



Brussels, 10.5.2023  
C(2023) 3233 final

**COMMISSION IMPLEMENTING DECISION**

**of 10.5.2023**

**on the financing of the annual action plan in favour of Colombia for 2023**

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## on the financing of the annual action plan in favour of Colombia for 2023

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 annual action plan in favour of Colombia, 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, democracy, and human rights 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) Support to the implementation of the Peace agreement, including through the reincorporation of ex-combatants, the implementation of land reforms and support to victims and (2) Contribute to reduce deforestation and to boost green rural development in the country.

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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> C(2021) 8995, 14.12.2021.

<sup>5</sup> Commission Implementing Decision adopting a multiannual indicative programme for Colombia for the period 2021-2027.

- (5) The objectives pursued by the annual action plan to be financed under the Regulation (EU) 2021/947 geographic programme ‘Americas and the Caribbean’ are to support to the implementation of the Peace agreement, including through the reincorporation of ex-combatants, the implementation of land reforms and support to victims.
- (6) The action entitled ‘Socioeconomic Integration of migrants’ aims to promote social cohesion while maintaining peace and economic growth. Specifically, this action will improve the use of socio-economic integration services by the migrant population with equal opportunities for women and contribute to a more sustainable integration of the migrant population into local economies without leaving anyone behind.
- (7) The action entitled “Support the functioning and efficiency of the “Special Jurisdiction for Peace (JEP)” aims to: i) increase the capacity of the three Chambers responsible for collecting and analysing information of crimes committed, ii) increase the capacity of the Peace Tribunal responsible for passing verdicts and iii) improve JEP’s communication with victims and the general public on the restorative sanctions system.
- (8) The action entitled ‘Addressing Gender-based violence’ aims to contribute to the reduction of Gender-Based Violence in Colombia. Specifically, the action will improve the effectiveness of institutional and civil society mechanisms for prevention, protection and comprehensive care in situations of Gender-Based Violence for women, girls and LGBTIQ+ persons, particularly in situations of fragility and conflict.
- (9) The Commission should acknowledge and accept contributions from other donors in accordance with Article 21(2) of the Financial Regulation, subject to the conclusion of the relevant agreement. Where such contributions are not denominated in euro, a reasonable estimate of conversion should be made.
- (10) Pursuant to Article 26(1) of Regulation (EU) 2021/947 indirect management is to be used for the implementation of the actions.
- (11) 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.

- (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,

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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.

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 Colombia for 2023, as set out in the Annexes, is adopted.

The action plan shall include the following actions:

- (a) Socioeconomic Integration of migrants, set out in Annex I;
- (b) Support the functioning and efficiency of the Special Jurisdiction for Peace, set out in Annex II;
- (c) Addressing gender-based violence in Colombia, set out in Annex III.

*Article 2*  
*Union contribution*

The maximum Union contribution for the implementation of the action plan for 2023 is set at EUR 15 800 000, and shall be financed from the appropriations entered in the following lines of the general budget of the Union:

- (a) budget line BGUE-B2023-14.020140-C1-INTPA : EUR 15 800 000;

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 I, II and III, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 4.4.1 of Annex I and point 4.3.1. of Annexes II and III.

*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, 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, 10.5.2023

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