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**COMMISSION IMPLEMENTING DECISION**

**of 15.11.2021**

**on the financing of the individual measure in favour of Sub-Saharan Africa in support  
to migration for 2021-2022**

# COMMISSION IMPLEMENTING DECISION

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## on the financing of the individual measure in favour of Sub-Saharan Africa in support to migration for 2021-2022

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 966/2012<sup>1</sup>, and in particular Article 110 thereof,

Having regard to Regulation (EU) No 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<sup>2</sup> (hereafter referred to as ‘Neighbourhood, Development and International Cooperation Instrument – Global Europe’ or as ‘Regulation (EU) No 2021/947 of 9 June 2021’), and in particular Article 23 thereof,

Whereas:

- (1) In order to ensure the implementation of the individual measure in favour of Sub-Saharan Africa in support to migration for 2021-2022, it is necessary to adopt an annual<sup>3</sup> financing decision, which constitutes the annual work programme, for 2021-2022. Article 110 of Regulation (EU, Euratom) 2018/1046 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 TFEU<sup>4</sup>.
- (3) The objectives pursued by the annual measure to be financed under the Neighbourhood, Development and International Cooperation Instrument - Global Europe geographic programme ‘Sub-Saharan Africa’ are to ensure the continuity of EU’s support to a regional initiative financed by the EU in the field of migration.
- (4) In accordance with Article 23(3) of Regulation (EU) No 2021/947, the adoption of an individual measure prior to the adoption of the programming document is justified to ensure the continuity of activities financed under the EU Trust Fund for Africa, in

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<sup>1</sup> OJ L 193, 30.7.2018, p.1.

<sup>2</sup> OJ L 209, 14.6.2021, p.1.

<sup>3</sup> Annual financing decision shall always constitute an annual action plan/measure.

<sup>4</sup> The list of EU restrictive measure (sanctions) is reflected in the [www.sanctionsmap.eu](http://www.sanctionsmap.eu). Note that the sanctions map is an IT tool for identifying the sanctions regimes. The Official Journal of the European Union is the official source of European Union law and, in case of conflict, its content prevails over that of the Sanctions Map.

particular to cover essential urgent needs in terms of migrant protection, return and reintegration in the Sahel, Lake Chad and Horn of Africa regions. The programming document is still under preparation and waiting for its adoption would not allow for the continuity of the above-mentioned activities to address essential urgent needs.

- (5) The action entitled ‘EU-IOM Joint Initiative for Migrant Protection and Reintegration’ aims at contributing to safe, orderly and regular migration in the Sahel and Lake Chad and Horn of Africa regions. To achieve this objective, the Action will provide protection and assistance to vulnerable and stranded migrants; safe, humane, dignified and voluntary return; as well as sustainable reintegration assistance. It will also conduct awareness raising activities targeting potential migrants and host communities, and enhance capacities in migration management, data and communication.
- (6) Pursuant to Article 26(1) of Regulation (EU) No 2021/947 of 9 June 2021 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 Regulation (EU, Euratom) 2018/1046.

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) 2018/1046<sup>5</sup> and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of Regulation (EU, Euratom) 2018/1046 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 Regulation (EU, Euratom) 2018/1046.
- (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 Regulation (EU, Euratom) 2018/1046.
- (10) The measure provided for in this Decision is in accordance with the opinion of the Neighbourhood, Development and International Cooperation Instrument Committee established under Article 45 of Regulation (EU) No 2021/947 of 9 June 2021.

HAS DECIDED AS FOLLOWS:

*Article 1*  
*The measure*

The annual financing decision, constituting the annual measure for the implementation of the individual measure in favour of Sub-Saharan Africa in support to migration for 2021-2022, as set out in the Annex, is adopted.

The measure shall include the following action: EU-IOM Joint Initiative for Migrant Protection and Reintegration.

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<sup>5</sup> Except for the cases of Article 154(6) of Regulation (EU, Euratom) 2018/1046, where the Commission may decide, not to require an ex-ante assessment.

*Article 2*  
*Union contribution*

The maximum Union contribution for the implementation of the measure for 2021 – 2022 is set at EUR 103 000 000<sup>6</sup>, and shall be financed from the appropriations entered in the following lines of the general budget of the Union :

- budget line BGUE-B2021-14.020120-C1-INTPA
- budget line BGUE-B2021-14.020121-C1-INTPA

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 action carried out by way of indirect management, as set out in the Annex, shall be entrusted to the International Organisation for Migration, as laid down in point 4.4 of the Annex.

*Article 4*  
*Flexibility clause*

Increases or decreases of up to EUR 10 000 000 not exceeding 20% of the contribution set in the first paragraph of Article 2, considering each financial year separately, or cumulated changes<sup>7</sup> 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 Regulation (EU, Euratom) 2018/1046 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, 15.11.2021

*For the Commission*  
*Jutta URPIAINEN*  
*Member of the Commission*

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<sup>6</sup> This amount must include the appropriations corresponding to assigned revenue, if they are available at the time the financing decision is adopted.

<sup>7</sup> These changes can come from assigned revenue made available after the adoption of the financing decision.