



Brussels, 1.9.2022
C(2022) 6173 final

COMMISSION IMPLEMENTING DECISION

of 1.9.2022

on the financing of the special measure in favour of Yemen for 2022

COMMISSION IMPLEMENTING DECISION

of 1.9.2022

on the financing of the special measure in favour of Yemen 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 966/2012¹, 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(4) thereof,

Whereas:

- (1) In order to ensure the implementation of the special measure in favour of Yemen for 2022, it is necessary to adopt an annual financing decision, which constitutes the annual work programme. 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 objective pursued by the special measure to be financed under the Regulation (EU) 2021/947 Neighbourhood, Development and International Cooperation Instrument - Global Europe geographic programme 'Asia and the Pacific' is to contribute to inclusive peace and security in Yemen through a multitrack approach to peacebuilding.

The socio-political conditions in Yemen remain extremely fragile and uncertain: the ongoing conflict and the presence of terrorist organisations still threaten the political and security situation, with various regions in the country affected by a high number of internally displaced persons. In this context, the drafting of a new multi-annual programming document has not been possible. In order to cope with the country needs, the Commission opted for implementing special measures.

- (4) The special measure will support various strands of peacebuilding efforts, with the aim of complementing and supporting the official negotiations between high-level political

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.

representatives led by the Office of the Special Envoy of the Secretary-General for Yemen. The timely adoption of the action provided for in this Decision will ensure the operationalisation of the EU integrated approach to peace efforts in Yemen.

- (5) The action entitled “*Supporting Peace and Security in Yemen*” is aimed at crisis affected communities in Yemen, tangibly improving their daily life by supporting institutions and capacities that contribute to sustainable peace. 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.
- (6) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (7) The Commission should authorise the launch of a call for proposals by means of a suspensive clause before the adoption of this Decision.
- (8) Pursuant to Article 26(1) of Regulation (EU) 2021/947, indirect management is to be used for the implementation of the action.
- (9) 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 Regulation⁴ and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) thereof before a contribution agreement can be signed.

- (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 measure, it is appropriate to allow changes which should not be considered substantial for the purposes of Article 110(5) of Financial Regulation.
- (12) The measure 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 measure*

The annual financing decision, constituting the annual measure for the implementation of the special measure in favour of Yemen for 2022 as set out in the Annex, is adopted.

The special measure shall include the following action:

- Supporting Peace and Security in Yemen set out in the Annex.

⁴ 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

Article 2
Union contribution

The maximum Union contribution for the implementation of the measure for 2022 is set at EUR 14 million, and shall be financed from the appropriations entered in the budget line BGUE-B2022-14.020130-C1-INTPA: EUR 14 million of the general budget of the Union.

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.

Article 4
Flexibility clause

Increases or decreases of up to EUR 10 million and not exceeding 20% of the contribution set in the first paragraph of Article 2, or cumulated changes⁵ 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 Financing 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.

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 4.3.1 of the Annex.

Done at Brussels, 1.9.2022

For the Commission
Jutta URPILAINEN
Member of the Commission

⁵ These changes can come from assigned revenue made available after the adoption of the financing decision.