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**COMMISSION IMPLEMENTING DECISION**

**of 12.12.2022**

**on the financing of the annual action plan in favour of the Republic of Zambia for 2022  
part 2**

# COMMISSION IMPLEMENTING DECISION

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## on the financing of the annual action plan in favour of the Republic of Zambia for 2022 part 2

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) thereof.

Whereas:

- (1) In order to ensure the implementation of the annual action plan in favour of the Republic of Zambia for 2022 part 2, 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 actions provided for in this Decision contribute 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 for the period 2021-2027<sup>4</sup>, which sets out the following priorities: i) Green partnerships for sustainable recovery, growth and jobs; ii) Supporting the people of Zambia to reach their potential and build resilience; and iii) Fair, inclusive and peaceful society.
- (5) The objectives pursued by the annual action plan to be financed under the Regulation (EU) 2021/947 geographic programme 'Sub-Saharan Africa' are aiming; i) to support a climate-resilient transition towards green partnerships, sustainable growth and decent

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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> Commission Implementing Decision adopting a multiannual indicative programme for the Republic of Zambia for the period 2021-2027 C(2021)9057 final of 14.12.2021.

jobs in Zambia through the Green Partnership and Investment Programme along the Agriculture, Forestry, Biodiversity, Water and Climate Nexus; ii) to promote green growth and an environmentally sound, gender/youth sensitive and economically viable diversification of the economy through the Green Economy Promotion and Diversification (GEPD) Programme and; iii) to improve public service delivery in Zambia through the Partnership to Enhance Public Finance Management and Accountability in Zambia.

- (6) The action entitled ‘Green Partnership and Investment Programme along the Agriculture, Forestry, Biodiversity, Water and Climate Nexus’ aims to promote and invest in green recovery and sustainable growth along the Zambian part of the Greater Kavango Zambezi (KAZA) Trans-Frontier Conservation Area (TFCA). It intends to enhance the resilience of ecosystems and improve people’s livelihoods based on a landscape approach along the agriculture-forestry-biodiversity-water and climate nexus; to increase participation of smallholder farmers, including women and youth farmers, in market-integrated environmentally sustainable, resilient, low carbon, circular and nutrition sensitive value chains; and increase income opportunities through applied sustainable resource management practices by local communities. 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.
- (7) The action entitled ‘Green Economy Promotion and Diversification (GEPD) Programme’ aims to promote green growth and an environmentally sound, gender/youth sensitive and economically viable diversification of the economy. More specifically, it intends to improve the business regulatory environment and investment climate for green economic transition and to consolidate micro, small and medium-sized enterprises (MSMEs) and start-ups, particularly youth and women led, and promote their expansion into the green economy and digital businesses.
- (8) The action entitled ‘Partnership to Enhance Public Finance Management and Accountability in Zambia’ aims to improve public service delivery in Zambia. It intends to support the Government of the Republic of Zambia to implement its planned PFM Reform Strategy, its Revenue Action Plan, and develop its Medium-Term Revenue Strategy, aimed at restoring fiscal sustainability and improving efficiency and effectiveness of public resource allocation, and spending, for better public service delivery. This will help the country achieve its national development objectives. The Action will also aim at supporting the national accountability system and assist the Government in fighting corruption.
- (9) The Commission should authorise the launch of a call for tender by means of a suspensive clause before the adoption of this Decision.
- (10) Pursuant to Article 26(1) of Regulation (EU) 2021/947 indirect management is to be used for the implementation of the action.
- (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>5</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 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 Republic of Zambia for 2022 part 2 as set out in the Annexes, is adopted.

The action plan shall include the following actions:

- (a) Green Partnership and Investment Programme along the Agriculture, Forestry, Biodiversity, Water and Climate Nexus, set out in Annex 1;
- (b) Green Economy Promotion and Diversification (GEPD) Programme, set out in Annex 2;
- (c) Partnership to Enhance Public Finance Management and Accountability in Zambia, set out in Annex 3.

### *Article 2* *Union contribution*

The maximum Union contribution for the implementation of the action plan 2022 part 2 is set at EUR 82 400 000, and shall be financed from the appropriations entered in the budget line BGUE-B2022-14.020122-C1 of the general budget of the Union.

The amount referred to in the first paragraph includes contributions from other donors to the general budget of the Union as external assigned revenues as provided for in action Green Partnership and Investment Programme along the Agriculture, Forestry, Biodiversity, Water and Climate Nexus, set out in Annex 1.

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, may be entrusted to the entities or persons referred to or selected in accordance

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<sup>5</sup> 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.

with the criteria laid down in points 4.4.3, 4.4.4 and 4.4.6 of Annex 1, point 4.4.3 of Annex 2 and points 4.4.4 and 4.4.5 of Annex 3.

*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>6</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.

*Article 5*  
*Procurement*

Launching a call for tender under a suspensive clause before the adoption of this Decision shall be authorised as of the date set out in point 4.4.2 of Annex 1.

Done at Brussels, 12.12.2022

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

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<sup>6</sup> These changes can come from assigned revenue made available after the adoption of the financing decision.