced inclusive participatory decision-making, benefitting in particular women, children, youth, displaced persons, disabled persons, and persons living in vulnerable situations.
- (7) The action entitled ‘Promoting Girls’ Education in Iraq’ pursues the specific objectives of (1) improved access to and completion of inclusive, equitable primary and secondary education of girls, including displaced girls, girls pertaining to minorities, disabled girls and girls living in vulnerable situations; and (2) improved learning outcomes for girls, including displaced girls, girls pertaining to minorities, disabled girls and girls living in vulnerable situations.
- (8) The Commission should acknowledge and accept contribution[s] from other donors in accordance with Article 21(2) of the Financial Regulation for Annex I and Annex II, 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) Pursuant to Article 26(1) of Regulation (EU) 2021/947 indirect management is to be used for the implementation of the action ‘Greening Iraq’.
- (10) 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 Regulation⁷ and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) thereof before a contribution agreement can be signed.
- (11) 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.
- (12) 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.
- (13) 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,

⁷ 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.

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 Iraq for 2023, as set out in the Annexes, is adopted.

The action plan shall include the following actions:

- (a) 'Greening Iraq' set out in Annex I;
- (b) 'Promoting Girls' Education in Iraq' set out in Annex II.

Article 2
Union contribution

The maximum Union contribution for the implementation of the action plan for 2023 is set at EUR 19 900 000, and shall be financed from the appropriations entered in the following line of the general budget of the Union: 14.020130 NDICI Middle East and Central Asia.

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 action 'Greening Iraq' carried out by way of indirect management, as set out in Annex I, 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 Annex I.

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 changes⁸ 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, 1.12.2023

For the Commission
Jutta URPIAINEN
Member of the Commission

⁸ These changes can come from assigned revenue made available after the adoption of the financing decision.