



Brussels, 19.12.2022
C(2022) 9920 final

COMMISSION IMPLEMENTING DECISION

of 19.12.2022

**on the financing of the Multiannual Support Measure in favour of Cuba for 2022 and
2023**

COMMISSION IMPLEMENTING DECISION

of 19.12.2022

on the financing of the Multiannual Support Measure in favour of Cuba for 2022 and 2023

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 24(2) thereof,

Whereas:

- (1) In order to ensure the implementation of Multiannual Support Measure in favour of Cuba, it is necessary to adopt a multiannual financing decision, which constitutes the multiannual work programme, for 2022 and 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 Commission has adopted the National Multiannual Indicative Programme⁴ for the period 2021-2027, which sets out the following priorities: 'Ecological transition: Sustainable municipalities'; and 'Modernising the economy, maximising the potential of all economic actors in key sectors'.
- (4) The objectives pursued by the multiannual measure to be financed under the Regulation (EU) 2021/947 geographic programme 'Americas and the Caribbean' are to contribute to the implementation of the EU-Cuba cooperation agreement, ensuring that EU-funded actions achieve maximum results, sustainable impact and visibility.

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 Republic of Cuba for the period 2021-2027, C(2021) 9130 final of 15.12.2021.

- (5) The measure entitled ‘EU-Cuba Multiannual Support Measures’ is expected to contribute to the implementation of the EU-Cuba cooperation agreement, ensuring that EU-funded actions achieve maximum results, sustainable impact and visibility.
- (6) Pursuant to Article 26(1) of Regulation (EU) 2021/947 indirect management is to be used for the implementation of the action.
- (7) 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.

- (8) 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.
- (9) 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 the Financial Regulation.
- (10) The measure provided for in this Decision does not fall within the categories of measures for which the prior opinion of the Committee is required. The European Parliament and the NDICI-Global Europe Committee established under Article 45 of Regulation (EU) 2021/947 should be informed of this Decision within one month following its adoption,

HAS DECIDED AS FOLLOWS:

Article 1
The measure

The multiannual financing decision, constituting the multiannual measure for the implementation of the Multiannual support measure in favour of Cuba for 2022 and 2023, as set out in the Annex, is adopted.

The measure shall include the following action: ‘EU-Cuba Multiannual Support Measures’.

Article 2
Union contribution

The maximum Union contribution for the implementation of the measure for 2022 and 2023 is set at EUR 5 000 000 and shall be financed from the appropriations entered in the following line of the general budget of the Union:

- (a) budget line BGUE-B2022-14.020141: EUR 3 000 000;
- (b) budget line BGUE-B2023-14.020141: EUR 2 000 000.

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

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.

The implementation of this Decision is subject to the availability of the appropriations provided for in the general budget of the Union for 2023 following the adoption of that budget by the budget authority.

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 4.3.2 of the Annex.

Article 4

Flexibility clause

Increases or decreases of up to EUR 10 million and not exceeding 20% of the contribution set in the first paragraph of Article 2, considering each financial year separately, 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.

Done at Brussels, 19.12.2022

For the Commission
Koen Doens
Director-General
Directorate General for
International Partnerships

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