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COMMISSION DECISION

of 27.1.2017

**on the Annual Action Programme 2016 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 Commission has adopted the National Indicative Programme for Somalia for the period 2014-2020³, point 1.1 *Strategic objectives of the EU's relationship with the parther country* of which provides for the following priorities: (i) achieve a stable and peaceful federal Somalia through inclusive political processes; (ii) establish unified, capable, accountable and right-based Somali federal security institutions providing basic safety and security for its citizens; (iii) establish independent and accountable justice institutions capable of addressing the justice needs of the people of Somalia by delivering justice for all; (iv) revitalise and expand the Somali economy with a focus on livelihood enhancement, employment generation and broad-based inclusive growth; (v) increase the delivery of equitable, affordable and sustainable services that promote national peace and reconciliation among Somalia's regions and citizens and enhance transparent and accountable revenue generation and equitable distribution and sharing of public resources.
- (2) The objectives pursued by the Annual Action Programme 2016 to be financed under the 11th European Development Fund (EDF) Internal Agreement⁴ ("Internal Agreement") are to contribute to a more secure, peaceful and stable Somalia, to the revitalisation of the Somali economy and to improve the educational attainment and employability of relevant target groups.
- (3) The action entitled "Somalia Education Sector Support Programme" will contribute to the consolidation and expansion of (i) equitable and inclusive quality education for Somali children, youth and adults and (ii) vocational training opportunities for Somali

¹ OJ L 58, 3.3.2015, p. 1.

² OJ L 58, 3.3.2015, p. 17.

³ Commission Decision on the adoption of the National Indicative Programme between the European Union and Somalia C(2014)3715 of 11.6.2014.

⁴ 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).

youth and adults. Parts of this action may be implemented in indirect management with the World Bank and with Gesellschaft für Internationale Zusammenarbeit (GIZ).

- (4) The action entitled "OUTREACH-Partnership for Inclusive Economic Growth" is expected to contribute to food security and nutrition, resilience and livelihood opportunities for smallholder farmers through their integration in competitive value chains while practicing sustainable agriculture and natural resource management. Under the responsibility of the Commission's authorising officer responsible, a grant may be awarded without a call for proposals to Food and Agriculture Organisation (FAO).
- (5) The action entitled "Governance Consolidation Programme for Somalia" will contribute to (i) strengthening democratisation, social accountability and participation of non-state actors in governance processes; (ii) promoting reconciliation and strengthening selected district, state and federal governance structures, systems and processes in order to transition from state formation to state building; (iii) enhancing security and justice through strengthening institutional capacity and accountability and greater citizen access to policing and justice services. Part of this action may be implemented in indirect management with United Nations (UN) agencies (through the UN Multi Partner Trust Fund).
- (6) The action entitled "Technical and Operational Support to development Assistance to Somalia III" is expected to (i) contribute to the efficient and effective identification, formulation, implementation and monitoring of EU funded programmes in Somalia; (ii) increase the capacity of the NAO to manage EDF funds at federal and regional level.
- (7) 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 1268/2012⁵ applicable in accordance with Article 2(1) and Article 26 of Regulation (EU) 2015/323.
- (8) It is necessary to adopt a work programme for grants the detailed rules on which are set out in Article 128(1) of Regulation (EU, Euratom) No 966/2012 and in Article 188(1) of Delegated Regulation (EU) No 1268/2012, applicable in accordance with Article 37(1) of Regulation (EU) 2015/323. The work programme is set out in Annex 1 (sections 5.4.2 and 5.4.3), Annex 2 (section 5.4.2), Annex 3 (sections 5.4.1, 5.4.2 and 5.4.3).
- (9) The Commission should entrust budget-implementation tasks under indirect management to the entities specified in this Decision, subject to the conclusion of a delegation agreement. In accordance with Article 60(1) and (2) of Regulation (EU, Euratom) No 966/2012, applicable in accordance with Article 2(1) and Article 17 of Regulation (EU) 2015/323, the authorising officer responsible needs to ensure that these entities guarantee a level of protection of the financial interests of the Union equivalent to that required when the Commission manages Union funds. These entities comply with the conditions of points (a) to (d) of the first subparagraph of Article 60(2) of Regulation (EU, Euratom) No 966/2012 and the supervisory and support measures are in place as necessary.
- (10) The Commission should entrust budget-implementation tasks under indirect management to the Federal Republic of Somalia, subject to the conclusion of a

⁵ Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation 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).

financing agreement. In accordance with Article 60(1)(c) of Regulation (EU, Euratom) No 966/2012, applicable in accordance with Article 2(1) and Article 17 and 2(1) of Regulation (EU) 2015/323, the authorising officer responsible needs to ensure that measures are taken to supervise and support the implementation of the entrusted tasks. A description of these measures and the entrusted tasks are laid down in Annex 4 to this Decision.

- (11) The authorising officer responsible should be able to award grants without a call for proposals provided that the conditions for an exception to a call for proposals in accordance with Article 190 of Delegated Regulation (EU) No 1268/2012, applicable in accordance with Article 37(1) of Regulation (EU) 2015/323, are fulfilled.
- (12) 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.
- (13) Pursuant to Article 94(4) of Delegated Regulation (EU) No 1268/2012, applicable in accordance with Article 26 of Regulation (EU) 2015/323, 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.
- (14) The measures provided for in this Decision are in accordance with the opinion of the European Development Fund Committee set up by Article 8 of the Internal Agreement.

HAS DECIDED AS FOLLOWS:

Article 1

Adoption of the measure

The Annual Action Programme 2016 in favour of Somalia to be financed from the 11th European Development Fund, as set out in the Annexes, is approved.

The programme shall include the following actions:

- Annex 1: Somalia Education Sector Support Programme;
- Annex 2: OUTREACH-Partnership for Inclusive Economic Growth;
- Annex 3: Governance Consolidation Programme for Somalia;
- Annex 4: Technical and Operational Support to Development Assistance to Somalia III

Article 2

Financial contribution

The maximum contribution of the European Union for the implementation of the Programme referred to in Article 1 is set at EUR 97 300 000 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

Budget-implementation tasks under indirect management may be entrusted to the entities identified in the Annexes, subject to the conclusion of the relevant agreements.

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 Annexes.

Article 4

Non-substantial changes

Increases or decreases of up to 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 Delegated Regulation (EU) No 1268/2012, applicable in accordance with Article 26 of Regulation (EU) 2015/323, 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, 27.1.2017

For the Commission
Neven MIMICA
Member of the Commission