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**COMMISSION IMPLEMENTING DECISION**

**of 16.12.2021**

**on the financing of the annual action plan part 3 in favour of the Latin America and  
Caribbean region for 2021**

# COMMISSION IMPLEMENTING DECISION

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## on the financing of the annual action plan part 3 in favour of the Latin America and Caribbean region for 2021

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 966/2012<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, and in particular Article 23(2) thereof,

Whereas:

- (1) In order to ensure the implementation of the annual action plan part 3 in favour of the Latin America and Caribbean region, it is necessary to adopt an annual financing decision, which constitutes the annual work programme, for 2021 part 3. Article 110 of Regulation (EU, Euratom) 2018/1046 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 TFEU<sup>2</sup>.
- (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 Multiannual Indicative Programme for the Americas and the Caribbean the period 2021-2027<sup>3</sup>, which sets out the following priorities: green transition, digital transformation and innovation, sustainable and inclusive economic recovery, democratic governance, security and migration, as well as social cohesion and addressing inequalities. These priorities are further defined for the Caribbean under three priority areas: partnership for a green deal, partnership for economic resilience and trade, partnership for governance, security and human development.

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<sup>1</sup> OJ L 193, 30.7.2018, p.1.

<sup>2</sup> [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>3</sup> C(2021)9356, 13.12.2021

- (5) The objectives pursued by the annual action plan to be financed under the Neighbourhood, Development and International Cooperation Instrument - Global Europe, geographic programme 'the Americas and the Caribbean' is to contribute to the EU's overall strategic objectives for its external action, as laid out by the Multiannual Indicative Programme (MIP) for the Americas and the Caribbean for the period 2021-2027. It will seek to build partnerships with LAC and advance the external dimension of the European Commission's policy priorities, notably the Green Deal and the Digital transformation and innovation.
- (6) The action entitled 'LAC Regional Cooperation Facility' aims at strengthening EU's partnership with the Latin America and the Caribbean region, its multi-country actors and the countries concerned. The action entitled 'Caribbean Cooperation Facility' aims at promoting and strengthening the three EU-Caribbean Partnerships in line with EU values and policy priorities. The action entitled 'EU-Central America Cooperation Facility' aims at supporting the bi-regional partnership between the European Union and Central America in line with the principles and objectives of the EU-CA Association Agreement, focusing on common policy priorities, including green and blue recovery, digitalisation, gender equality and the fight against inequalities. The action entitled 'Digital Trade Platform for Central America 2.0' aims at strengthening the economic integration process in Central America and maximising the benefits of the Association Agreement signed between the European Union and Central America.
- (7) The Commission should acknowledge and accept contributions from other donors in accordance with Article 21(2) of Regulation (EU, Euratom) 2018/1046, 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) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (9) The Commission should authorise the launch of a call for tender by means of a suspensive clause before the adoption of this Decision.
- (10) Pursuant to Article 26(1) of Regulation (EU) No 2021/947 of 9 June 2021, indirect management is to be used for the implementation of the actions.
- (11) 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 Regulation (EU, Euratom) 2018/1046. 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 Regulation (EU, Euratom) 2018/1046<sup>4</sup> and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of Regulation (EU, Euratom) 2018/1046 before a contribution agreement can be signed.
- (12) It is necessary to allow for the payment of interest due for late payment on the basis of Article 116(5) of Regulation (EU, Euratom) 2018/1046.
- (13) 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 Regulation (EU, Euratom) 2018/1046.

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<sup>4</sup> 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.

- (14) 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) No 2021/947 of 9 June 2021

HAS DECIDED AS FOLLOWS:

*Article 1*

*The action plan 2021 part 3*

The financing decision, constituting the annual action plan for the implementation of the financing of the annual action programme in favour of the Latin America and the Caribbean for 2021 part 3, as set out in the Annexes, is adopted.

The action plan shall include the following actions:

- (a) LAC Regional Cooperation Facility set out in Annex I;
- (b) Caribbean Cooperation Facility set out in Annex II;
- (c) EU-Central America Cooperation Facility set out in Annex III;
- (d) Digital Trade Platform for Central America 2.0 set out in Annex IV;

*Article 2*

*Union contribution*

The maximum Union contribution for the implementation of the action plan for 2021 is set at EUR 37 000 000, and shall be financed from the appropriations entered in the following lines of the general budget of the Union :

- budget line ‘The Americas’: 14.020140 : EUR 28 000 000
- budget line ‘The Caribbean’: 14.020141: EUR 9 000 000

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 of the Annexes I, II, III, IV.

*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 changes 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 Regulation (EU, Euratom) 2018/1046 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*  
*Grants*

Grants may be awarded without a call for proposals in accordance with the conditions set out in the Annexes. Grants may be awarded to the bodies referred to in the Annex I selected in accordance with point 4.4.1 of the Annex I. Grants may be awarded to the bodies referred to in the Annex IV selected in accordance with point 4.3.2 of the Annex IV.

*Article 6*  
*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 4.4.3 of Annex I and in point 4.4.1 of Annex III.

Done at Brussels, 16.12.2021

*For the Commission*  
*Jutta Urpilainen*  
*Member of the Commission*  
*Jutta URPILAINEN*  
*Member of the Commission*