



Brussels, 10.11.2015
C(2015) 7713 final

COMMISSION DECISION

of 10.11.2015

**on an individual measure in favour of Somalia to be financed from the 11th European
Development Fund**

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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) 2015/323 of 2 March 2015 on the financial regulation applicable to the 11th European Development Fund², and in particular Article 26 thereof,

Whereas:

- (1) The New Deal for Somalia Compact³ and the National Indicative Programme for Somalia for the period 2014 to 2020⁴ have been adopted, which provides as priorities: to achieve a stable and peaceful federal Somalia through inclusive political processes; to establish unified, capable, accountable and rights-based Somali security institutions providing basic safety and security for its citizens; to establish independent and accountable justice institutions capable of addressing the justice needs of the people of Somalia by delivering justice for all; to revitalise and expand the Somali economy with a focus on livelihood enhancement, employment generation, and broad-based inclusive growth; and to increase delivery of equitable, affordable and sustainable services that promote national peace and reconciliation among Somalia's regions and citizens; enhance transparent and accountable revenue generation and equitable distribution and sharing of public resources.
- (2) The objective pursued by the Operational Support (Air Transport) Services to be financed under the 11th European Development Fund Internal Agreement⁵ ('Internal Agreement ') is to continue facilitating access to and within Somalia for the smooth and efficient implementation of Union cooperation and engagement in line with the New Deal for Somalia Compact. The project will be implemented under direct management.

¹ OJ L 58, 3.3.2015, p. 1.

² OJ L 58, 3.3.2015, p. 17.

³ Communiqué: A New Deal for Somalia, Brussels Conference, 16 September 2013; European Commission - MEMO/13/789 of 16 September 2013:
http://europa.eu/rapid/press-release_MEMO-13-770_en.htm

⁴ Commission Decision C(2014)3715 of 11 June 2014 on the adoption of the National Indicative Programme between the European Union and Somalia .

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 multi-annual 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).

- (3) It is necessary to adopt a financing decision the detailed rules of which are set out in Article 94 of Commission Delegated Regulation (EU) No 1268/2012⁶, applicable in accordance with Article 2(1) and Article 26 of Regulation (EU) 2015/323.
- (4) It is necessary to allow the payment of interest due for late payment on the basis of Article 92 of Regulation (EU, Euratom) No 966/2012 and Article 111(4) of Delegated Regulation (EU) No 1268/2012, applicable in accordance with Article 29(1) of Regulation (EU) 2015/323.
- (5) Pursuant to Article 94(4) of Delegated Regulation (EU) No 1268/2012, the Commission should define changes to this Decision which are not substantial in order to ensure that any such changes can be adopted by the authorising officer responsible.
- (6) The measure provided for in this Decision is in accordance with the opinion of the EDF Committee set up by Article 8 of the Internal Agreement.

HAS DECIDED AS FOLLOWS:

Article 1

Adoption of the individual measure

The individual measure in favour of Somalia to be financed from the 11th European Development Fund ('11th EDF'), as set out in the Annex, is approved.

The measure shall include the following action: Operational Support (Air Transport) Services.

Article 2

Financial contribution

The maximum contribution of the European Union for the implementation of the measure referred to in Article 1 is set at EUR 15 700 000 and shall be financed from the 11th EDF.

The financial contribution provided for in the first paragraph may also cover interest due for late payment.

Article 3

Implementation modalities

The elements required by Article 94(2) of Delegated Regulation (EU) No 1268/2012, applicable in accordance with Article 26 of Regulation (EU) 2015/323, are set out in the Annex.

⁶ Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (OJ L 362, 31.12.2012, p. 1).

Article 4

Non-substantial changes

Increases or decreases of up to EUR 10 000 000 not exceeding 20 % of the contribution set by 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 within the meaning of Article 94(4) of the Delegated Regulation (EU) No 1268/2012, provided that they 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 adopt such non-substantial changes in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 10.11.2015

For the Commission
Neven Mimica
Member of the Commission