



Brussels, 22.7.2016
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COMMISSION DECISION

of 22.7.2016

**on the Annual Action Programme 2016 (part 1) in favour of Zimbabwe 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 (NIP) for Zimbabwe³ for the period 2014-2020, point 3 of which provides for the following priorities: health, agriculture based economic development, governance and institutional building, measures in support of civil society and support measures.
- (2) The objectives pursued by the Annual Action Programme to be financed under the 11th European Development Fund (EDF) Internal Agreement⁴ ('Internal Agreement') are: to promote a transparent and inclusive electoral process for free and fair elections in Zimbabwe fully in line with the Constitution and regional standards for democratic elections; and to strengthen participatory and accountable governance in Zimbabwe in order to contribute to economic recovery, inclusive and sustainable socio-economic development, democratisation and peace and stability.
- (3) The action entitled 'Support to the consolidation of the democratic process in Zimbabwe' aims to enhance the institutional and technical capacity of the Zimbabwe Electoral Commission to meet its constitutional mandate as an independent Commission and to support a more conducive environment for credible elections.
- (4) The action entitled 'Support to Civil Society in Zimbabwe' aims to enhance the role of civil society, including those addressing gender equality and the rights of marginalised groups, in the promotion of transparency, good governance and accountability, enabling them to meaningfully participate in the policy cycle; furthermore, to strengthen Civil Society's watchdog role in the implementation of the NIP focal sectors.

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 Zimbabwe for 2014-2020 C(2015)346 of 30.1.2015.

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 OCTs to which Part Four of the Treaty on the Functioning of the European Union applies (OJ L 210, 6.8.2013, p. 1).

- (5) 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.
- (6) 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 (section 5.4.1) and Annex 2 (section 5.4.1)
- (7) The Commission should entrust budget-implementation tasks under indirect management to the entity 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 this entity guarantees a level of protection of the financial interests of the Union equivalent to that required when the Commission manages Union funds. This entity complies 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.
- (8) 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.
- (9) 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.
- (10) The measures provided for in this Decision are 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 measure

The Annual Action Programme 2016 (part 1) in favour of Zimbabwe 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: Support to the consolidation of the democratic process in Zimbabwe
- Annex 2: Support to Civil Society in Zimbabwe

Article 2

Financial contribution

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).

The maximum contribution of the European Union for the implementation of the programme referred to in Article 1 is set at EUR 14 000 000 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 entity identified in Annex 1, subject to the conclusion of the relevant agreement.

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 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 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, 22.7.2016

For the Commission
Neven MIMICA
Member of the Commission