



EUROPEAN
COMMISSION

Brussels, 9.9.2022
C(2022) 6554 final

COMMISSION DECISION

of 9.9.2022

on the financing of a special measure for 2022 for the Union response to the food security crisis and economic shock in African, Caribbean and Pacific countries following Russia's war of aggression against Ukraine

COMMISSION DECISION

of 9.9.2022

on the financing of a special measure for 2022 for the Union response to the food security crisis and economic shock in African, Caribbean and Pacific countries following Russia's war of aggression against Ukraine

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EU) 2015/322 of 2 March 2015 on the implementation of the 11th European Development Fund¹, and in particular Article 9(3) thereof,

Having regard to Council Regulation (EU) 2018/1877 of 26 November 2018 on the financial regulation applicable to the 11th European Development Fund, and repealing Regulation (EU) 2015/323², and in particular Article 24 thereof,

Whereas:

- (1) In order to ensure the implementation of the special measure for 2022 for the Union response to the food security crisis and economic shock in African, Caribbean and Pacific ('ACP') countries following Russia's war of aggression against Ukraine, it is necessary to adopt a financing decision. Article 110 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council³, applicable in accordance with Article 24(2) of Regulation (EU) 2018/1877, 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 of the Treaty⁴.
- (3) The objectives pursued by the special measure to be financed under the 10th and 11th European Development Fund ('EDF') Internal Agreement⁵ ('Internal Agreement') are to improve food security, enhance the sustainability of food systems and strengthen the resilience of ACP countries to mitigate the food security and economic effects of Russia's war of aggression against Ukraine.

¹ OJ L 58, 3.3.2015, p. 1.

² OJ L 307, 3.12.2018, p. 1.

³ 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 (OJ L 193, 30.7.2018, p. 1).

⁴ 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.

⁵ Internal Agreement between the Representatives of the Governments of the Member States of the European Union, meeting within the Council, on the financing of European Union aid under the multiannual financial framework for the period 2014 to 2020, in accordance with the ACP-EU Partnership Agreement, and on the allocation of financial assistance for the Overseas Countries and Territories to which Part Four of the Treaty on the Functioning of the European Union applies (OJ L 210, 6.8.2013, p. 1).

- (4) Council Decision (EU) 2022/1223⁶ allows for the allocation of funds de-committed from projects under the 10th and 11th European Development Funds for the purpose of financing actions addressing the food security crisis and economic shock in ACP countries following Russia's war of aggression against Ukraine.
- (5) The effects of Russia's war of aggression against Ukraine have aggravated the pre-existing food and macro-economic crisis, and further exposed the vulnerability of many ACP countries, through supply interruptions and sharp increases in the price of food, agricultural inputs and energy. Consequently, many ACP countries that are net importers of food, agricultural inputs and energy are faced with high increases in cost of living and reduced capacities to mitigate the negative effects, particularly on vulnerable population groups. The urgency of the special measure provided for in this Decision is justified through the need of vulnerable countries for immediate support. The special measure also demonstrates strong solidarity of the Union through a swift and comprehensive response.
- (6) The action entitled 'Food Production and Resilience of Food Systems in African, Caribbean and Pacific (ACP) countries' has as its objective to enhance food production and resilience of food systems.
- (7) The objective of the action entitled 'EU contribution in favour of the most vulnerable and exposed ACP countries hit by the consequences of Russia's war of aggression against Ukraine via the IMF's Poverty Reduction and Growth Trust Fund (PRGT)' is to contribute support to macro-economic and fiscal stability of vulnerable ACP countries, avoiding depletion of international reserves and addressing economic and social needs, thus mitigating the impact of Russia's war of aggression against Ukraine.
- (8) The objective of the action entitled 'Support expenditure incurred by the Commission' is to fund support expenditure incurred by the Commission for financing actions addressing the food security crisis and economic shock in ACP countries following Russia's war of aggression against Ukraine. The objective is, in particular, to make available the resources necessary for the preparation, follow-up, monitoring, accounting, audit and evaluation activities, for any technical expenditure and for any administrative support needed to programme, manage and achieve the objectives of the actions funded by the present special measure in a timely manner.
- (9) Pursuant to Article 195(a) and (f) of Regulation (EU, Euratom) 2018/1046, applicable in accordance with Article 32 of Regulation (EU) 2018/1877, it is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (10) Pursuant to Article 15 of Regulation (EU) 2018/1877 indirect management is to be used for the implementation of the programme.
- (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 Regulation (EU, Euratom) 2018/1046, applicable in accordance with Article 30(1) of Regulation (EU) 2018/1877.

⁶ Council Decision (EU) 2022/1223 of 12 July 2022 concerning the allocation of funds de-committed from projects under the 10th and 11th European Development Funds for the purpose of financing actions addressing the food security crisis and economic shock in African, Caribbean and Pacific (ACP) countries following Russia's war of aggression against Ukraine (OJ L 188, 15.7.2022, p. 147).

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 Regulation (EU, Euratom) 2018/1046⁷ and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of Regulation (EU, Euratom) 2018/1046, applicable in accordance with Article 30(1) of Regulation (EU) 2018/1877, 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 Regulation (EU, Euratom) 2018/1046, applicable in accordance with Articles 24(2) and 25 of Regulation (EU) 2018/1877.
- (13) 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 Regulation (EU, Euratom) 2018/1046, applicable in accordance with Article 24(2) of Regulation (EU) 2018/1877.
- (14) The special measure provided for in this Decision is in accordance with the opinion of the EDF Committee established under Article 8 of the Internal Agreement.

HAS DECIDED AS FOLLOWS:

Article 1 *The measure*

The financing decision, constituting the special measure for 2022 for the implementation of the Union response to the food security crisis and economic shock in African, Caribbean and Pacific ('ACP') countries following Russia's war of aggression against Ukraine, as set out in the Annexes, is adopted.

The measure shall include the following actions:

- (a) 'Food Production and Resilience of Food Systems in African, Caribbean and Pacific (ACP) countries', as set out in Annex 1;
- (b) 'EU contribution in favour of the most vulnerable and exposed ACP countries hit by the consequences of the Russia's war of aggression against Ukraine via the IMF's Poverty Reduction and Growth Trust Fund (PRGT)', as set out in Annex 2;
- (c) 'Support expenditure incurred by the Commission', as set out in Annex 3.

Article 2 *Union contribution*

The maximum Union contribution for the implementation of the measure for 2022 is set at EUR 450 000 000, and shall be financed from the 10th and 11th European Development Fund.

The appropriations provided for in the first paragraph may also cover interest due for late payment.

⁷ Except for the cases referred to in Article 154(6) of Regulation (EU, Euratom) 2018/1046, where the Commission may decide, not to require an ex-ante assessment.

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 5.4.4 and 5.4.6 of Annex 1 and 5.4.4 of Annex 2.

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 24(2) of Regulation (EU) 2018/1877, 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 Annexes. Grants may be awarded to the bodies referred to in Annex 1 selected in accordance with points 5.4.1.1 and 5.4.1.4 of that Annex .

Done at Brussels, 9.9.2022

For the Commission
Jutta URPILAINEN
Member of the Commission

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