



Brussels, 12.10.2023  
C(2023) 6977 final

**COMMISSION IMPLEMENTING DECISION**

**of 12.10.2023**

**on the financing of the annual action plan in favour of Vietnam for 2024 part 1**

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## on the financing of the annual action plan in favour of Vietnam for 2024 part 1

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

Whereas:

- (1) In order to ensure the implementation of the annual action plan in favour of Vietnam for 2024 part 1, it is necessary to adopt an annual financing decision, which constitutes the annual work programme, for 2024. 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 TFEU<sup>3</sup>.
- (3) The action “EU-Vietnam Forestry Support Programme” provided for in this Decision contributes to climate and biodiversity mainstreaming in line with Commission Communication ‘The European Green Deal’<sup>4</sup> 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 resources<sup>5</sup>.
- (4) The Commission has adopted the National Multiannual Indicative Programme<sup>6</sup> for the period 2021-2027, which sets out the following priorities: climate-responsive circular

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

<sup>2</sup> OJ L 209, 14.6.2021, p.1.

<sup>3</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>4</sup> COM (2019) 640 final of 11 December 2019.

<sup>5</sup> OJ L 433I, 22.12.2020, p. 28.

<sup>6</sup> Commission Implementing Decision adopting a multiannual indicative programme for Vietnam for the period 2021-2027 C(2021)8997 final of 14.12.2021.

digital economy (priority area 1), responsible entrepreneurship and enhanced skills for decent employment (priority area 2), and strengthening governance, rule of law and institutional reform (priority area 3).

- (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 deepen its engagement with Vietnam, in particular by supporting climate action through restoring carbon sinks, reducing green house gas emission and increasing climate-resilience, and by making Vietnam more competitive and by fostering TVET’s relevance for the labour market through strengthening digital and green skills. The objectives will be pursued through two actions included in the annual action plan.
- (6) The action entitled ‘EU-Vietnam Forestry Support Programme’ will contribute to green, sustainable and inclusive growth as well as to reduce vulnerability to climate change in Vietnam. It will strengthen climate change mitigation and adaptation efforts through climate-sensitive sustainable conservation, restoration and management of forests and promote climate-sensitive environmentally sustainable forest-based value chains.
- (7) The action entitled ‘EU-Vietnam TVET Programme (VETVET)’ will improve knowledge and job skills of the labour force for decent employment and entrepreneurship in the framework of climate change mitigation, and green and digital transitions in Vietnam. It aims at enhancing governance and coordination among the institutions and stakeholders involved in the TVET sector and at increasing quality and coverage of Skills Development Programmes for young women and men in their diversity in accordance with national and international labour market demands.
- (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 Regulation<sup>7</sup> 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 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 Committee established under Article 45 of Regulation (EU) 2021/947.

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<sup>7</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.

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 Vietnam for 2024 part 1, as set out in the Annexes, is adopted.

The action plan shall include the following actions:

- (a) 'EU-Vietnam Forestry Support Programme' set out in Annex I;
- (b) 'EU-Vietnam TVET Programme (VETVET)' set out in Annex II.

*Article 2*  
*Union contribution*

The maximum Union contribution for the implementation of the action plan in favour of Vietnam for 2024 part 1 is set at EUR 60 000 000, and shall be financed from the appropriations entered in the following line of the general budget of the Union : 14.020131.

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

The implementation of this Decision is subject to the availability of the appropriations provided for in the draft general budget of the Union for 2024, following the adoption of that budget by the budgetary authority or as provided for in the system of provisional twelfths.

*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.

*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<sup>8</sup> 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).

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

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, 12.10.2023

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