



Brussels, 22.3.2023
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COMMISSION IMPLEMENTING DECISION

of 22.3.2023

**on the financing of the individual measures in favour of the people of the Republic of the
Sudan 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(3) for individual measures thereof,

Whereas:

- (1) In order to ensure the implementation of the individual measures in favour of the people of the Republic of the Sudan 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 the European Green Deal and the inter-institutional agreement.
- (4) The objectives pursued by the annual measure to be financed under the Regulation (EU) 2021/947 geographic programme 'Sub-Saharan Africa' are to: 1) increase food security and livelihoods resilience; and 2) sustain delivery of essential health care and nutrition services for vulnerable populations among displaced and host communities .
- (5) Pursuant to Article 23(3) of Regulation (EU) 2021/947 the use of individual measure without a programming document is in this case justified to support the vulnerable population of Sudan in insecure food security area and lacking access to the health and nutrition services.

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.

- (6) The action 1 entitled ‘Enhancing Food Security and Resilience of Rural Communities in Sudan’ aims to contribute to sustainable and resilient livelihoods and food security in rural communities most affected by food insecurity, climate change and conflicts. The action aims to use agro ecological practices, increase decent job opportunities, and increase equal and sustainable access to natural resources.
- (7) The action 2 entitled ‘Primary Health Care provision for vulnerable populations affected by food insecurity and malnutrition - Sudan’ aim to improve the health conditions of vulnerable populations affected by extreme poverty, food insecurity and malnutrition in Sudan including Internally Displaced Persons (IDPs), refugees and host communities. The proposed Action will support the local health care structures at Primary Health Care (PHC) level. It will include nutrition services, access to preventive and curative health care, Water, Sanitation and Hygiene (WASH) measures, among others, complemented by addressing financial barriers to accessing health care, including for pregnant and lactating mothers.
- (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) Pursuant to Article 26(1) of Regulation (EU) 2021/947 indirect management is to be used for the implementation of the action.
- (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 Regulation⁴ 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 measure, 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 measure provided for in this Decision is in accordance with the opinion of the Committee established under Article 45 of Regulation (EU) 2021/947.

HAS DECIDED AS FOLLOWS:

Article 1
The measure

The annual financing decision, constituting the annual measure for the implementation of the individual measures in favour of the people of the Republic of the Sudan 2023, as set out in the Annexes, is adopted.

The measure shall include the following actions:

⁴ 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.

- (a) Enhancing Food Security and Resilience of Rural Communities in Sudan set out in Annex 1;
- (b) Primary Health Care provision for vulnerable populations affected by food insecurity and malnutrition - Sudan set out in Annex 2.

Article 2
Union contribution

The maximum Union contribution for the implementation of the measure for 2023 is set at EUR 130 000 000, and shall be financed from the appropriations entered in the following line of the general budget of the Union :

- budget line BGUE-B2023-14.020121-C1: EUR 130 000 000;

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 4.4.2 of the Annexes 1 and 2.

Article 4
Flexibility clause

Increases or decreases of up to EUR 10 000 000 not exceeding 20% of the contribution set in the first paragraph of Article 2, or cumulated changes⁵ 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.

⁵ These changes can come from assigned revenue made available after the adoption of the financing decision.

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 Annexes selected in accordance with point 4.4.1 of the Annexes 1 and 2.

Done at Brussels, 22.3.2023

For the Commission
Jutta URPIAINEN
Member of the Commission