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**COMMISSION IMPLEMENTING DECISION**

**of 7.12.2022**

**on the financing of the annual action plan in favour of the Philippines for 2022**

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## on the financing of the annual action plan in favour of the Philippines for 2022

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) for action plans and Article 24 thereof for support measures,

Whereas:

- (1) In order to ensure the implementation of the annual action plan in favour of the Philippines for 2022, it is necessary to adopt an annual financing decision, which constitutes the annual work programme for 2022. 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 provided for in this Decision contributes 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 : 1) Green Resilient Economy and Green Jobs 2) Peaceful and Just Society, Good Governance.
- (5) The objectives pursued by the annual action plan to be financed under the Regulation (EU) 2021/947 NDICI-Global Europe, geographic programme 'Asia and the Pacific'

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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)8998

<sup>5</sup> Commission Decision on the adoption of the National Indicative Programme between the European Union and The Philippines C(2021)8998 final of 14.12.2021

are to transition to a circular economy through a better plastic waste management, develop a circular economy for plastics and prioritise its progressive reduction of production and consumption of unnecessary and problematic plastics. The actions will have links to both Priority Areas of the MIP: 1) Green, Resilient Economy and Green Jobs and 2) Peaceful and Just Society, Good Governance.

- (6) The action entitled ‘Green Economy Programme in the Philippines’ will support the Philippines in an inclusive and green recovery by unlocking the potential, the delivery and operationalisation of the circular economy aiming in particular at the reduction of plastic waste, increased energy efficiency and renewable energy deployment and promoting and implementing climate change mitigation measures. The Commission should acknowledge and accept contribution from other donors in accordance with Article 21(2) of the Financial Regulation, subject to the conclusion of the relevant agreement. Where such contribution are not denominated in euro, a reasonable estimate of conversion should be made.
- (7) Pursuant to Article 26(1) of Regulation (EU) 2021/947 indirect management is to be used for the implementation of the action.
- (8) 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>6</sup> and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) thereof before a contribution agreement can be signed.
- (9) The action entitled ‘Support Measures – Cooperation Facility for the Philippines – Strategic Communication’ will support the implementation of strategic communication activities designed to raise awareness, understanding and perception of the EU and its partnership with the country, in line with the priorities identified in the country MIP as well as relevant global and regional strategies.
- (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 NDICI-Global Europe 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 annual action plan in favour of the Philippines for 2022, as set in the Annexes, is adopted.

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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.

The action plan shall include the following actions:

- (a) Green Economy Programme in the Philippines, set out in Annex I;
- (b) Support Measures – Cooperation Facility for the Philippines – Strategic Communication, set out in Annex II.

## *Article 2*

### *Union contribution*

The maximum Union contribution for the implementation of the action plan for 2022 is set at EUR 61 500 000, and shall be financed from the appropriations entered in the following line of the general budget of the Union:

- budget line 14.020131: EUR 61 500 000 (Green Economy Programme in the Philippines EUR 60 000 000 and Strategic communications EUR 1 500 000).

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 Annex, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 4.3.3 of the Annex I.

## *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 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.

Done at Brussels, 7.12.2022

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

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<sup>7</sup> These changes can come from assigned revenue made available after the adoption of the financing decision.