



Brussels, 30.11.2023
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COMMISSION IMPLEMENTING DECISION

of 30.11.2023

on the financing of the top-up and extending the implementation period of Commission Implementing Decision C(2020) 7917 final of 12 November 2020 on the financing of the annual action programme for 2020 - part II – in favour of the Latin American region to be financed from the general budget of the Union

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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 EU – Latin America Alliance for Sustainable Growth and Jobs (AL-INVEST Verde), 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 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 Multiannual Indicative Programme for the Americas and the Caribbean⁶ for the period 2021-2027, which sets out the following priorities: ‘Green Transition’, ‘Digital Transformation and Innovation’, ‘Sustainable and Inclusive Economy’, ‘Democratic Governance, Security and Migration’, and ‘Social Cohesion and Addressing Inequalities’.
- (5) The objectives pursued by the multiannual action plan to be financed under the Regulation (EU) 2021/947 geographic programme ‘the Americas and the Caribbean’ is to contribute to the EU’s overall strategic objectives for its external action, as laid out by the Multiannual Indicative Programme for the Americas and the Caribbean for the period 2021-2027. It will seek to build partnerships with Latin America and the Caribbean and advance the external dimension of the European Commission’s policy priorities, notably the sustainable and inclusive economic recovery and digital transformation.
- (6) The action entitled ‘EU – Latin America Alliance for Sustainable Growth and Jobs (AL-INVEST Verde)’ aims to promote Sustainable Growth and Jobs creation supporting the transition towards a low-carbon, resource-efficient and a more circular economy in Latin America.
- (7) The Commission should acknowledge and accept contribution[s] from other donors in accordance with Article 21(2) of the Financial Regulation, subject to the conclusion of the relevant agreement. Where such contribution[s] are not denominated in euro, a reasonable estimate of conversion should be made.
- (8) The objective and design of the action 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 by supporting decent work and economic growth, industry, innovation, and infrastructure. The countries benefiting from the action which are included in the list of ODA recipients, are identified in the respective action document.
- (9) 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 26(1) of Regulation (EU) 2021/947, indirect management is to be used for the implementation of the action.
- (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.

⁶ C(2021)9356, 13.12.2021.

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.

- (13) In order to allow for flexibility in the implementation of the action plan, it is appropriate to determine the 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,

HAS DECIDED AS FOLLOWS:

Article 1
The Action Plan

The annual financing decision, constituting the annual action plan for the implementation of the top-up and extending the implementation period of Commission Implementing Decision C(2020) 7917 final of 12 November 2020 on the financing of the annual action programme for 2020 - part II – in favour of the Latin American region to be financed from the general budget of the Union, as set out in the Annex, is adopted.

The Action Plan shall include the following action: ‘EU – Latin America Alliance for Sustainable Growth and Jobs (AL-INVEST Verde)’, set out in the Annex.

The Annex attached to this Decision amends and repeals the Annex to Decision C(2020)7917.

Article 2
Union contribution

The maximum Union contribution for the implementation of the programme is set at EUR 37 700 000.

The maximum Union contribution is already financed for an amount of EUR 33 000 000 from committed appropriations under the Development Cooperation Instrument (DCI) Regulation (EU) No 233/2014 of 11 March 2014 entered in the following line of the general budget of the Union:

budget line 21.020100

The balance of the maximum Union contribution shall be financed for an amount of EUR 4 700 000 under 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 480/2009, from appropriations entered in the following line of the general budget of the Union:

budget line 14.020140

The appropriations provided 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 3.3 of the Annex.

Article 4
Flexibility clause

Increases or decreases of up to EUR 10 million and not exceeding 20% of the maximum Union contribution set in the first paragraph of Article 2, or cumulated changes 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, where 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 Annex. Grants may be awarded to the bodies referred to in the Annex selected in accordance with point 3.3.1 of the Annex.

Done at Brussels, 30.11.2023

For the Commission
Jutta URPILAINEN
Member of the Commission