



Brussels, 24.4.2023  
C(2023) 2854 final

**COMMISSION IMPLEMENTING DECISION**

**of 24.4.2023**

**on the financing of the 2023 Annual Action Plan in favour of the Republic of Ghana**

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

Whereas:

- (1) In order to ensure the implementation of the 2023 Annual Action Plan in favour of the Republic of Ghana, 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 TFEU<sup>3</sup>.
- (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 Commission has adopted the National Multiannual Indicative Programme<sup>4</sup> for the period 2021-2027<sup>5</sup>, which sets out the following priorities "Green growth for jobs", "Smart and Sustainable cities" and "Good Governance and security".
- (5) The objectives pursued by the annual action plan to be financed under the Regulation (EU) 2021/947 geographic programme 'Sub-Saharan Africa' are to support the sustainable development of a selected number of agribusiness value chains, prevent

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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> Decision C(2021)9398.

<sup>5</sup> Commission Implementing Decision on the Multiannual Indicative Programme for the Republic of Ghana, C(2021)9398 final of 16.12.2021.

deforestation and enhance biodiversity conservation, improve public financial management and promote private sector development.

- (6) The action entitled ‘EU-Ghana Partnership for green transition and agribusiness’ will focus on agribusiness and forestry. The agribusiness component will support the sustainable development of a selected number of agribusiness value chains. The forestry component will support actions that prevent deforestation and enhance biodiversity conservation.
- (7) The action entitled ‘EU action for Sound Public Financial Management and Private Sector Development’ will, as far as the Public Finance Management component is concerned consolidate the achievements of a successful 11<sup>th</sup> EDF programme, as well as mainstream gender into the national budget and support CSOs engagement and advocacy in the PFM sector. The private sector development component aims to boost green employment by supporting the development of private sector opportunities in sectors with strong opportunities for value and job creation, digitalization, and social cohesion.
- (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.
- (11) 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>6</sup> and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) thereof 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 the Financial Regulation.
- (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 the Financial Regulation.
- (14) 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.

HAS DECIDED AS FOLLOWS:

*Article 1*  
*The action plan*

The annual financing decision, constituting the annual action plan for the implementation of the 2023 Annual Action Plan in favour of the Republic of Ghana, as set out in the Annexes, is adopted.

The action plan shall include the following actions:

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<sup>6</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.

- (a) EU- Ghana Partnership for green transition and agribusiness set out in Annex 1;
- (b) EU action for Sound Public Financial Management and Private Sector Development set out in Annex 2.

## *Article 2*

### *Union contribution*

The maximum Union contribution for the implementation of the annual action plan for 2023 is set at EUR 42 000 000, and shall be financed from the appropriations entered in the following line of the general budget of the Union :

– budget line BGUE-B2023-14.020120-C1-INTPA: EUR 42 000 000;

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 4.4.1 and 4.4.2 of Annex 1 and points 4.4.2 and 4.4.3 of Annex 2.

## *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>7</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.

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.

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<sup>7</sup> 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 Annex 2. Grants may be awarded to the bodies referred and selected in accordance with point 4.4.1 of the Annex 2.

Done at Brussels, 24.4.2023

*For the Commission*

*Jutta URPILAINEN*

*Member of the Commission*