



Brussels, 15.2.2022
C(2022) 804 final

COMMISSION DECISION

of 15.2.2022

**for the individual measure in favour of contributing to the guarantee agreements for
carried-over Proposed Investment Programmes**

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union (TFEU),

Having regard to Regulation (EU) No 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 (hereafter referred to as ‘the Instrument’), and in particular Article 23.3 thereof,

Whereas:

- (1) In order to respond to the COVID-19 crisis and address the socioeconomic consequences of the pandemic, it was considered necessary to redirect EUR 400 million from Proposed Investment Programmes (PIPs) approved under the European Fund or Sustainable Development (EFSD) to the COVAX Facility.
- (2) Certain important PIPs to be originally signed in 2020 under the EFSD were, in accordance with the opinion of the EFSD Operational Board, proposed to be carried over to the EFSD+.
- (3) The objectives of these PIPs are in line with the Instrument and comply with the eligibility criteria set out under Article 35.2 of Regulation (EU) No 2021/947. The financing and investment operations included in the carry over PIPs are compliant with the programming priorities identified in the relevant programming documents.
- (4) It is therefore justified to adopt this measure to allow for the effective implementation of EFSD+ operations covered by budgetary guarantees.
- (5) The signature of guarantee agreements for carried-over Proposed Investment Programmes will aim at reaching the priority areas set out in Annex V of Regulation (EU) 2021/947.
- (6) The measure provided for in this Decision contributes to mainstreaming climate action in line with the European Green Deal and the inter-institutional agreement.
- (7) This measure does not constitute a financing decision in the meaning of Article 110 of Regulation (EU, Euratom) 2018/1046 but should be seen in complementarity with the relevant financing decisions in reference² and their successors.

¹ OJ L 209, 14.6.2021, p.1.

² Decision C(2021) 9924 on the financing of the Union’s contribution to the provisioning of the European Fund for Sustainable Development Plus for years 2021-2027, Commission Decision on the financing of the multiannual action plan in favour of the NDICI Neighbourhood East Region part 2 for 2021 (to be adopted) and Commission Decision on the 2021 Annual Action Programme on the Neighbourhood Investment Platform (NIP) in favour of the Southern Neighbourhood (to be adopted).

- (8) The envisaged assistance is to comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU³.
- (9) Pursuant to Article 26(1) of Regulation (EU) No 2021/947 indirect management is to be used for the implementation of the measure.
- (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 Regulation (EU, Euratom) 2018/1046, the Commission is to select the eligible counterparts pursuant to Article 154 of Regulation (EU, Euratom) 2018/1046.
- (11) The measure provided for in this Decision is in accordance with the opinion of the Neighbourhood, Development and International Cooperation Instrument committee established under Article 45 of Regulation (EU) No 2021/947.

HAS DECIDED AS FOLLOWS:

Article 1
The measure

The individual measure on guarantee agreements for EFSD carried-over Proposed Investment Programmes, as set out in the Annex, is adopted.

Article 2
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 4.3.2 of the Annex.

Done at Brussels, 15.2.2022

For the Commission
Jutta URPILAINEN
Member of the Commission

³ The list of EU restrictive measure (sanctions) is reflected in the 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). The Official Journal of the European Union is the official source of European Union law and, in case of conflict, its content prevails over that of the Sanctions Map.