



Brussels, 24.11.2023
C(2023) 8231 final

COMMISSION IMPLEMENTING DECISION

of 24.11.2023

amending Commission Implementing Decision C(2017)7207 final of 27 October 2017 on the Annual Action Programme 2017, 2018 part 1 and 2019 part 1 in favour of El Salvador for the "Support to the Plan El Salvador Seguro – PESS" (for its initials in Spanish) 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(1) thereof,

Whereas:

- (1) By Commission Implementing Decision C(2017) 7207 final³ the Commission adopted the Annual Action Programme for 2017 in favour of El Salvador for support to the Plan El Salvador Seguro – PESS to be financed from the general budget of the Union.
- (2) The envisaged assistance is to comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU⁴.
- (3) The main implementation modality set out by Decision C(2017)7207 final is budget support, subject to the fulfilment of general eligibility criteria. Budget support eligibility criteria have not been ensured since 1 April 2022. As a consequence of this negative assessment, actions are currently on hold. In the interest of business continuity relating to the Union's strategy in El Salvador, the method of implementation of those actions should be changed to indirect management. The proposed addition of the implementation modality constitutes a substantial change within the meaning of Articles 110(2) and (5) of Regulation (EU, Euratom)

¹ OJ L 193, 30.7.2018, p.1.

² OJ L 209, 14.6.2021, p.1.

³ COMMISSION IMPLEMENTING DECISION C(2017) 7207 final of 27 October 2017 on the Annual Action Programme 2017, 2018 part 1 and 2019 part 1 in favour of El Salvador for theme "Support to the Plan El Salvador Seguro – PESS" (for its initials in Spanish) to be financed from the general budget of the Union.

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.

2018/1046. The title of the action, formerly “Support to the Plan El Salvador Seguro” is also updated to “Support to Prevention of Violence in El Salvador”, to better reflect the EU support to the response to the COVID-19 outbreak and recovery.

- (4) Pursuant to Article 26(1) of Regulation (EU) 2021/947 indirect management is to be used for the implementation of the action.
- (5) Therefore, Implementing Decision C(2017)7207 final should be amended accordingly.
- (6) 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 that 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.
- (7) 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 (‘the Financial Regulation’).
- (8) In order to allow for flexibility in the implementation of the action for Support to Prevention of Violence in El Salvador, it is appropriate to allow changes which should not be considered substantial for the purposes of Article 110(5) of the Financial Regulation.
- (9) 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:

Sole Article

Annex 1 to Implementing Decision C(2017) 7207 final is replaced by the text in the Annex to this Decision.

Done at Brussels, 24.11.2023

For the Commission
Jutta URPILAINEN
Member of the Commission

⁵ 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.