



Brussels, 29.9.2015
C(2015) 6590 final

COMMISSION DECISION

of 29.9.2015

**on an individual measure for the Republic of Guinea 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 Fund, and in particular Article 9 thereof,

Having regard to Council Regulation (EU) 2015/323 of 2 March 2015 on the Financial Regulation applicable to the 11th European Development Fund, and in particular Article 26 thereof,

Whereas:

- (1) The Commission has adopted the National Indicative Programme for the Republic of Guinea for 2014-2020¹, point 3 of which sets out the following priorities: 1) restoring state authority, 2) urban sanitation, and 3) health. Support measures are also planned, including an exit strategy in the road transport sector, a programme to support the National Authorising Officer and a Technical Cooperation Facility to provide back-up for the programming, preparation and implementation of operations.
- (2) The measure financed from the 11th EDF² comes at a time when the country faces a health crisis which has had serious repercussions on social and economic life and public finances. This measure is therefore aimed at helping the government consolidate democracy in the country with a particular emphasis on the success of the presidential and local elections and strengthening its democratic institutions.
- (3) The measure entitled ‘Support Programme for Elections and Democratic Institutions’ is aimed at consolidating democracy in the Republic of Guinea by ensuring that presidential and municipal/local elections proceed smoothly and at strengthening the rule of law through strong, representative and legitimate democratic institutions. The specific goal is to help ensure that presidential and local elections proceed as smoothly as possible by strengthening the capacities of stakeholders, restoring trust between the players involved, lending logistical support to the electoral process and providing civic education for the population and voters in particular. The measure will be implemented through indirect management with the United Nations Development Programme and direct management of a grant.

¹ Decision C(2014) 9205 final of 2 December 2014.

² 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.

- (4) A financing decision should be adopted, the detailed rules for which are set out in Article 94 of Commission Delegated Regulation (EU) No 1268/2012³, applicable by virtue of Article 26 of Regulation (EU) 2015/323.
- (5) A work programme should be adopted for grants, the detailed rules of 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. The work programme can be found in section 5.4.1 of Annex 1.
- (6) The Commission should delegate budget-implementation tasks under indirect management to the entities identified 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, the authorising officer responsible must 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 laid down in points (a) to (d) of the first subparagraph of Article 60(2) of Regulation (EU, Euratom) No 966/2012 and the necessary supervisory and support measures are in place.
- (7) The authorising officer responsible may award grants without a call for proposals provided that the conditions for an exception to a call for proposals laid down in Article 190 of Delegated Regulation (EU) No 1268/2012, applicable by virtue of Article 37(1) of Regulation (EU) No 323/2015, are fulfilled. A grant will be awarded to the European Centre for Electoral Support.
- (8) Under the responsibility of the responsible authorising officer of the Commission, the use of a grant award procedure without a call for proposals is justified by the crisis currently facing the country (in accordance with Article 190(2) of the Rules of Application). Direct award is also warranted by the urgency of supporting the electoral processes, with the first round of the presidential election scheduled for 11 October 2015. The choice of the European Centre for Electoral Support (ECES) for the implementation of part 1, 'Support for democratisation and for raising awareness among citizens and the media' is justified given its presence in Guinea, its ongoing support for building the capacities of the National Assembly and its proven experience in furthering democratic processes and elections. Its rapidly deployable network of experts and partners and its technical skills and specialised knowledge make the ECES a key partner.
- (9) Payment of interest due for late payment should be made 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 by virtue of Article 29(1) of Regulation (EU) 2015/323.
- (10) In accordance with Article 94(4) of Delegated Regulation (EU) No 1268/2012, the Commission is required to define the meaning of 'non-substantial changes to this Decision' to ensure that any such changes may be adopted by the authorising officer responsible.
- (11) The measure provided for in this Decision is in accordance with the opinion of the European Development Fund Committee set up by Article 8 of the Internal Agreement between the Representatives of the Governments of the Member States of the

³ 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).

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 applies⁴.

HAS DECIDED AS FOLLOWS:

Article 1

Adoption of the measure

This Decision concerning the individual measure for the Republic of Guinea to be financed from the 11th European Development Fund, as set out in the Annex, is adopted.

The measure shall include the following action:

- Annex: Support Programme for Elections and Democratic Institutions in the Republic of Guinea

Article 2

Financial contribution

The maximum contribution of the European Union to implementation of the measure referred to in Article 1 is set at EUR 14 000 000, to be financed from the 11th European Development Fund.

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

Article 3

Implementation methods

Budget-implementation tasks under indirect management may be delegated to the entity identified in the Annex, subject to conclusion of the relevant agreement.

The 'Implementation' section of the Annex to this Decision sets out the elements required by Article 94(2) of Delegated Regulation (EU) No 1268/2012.

The authorising officer responsible may award grants without a call for proposals in accordance with Article 190 of Delegated Regulation (EU) No 1268/2012.

⁴ OJ L 210, 6.8.2013, p. 1.

Article 4

Non-substantial changes

Increases or decreases not exceeding 20 % of the contribution set in the first paragraph of Article 2, cumulated changes to the appropriations allocated to specific actions not exceeding 20 % of that contribution, or extensions of the implementation period, shall not be considered substantial within the meaning of Article 94(4) of Delegated Regulation (EU) No 1268/2012, provided that they do not significantly affect the nature or objectives of the actions. The use of the contingency reserve shall be taken into account in the ceiling set in this Article.

The authorising officer responsible may adopt these non-substantial changes in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 29.9.2015

For the Commission

Neven MIMICA

Member of the Commission