



Brussels, 20.12.2023
C(2023) 9260 final

COMMISSION IMPLEMENTING DECISION

of 20.12.2023

**amending Commission Implementing Decision C(2021)9971 on the financing of the
individual measure in favour of India for 2022**

COMMISSION IMPLEMENTING DECISION

of 20.12.2023

amending Commission Implementing Decision C(2021)9971 on the financing of the individual measure in favour of India for 2022

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

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 480/2009¹, and in particular Article 23(3) thereof,

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 966/2012², and in particular Article 110 thereof,

Whereas:

- (1) By its Decision C(2021)9971 the Commission adopted the individual measure in favour of India for 2022.
- (2) The subject of this substantial amendment is to modify the Action Document presented in Annex to the Decision C(2021)9971 to allow the provision for grant as an implementation modality.
- (3) This modification is in line with the EU Global Gateway, launched in December 2021, which aims at increasing the size, scale and impact of the Union's investments in a Team Europe approach. It seeks to optimise coherence, while developing synergies and complementarity among EU actors, including companies and businesses. These companies have been implementing corporate social responsibility (CSR) to contribute to sustainable development, stakeholder interests and enhancement of societal conditions.
- (4) The present modification is in line with the overall Commission objective of a just transition to a sustainable economy and a sustainable recovery after the COVID pandemic. The European Green Deal Communication (COM(2019) 640) and Commission's Recovery Plan (COM(2020) 456) confirmed the importance of embedding sustainability into corporate governance. The Action will also address the proposal for a 'Directive on Corporate Sustainability Due Diligence (COM(2022)71)', adopted by the Commission on 23 February 2022, which aims at better enabling companies to identify and mitigate actual or potential human rights and environmental adverse impact in the companies' operation and value chains.

¹ OJ L 209, 14.6.2021, p.1.

² OJ L 193, 30.7.2018, p.1.

- (5) Going forward, the EU-India Strategic Partnership will need to be aligned with these new developments in the European Union. Policy changes by the Indian government have enabled longer-term thinking in implementation of CSR, creating more opportunities for EU businesses to engage with Indian stakeholders, including the civil society, on key sustainable development imperatives including nature, climate action and equity.
- (6) Against this background, the EU Delegation to India has worked with the Centre for Responsible Business (CRB) India on a study (2021-22) to assess the contribution of EU businesses in India on CSR and sustainability, with the aim to conceptualise a CSR and sustainability action initiative for India. CRB has also been implementing an EU project on civil society engagement in business for achievement of the SDGs, which ended in September 2023.
- (7) The justification for a direct award to CRB comes under the scope of Article 195 of the Financial Regulation (2018/1046), i.e. “for activities with specific characteristics that require a particular type of body on account of its technical competence, its high degree of specialisation or its administrative powers, on condition that the activities concerned do not fall within the scope of a call for proposals”. CRB has been engaged with the development of relevant national policy and regulatory frameworks on sustainable business (e.g. National Guidelines on Responsible Business Conduct (NGRBC), issued by the Indian Ministry of Corporate Affairs), while it also possesses expert understanding of sustainability initiatives of EU Member States in India, and expertise in providing advisory services, capacity building, research and technical assistance to the public and private sectors.
- (8) The direct award to CRB will facilitate further such work and i) establishment a collaborative initiative of EU companies in India, ii) contribute to self-sustaining industry-led initiative on sustainable business in India, and iii) contribute to development policy to put trade and investment at the heart of inclusive growth and development between the EU and India.
- (9) Based on the criteria for selection and experience of working with the EU, CRB has been considered as the most appropriate organisation for this assignment. Therefore, Decision C(2021)9971 should be amended accordingly.
- (10) The amendment provided for in this Decision does not fall within the categories of amendments for which the prior opinion of the Committee is required. The Committee established under Article 45 of Regulation (EU) 2021/947 should be informed of this amending decision within one month following its adoption.

HAS DECIDED AS FOLLOWS:

Sole Article

The Commission Decision C(2021) 9971 of 22.12.2021 is amended as follows:

The Annex to the Commission Decision C(2021) 9971 of 22.12.2021 is replaced by the Annex to this Decision.

Done at Brussels, 20.12.2023

For the Commission
Koen Doens
Director-General
Directorate General for
International Partnerships