



Brussels, 27.5.2024
C(2024) 3683 final

COMMISSION IMPLEMENTING DECISION

of 27.5.2024

on the financing of the annual action plan in favour of the Philippines for 2024

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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, 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 966/2012¹, 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 480/2009², and in particular Article 23 (2) thereof,

Whereas:

- (1) In order to ensure the implementation of the annual action plan in favour of the Philippines for 2024, it is necessary to adopt an annual financing decision, which constitutes the annual work programme, for 2024. 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 TFEU³.
- (3) The action provided for in this Decision should contribute to climate and biodiversity mainstreaming in line with Commission Communication ‘The European Green Deal’⁴ and in the Inter-institutional Agreement of 16 December 2020 between the European Parliament, the Council of the European Union and the European Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management, as well as on new own resources, including a roadmap towards the introduction of new own resources⁵.

¹ OJ L 193, 30.7.2018, p.1.

² OJ L 209, 14.6.2021, p.1.

³ 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.

⁴ COM (2019) 640 final of 11 December 2019.

⁵ OJ L 433I, 22.12.2020, p. 28.

- (4) The Commission has adopted the National Multiannual Indicative Programme⁶ for the period 2021-2027, 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 geographic programme ‘Asia and the Pacific’⁷ are to support the Philippines become a digital connectivity hub in the region and expand Copernicus⁸ in South-East Asia.
- (6) The action entitled ‘Digital Economy Package for the Philippines’ will provide the Philippines with secure and reliable digital connectivity infrastructure enabling high-speed and real-time Copernicus data access and exchange to enable improved preparedness and response to natural disasters as well as climate change mitigation measures.
- (7) The objective and design of the action ‘Digital Economy Package for the Philippines’ ACT-62478 fulfil the criteria for Official Development Assistance established by the OECD/DAC, as per the requirements of Article 3(3) of Regulation (EU) 2021/947, contributing to the sustainable development of partner countries and the implementation of the 2030 agenda by supporting climate mitigation and disaster readiness with the help of digital connectivity. The countries benefiting from the action which are included in the list of Official Development Assistance recipients, are identified in the respective action document.
- (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. 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 Regulation⁹ and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) thereof before a contribution agreement can be signed.
- (11) 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.
- (12) 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.

⁶ Commission Implementing Decision adopting a multiannual indicative programme for the Philippines for the period 2021-2027 C(2021)8998 of 14.12.2021.

⁷ 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, see here [Regulation - 2021/947 - EN - EUR-Lex \(europa.eu\)](#)

⁸ Copernicus is the European Union's Earth observation programme, see here <https://www.copernicus.eu/en>

⁹ Except for the cases referred to in Article 154(6) of the Financial Regulation, where the Commission may decide, not to require an ex-ante assessment.

(13) 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 annual action plan in favour of the Philippines for 2024, as set out in the Annex, is adopted.

The action plan shall include the following action: ‘Digital Economy Package for the Philippines’.

Article 2
Union contribution

The maximum Union contribution for the implementation of the action plan for 2024 is set at EUR 20 000 000, and shall be financed from the appropriations entered in the following budget line of the general budget of the Union: 14.020131 South and East Asia.

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 4.4.2 of the Annex.

Article 4
Flexibility clause

Increases or decreases of up to EUR 10 000 000 and not exceeding 20% of the maximum Union contribution set in the first paragraph of Article 2 or cumulated changes¹⁰ 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, where 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.

¹⁰ 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 the Annex. Grants may be awarded to the bodies selected in accordance with point 4.4.1 (c) of the Annex.

Done at Brussels, 27.5.2024

For the Commission

Jutta URPIAINEN

Member of the Commission