



Brussels, 24.9.2020
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COMMISSION IMPLEMENTING DECISION

of 24.9.2020

on the financing of a special measure in favour of Pakistan for 2020

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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) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action², and in particular Article 2(1) thereof,

Whereas:

- (1) In order to ensure the implementation of a special measure in favour of Pakistan for 2020, it is necessary to adopt an annual financing decision, which constitutes the annual work programme, for 2020. 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 TFEU³.
- (3) The COVID-19 crisis is heavily compromising Pakistan's already weak healthcare system and socio-economic environment, and is putting millions of families in risk of extreme poverty. The impact of the pandemic is particularly hard on Afghan refugees and their host communities in urban and rural settings, who suffer from limited access to basic infrastructures and decent job opportunities. In addition, Afghan refugees are excluded from the safety net measures put in place by the Government in favour of Pakistani households.
- (4) The objectives pursued by the special measure to be financed under the Development Cooperation Instrument⁴ are therefore to mitigate the impact of the COVID-19 pandemic among vulnerable Afghan refugees and host populations in Pakistan. In this challenging context, implementing special measures is a way to cope with the exceptional circumstances imposed by the COVID-19 crisis and the concrete risks of

¹ OJ L 193, 30.7.2018, p. 1.

² OJ L 77, 15.3.2014, p. 95.

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 Regulation (EU) No 233/2014 of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for development cooperation for the period 2014-2020 (OJ L 77, 15.3.2014, p. 44)

further spread of the pandemic in particularly vulnerable settings, as well as of increased economic vulnerability for Afghan refugees.

- (5) The action entitled ‘Addressing the needs of Afghan refugees and host communities affected by COVID-19 pandemic in Pakistan’ aims at increasing the access to quality health services, and Water, Sanitation and Hygiene (WASH) facilities for Afghan refugees and host communities in Pakistan and to increase social protection measures for vulnerable Afghan refugees, in the wake of the health and socio-economic emergency caused by the pandemic.
- (6) The Commission should authorise the eligibility of costs as of a date which is prior to the date of adoption of this Decision, for reasons of extreme urgency in crisis management aid or in other exceptional and duly substantiated emergencies, whereby an early engagement by the Union would be of major importance.
- (7) Pursuant to Article 4(7) of Regulation (EU) No 236/2014 indirect management is to be used for the implementation of the measure.
- (8) 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.
- (9) 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) 2018/1046⁵ 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.
- (10) 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.
- (11) 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.
- (12) The measure provided for in this Decision does not fall in the categories of measures for which the prior opinion of the Committee is required. The measure shall be communicated to the European Parliament and to the Member States through the Development Cooperation Committee set up by Article 19 of Regulation (EU) No 233/2014 within one month of its adoption.

HAS DECIDED AS FOLLOWS:

Article 1
The measure

The annual financing decision, constituting a special measure in favour of Pakistan for 2020, as set out in the Annex, is adopted.

The measure shall include the following action:

“Addressing the needs of Afghan refugees and host communities affected by the COVID-19 pandemic in Pakistan”, set out in the Annex.

⁵ 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 referred to in Article 1 for 2020 is set at EUR 10 000 000, and shall be financed from the appropriations entered in the budget line 21.02 02 00 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 Annex, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 5.3.1 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, 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 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, 24.9.2020

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.