



Brussels, 24.10.2019
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COMMISSION DECISION

of 24.10.2019

**on the financing of the annual action programme 2019 in favour of the Republic of
Angola**

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EU) 2015/322 of 2 March 2015 on the implementation of the 11th European Development Fund¹, and in particular Article 9(1) thereof,

Having regard to Council Regulation (EU) 2018/1877 of 26 November 2018 on the financial regulation applicable to the 11th European Development Fund, and repealing Regulation (EU) 2015/323², and in particular Article 24 thereof,

Whereas:

- (1) In order to ensure the implementation of the annual action programme 2019 in favour of the Republic of Angola, it is necessary to adopt a financing decision. 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 Commission has adopted the National Indicative Programme (NIP) for the period 2014-2020⁴, which sets out the following priorities: to promote job creation, to enhance economic development and poverty reduction. The areas of intervention include sustainable agriculture, vocational and higher education and economic governance, including public finance management.
- (4) The objectives pursued by the annual action programme to be financed under the 11th European Development Fund (EDF) Internal Agreement⁵ ("Internal Agreement") are to support the participation of Civil Society actors in the process of administrative and political decentralisation of Angola and to support economic development through the private sector that would not be solely dependent on oil exports. Moreover, Angola seeks to model its relationship with the EU on the basis of equal partners. In 2012, the

¹ OJ L 58, 3.3.2015, p. 1.

² OJ L 307, 3.12.2018, 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 Decision on the adoption of the National Indicative Programme between the European Union and Republic of Angola C(2015)4613 of 10.7.2015 and Commission Decision on amending the National Indicative Programme between the European Union and the Republic of Angola C(2018) 3723 final of 14.6.2018.

⁵ Internal Agreement between the Representatives of the Governments of the Member States of the European Union, meeting within the Council, on the financing of European Union aid under the multiannual financial framework for the period 2014 to 2020, in accordance with the ACP-EU Partnership Agreement, and on the allocation of financial assistance for the Overseas Countries and Territories to which Part Four of the Treaty on the Functioning of the European Union applies, OJ L 210, 6.8.2013, p. 1.

EU and Angola signed the Joint Way Forward so as to intensify dialogue and cooperation in various domains.

- (5) The action entitled "Private Sector Development Programme in Angola" has as overall objective to contribute to diversified, sustainable and inclusive economic growth through supporting the implementation of Angola's own initiatives in the areas of access to finance for the private sector and the development of specific value chains.
- (6) The action entitled "Support to Civil Society in Local Governance in Angola" has as overall objective to contribute to economic growth and social development through an inclusive, heterogeneous and effective participation of civil society in the governance process.
- (7) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (8) Pursuant to Article 15 of Regulation (EU) 2018/1877 indirect management is to be used for the implementation of the programme.
- (9) 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 applicable in accordance with Article 30(1) of Regulation (EU) 2018/1877.

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) 2018/1046⁶ 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 applicable in accordance with Article 24(2) and Article 25 of Regulation (EU) 2018/1877.
- (11) In order to allow for flexibility in the implementation of the programme, 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 actions provided for in this Decision are in accordance with the opinion of the EDF Committee established under Article 8 of the Internal Agreement.

HAS DECIDED AS FOLLOWS:

Article 1 *The programme*

The financing decision, constituting the implementation of the annual action programme 2019 in favour of the Republic of Angola, as set out in the Annexes, is adopted.

The programme shall include the following actions:

- (a) "Private Sector Development Programme in Angola" set out in Annex 1;
- (b) "Support to Civil Society in Local Governance in Angola" set out in Annex 2.

⁶ 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 programme for 2019 is set at EUR 18 000 000, and shall be financed from the 11th European Development Fund.

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 Annex 2, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 5.4.1 of Annex 2.

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 changes⁷ 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 applicable in accordance with Article 24(2) of Regulation (EU) 2018/1877, provided that these changes do not significantly affect the nature and objectives of the actions. The use of contingencies shall be taken into account in the ceiling set by this Article.

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 6
Grants

Grants may be awarded without a call for proposals in accordance with the conditions set out in Annex 1. Grants may be awarded to the bodies referred to in Annex 1 selected in accordance with point 5.4.1 of Annex 1.

Done at Brussels, 24.10.2019

For the Commission
Neven MIMICA
Member of the Commission

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