



Brussels, 8.12.2021
C(2021) 9129 final

COMMISSION IMPLEMENTING DECISION

of 8.12.2021

**on the financing of the annual action plan in favour of the thematic programme on
Human Rights and Democracy for 2021**

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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 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 Articles 23(2) and 24 thereof,

Whereas:

- (1) In order to ensure the implementation of the annual action plan in favour of the thematic programme on Human Rights and Democracy for 2021, it is necessary to adopt an annual financing decision, which constitutes the annual work programme, for 2021. 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 Commission has adopted the thematic programme on Human Rights and Democracy⁴. The thematic programme on human rights and democracy established under Regulation (EU) 2021/947 covers the following areas of intervention: advancing the fundamental values of democracy, the rule of law, the universality, indivisibility and interdependence of human rights, respect for human dignity, the principles of non-discrimination, equality and solidarity, and respect for the principles of the United Nations Charter and international human rights law.
- (4) The objectives pursued by the annual action plan to be financed under the Regulation (EU) 2021/947 thematic programme 'Human Rights and Democracy' are to contribute

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 Commission Implementing Decision adopting a multiannual indicative programme for the thematic programme on human rights and democracy for the period 2021-2027, C(2021) 9620.

to the full enjoyment of all human rights, be they civil, political, economic, social and cultural rights, by all; and to work together with all key actors to advance the realisation of all human rights for all.

- (5) The action entitled ‘Support to the 8th World Congress and 4th Regional Congress against the death penalty’ aims for the acceleration of the universal abolition of capital punishment by fostering cooperation among political, legal and civil society actors, in order to develop common strategies and encourage States to make concrete commitments. 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) The action entitled ‘Support to the Global Campus of Human Rights (2022/2024)’ aims to foster new generations of human rights defenders able to contribute to a world in which human rights and democracy are realised.
- (7) The action entitled ‘Supporting global key actors – Office of the High Commissioner of Human Rights (2022, 2023 and 2024)’ aims to improve effectiveness of the global human rights system for the promotion and protection of human rights. 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.
- (8) The action entitled ‘Supporting the International Criminal Court (2022, 2023, 2024)’ aims to increase support for and cooperation with the International Criminal Court (ICC) for the years 2022, 2023 and 2024.
- (9) The action entitled ‘Support Measures for the Human Rights and Democracy thematic programme’ is to facilitate the sound management of the thematic programme, the achievement of its expected objectives and results, its political relevance, visibility and outreach and the measurement, analysis and reporting on its impact.
- (10) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (11) Pursuant Article 26(1) of Regulation (EU) 2021/947 indirect management is to be used for the implementation of the action.
- (12) 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 Regulation⁵ and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) thereof before a contribution agreement can be signed.

- (13) 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.

⁵ 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.

- (14) In order to allow for flexibility in the implementation of the annual 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.
- (15) 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 thematic programme on Human Rights and Democracy for 2021, as set out in the Annexes, is adopted.

The action plan shall include the following actions and measures:

- (a) ‘Support to the 8th World Congress and 4th Regional Congress against the death penalty’ set out in Annex I;
- (b) ‘Support to the Global Campus of Human Rights (2022/2024)’ set out in Annex II;
- (c) ‘Supporting global key actors – Office of the High Commissioner of Human Rights (2022, 2023 and 2024)’ set out in Annex III;
- (d) ‘Supporting the International Criminal Court (2022, 2023, 2024)’ set out in Annex IV;
- (e) ‘Support Measures for the Human Rights and Democracy thematic programme’ set out in Annex V.

Article 2
Union contribution

The maximum Union contribution for the implementation of the action plan for 2021 is set at EUR 30 657 384, and shall be financed from the appropriations entered in the budget line 14.020211: EUR 30 657 384 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 Annexes, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 4.3. of the Annexes III and IV and point 4.2. of Annex V.

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 changes⁶ 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
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 the Annexes I and II, or selected in accordance with point 4.2.3 of the Annex V.

Done at Brussels, 8.12.2021

For the Commission
Jutta URPILAINEN
Member of the Commission

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