



Brussels, 13.11.2023
C(2023) 7804 final

COMMISSION IMPLEMENTING DECISION

of 13.11.2023

**on the financing of the annual action plan in favour of China for 2023, under the
Multiannual Indicative Programme for the Asia-Pacific region**

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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) for action plans thereof,

Whereas:

- (1) In order to ensure the implementation of the annual action plan in favour of China for 2023, 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 TFEU³.
- (3) The action provided for in this Decision 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 Multiannual Indicative Programme for the Asia-Pacific region for the period 2021-2027⁶, which sets out the following priority areas: regional integration and cooperation, pursuing EU interests with key partners, and migration, forced displacement and mobility.
- (5) The objective pursued by the annual action plan to be financed under the Regulation (EU) 2021/947 geographic programme 'Asia and the Pacific' is to promote EU values and interests in our bilateral relations and, more specifically to engage China to tackle global challenges.
- (6) The action entitled 'Support for the EU's Wildlife Protection, Environmental and International Development Policies in China' aims to underpin progress in advancing commitments reached at the EU-China High Level Environment and Climate Dialogue, and in relevant multilateral fora such as the Kunming Montreal Global Biodiversity Framework. It also seeks to enhance EU-China policy dialogue and cooperation in tackling illegal wildlife trade to advance objectives set out in the EU Action Plan against Wildlife Trafficking. As regards China's role as a global development actor, the action aims to generate evidence-based analysis on China's evolving and expanding role and impact; support the development of a cohort of European researchers with expertise on this subject; facilitate technical exchanges between the EU and Chinese counterparts; and promote knowledge and understanding in China of the EU as the leading global development actor.
- (7) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (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.
- (10) 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 Regulation⁷ 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 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.
- (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.

⁶ Commission Implementing Decision adopting a multiannual indicative programme for the Asia Pacific region for the period 2021-2027, C(2021)9251 final of 15.12.2021.

⁷ 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.

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 China for 2023, under the Multiannual Indicative Programme for the Asia-Pacific region, as set out in the Annex, is adopted.

The action plan shall include the following action: “Support for the EU’s Wildlife Protection, Environmental and International Development Policies in China”, as set out in the Annex.

Article 2
Union contribution

The maximum Union contribution for the implementation of the annual action plan in favour of China for 2023 is set at EUR 8 700 000 and shall be financed from the appropriations entered in the following 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 4.3.1 of the Annex.

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, or cumulated changes⁸ 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.

⁸ 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 referred to in the Annex.

Done at Brussels, 13.11.2023

For the Commission

Jutta URPILAINEN

Member of the Commission