



Brussels, 15.12.2023
C(2023) 9073 final

COMMISSION IMPLEMENTING DECISION

of 15.12.2023

on the financing of the Annual Action Plan 2023 in favour of the Republic of Guinea-Bissau

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

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 2023 in favour of the Republic of Guinea-Bissau, 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 actions provided for in this Decision should contribute to climate 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 Programme for the period 2021-2027⁶, which sets out the following priorities: human development (priority area 1), green and inclusive economy (priority area 2) and good governance and stability (priority area 3).
- (5) The objectives pursued by the Annual Action Plan to be financed under the Regulation (EU) 2021/947 geographic programme ‘Sub-Saharan Africa’ are to promote economic growth and create decent jobs in the agribusiness and fisheries sectors, strengthen the rule of law and the justice system and implement reforms on public financial management.
- (6) The action entitled ‘Promoting agriculture and fisheries value chains development in Guinea-Bissau’ aims at supporting economic growth and creating decent jobs in the agribusiness and fisheries sectors through the development of selected value chains.
- (7) The action entitled ‘Strengthening the security and justice sectors to ensure quality service delivery in Guinea-Bissau’ aims at reenforcing the rule of law and the justice system and to contribute to the fight against illicit trafficking and organised crime.
- (8) The action entitled ‘Transparent and accountable economic governance’ aims at supporting the Government on implementing the necessary administration reforms towards a sound and transparent financial management of the public resources.
- (9) The objective and design of all actions 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. The countries benefiting from the action which are included in the list of ODA recipients, are identified in the respective action document.
- (10) Pursuant to Article 26(1) of Regulation (EU) 2021/947, indirect management is to be used for the implementation of the actions.
- (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 Regulation⁷ 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 Committee established under Article 45 of Regulation (EU) 2021/947,

⁶ Commission Implementing Decision adopting a multiannual indicative programme for the Republic of Guinea-Bissau for the period 2021-2027, C(2021)9363 final of 15.12.2021.

⁷ 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.

HAS DECIDED AS FOLLOWS:

Article 1
The action plan

The annual financing decision for the implementation of the Annual Action Plan 2023 in favour of the Republic of Guinea-Bissau, as set out in the Annexes, is adopted.

The action plan shall include the following actions:

- (a) Promoting agriculture and fisheries value chains development in Guinea-Bissau set out in Annex 1;
- (b) Strengthening the security and justice sectors to ensure quality service delivery in Guinea-Bissau set out in Annex 2.
- (c) Transparent and accountable economic governance set out in Annex 3.

Article 2
Union contribution

The maximum Union contribution for the implementation of the action plan for 2023 is set at EUR 40 000 000, and shall be financed from the appropriations entered in the following line of the general budget of the Union:

- (a) budget line 14.020120 - Western Africa: EUR 40 000 000.

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 with the criteria laid down in points 4.4.1 of the Annex 1, 4.4.2 of the Annex 2, and 4.4.1 and 4.4.2 of the Annex 3.

Article 4
Flexibility clause

Increases or decreases of up to EUR 10 million 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).

⁸ These changes can come from assigned revenue made available after the adoption of the financing decision.

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.

Done at Brussels, 15.12.2023

*For the Commission
Margaritis SCHINAS
Vice-President*