



EUROPEAN
COMMISSION

Brussels, 16.4.2019
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COMMISSION DECISION

of 16.4.2019

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

(2 – Individual measure for Eritrea)

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adopting an individual measure in favour of Eritrea to be financed from the 11th European Development Fund

(2 – Individual measure for Eritrea)

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 2015¹ on the implementation of the 11th European Development Fund, 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 Fund², and repealing Regulation (EU) 2015/323, and in particular Article 24(1) thereof,

Whereas:

- (1) By its Decision C(2015)8848 of 11.12.2015, the Commission adopted the National Indicative Programme (NIP) between the European Union and the State of Eritrea, allocating a total amount of EUR 200 000 000 for the period from 2014 to 2020. This amount has been reduced to EUR 180 000 000 by the Commission Decision C(2018)3723 of 14.6.2018, following the mid-term review of the NIP for Eritrea, which took place in 2017.
- (2) The signing of the Joint Declaration of Peace and Friendship between Eritrea and Ethiopia in July 2018 provides a major opportunity for both countries, as well as for regional stabilisation. Other recent developments reinforce this, including Eritrea's assumption of the Chair of the Khartoum Process, its election onto the Human Rights Council, the lifting of the United Nations arms embargo, and the new political partnership being formed between Eritrea, Ethiopia and Somalia.
- (3) Recent high-level dialogue with the EU has demonstrated the Eritrean Government's intent to take forward reforms incrementally, such as opening up the economy and starting to demobilise people from National Service when sufficient jobs are available.
- (4) To respond to these opportunities, a dual-track approach was discussed and supported by the European Council Africa Working Party (COAFR) in December 2018. One track includes resuming political dialogue with the Eritrean Government, notably encouraging reforms on national service and human rights. The other track involves re-engaging in co-operation with Eritrea in ways that reinforce the peace agreement and economic integration. Both tracks would run simultaneously and overall progress would be continually tested.
- (5) In this context, the immediate priority for Eritrea (Pillar 1) is to rehabilitate infrastructure, most importantly, the main arterial roads in order to reconnect the two

¹ OJ L58, 3.3.2015, p. 1.

² OJ L 307, 3.12.2018, p. 1.

countries and provide Ethiopia access to Eritrea's ports. The other pillars are Job Creation (Pillar 2), Economic Reforms (Pillar 3) and Culture (Pillar 4).

- (6) It is necessary to establish an individual measure to be implemented through the EU Emergency Trust Fund for stability and addressing the root causes of irregular migration and forced displacement in Africa (hereinafter "the Trust Fund"), as established by the Commission on 20 October 2015³ and officially launched at the Migration Summit in La Valletta on 12 November 2015.
- (7) The overall objective and purpose of the Trust Fund is to address the crises in the regions of the Sahel and the Lake Chad, the Horn of Africa and the North of Africa. It will support all aspects of stability and contribute to better migration management, as well as addressing the root causes of destabilisation, forced displacement and irregular migration, in particular by promoting resilience, economic and equal opportunities, security and development and addressing human rights abuses. The Trust Fund was established for a limited period, until 31 December 2020, in order to provide a medium-term response to the challenges of the regions.
- (8) The Trust Fund and the development cooperation strategy for Eritrea for the period 2019-2020, to be implemented through the individual measure, share the common objectives of promoting peace, security, conflict prevention and resolution, and of contributing and assisting Eritrea to accelerate socio-economic transformation in order to achieve poverty alleviation, economic revival and societal transformation in a socially just and gender equitable manner. As a result, the Trust Fund appears as the most appropriate and innovative financial instrument to implement the individual measure.
- (9) In order to ensure the implementation of the individual measure, it is necessary to adopt a financing decision. Article 110 of Regulation (EU, Euratom) 2018/1046 establishes detailed rules on financing decisions.
- (10) The envisaged assistance is to comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU⁴.
- (11) 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.
- (12) In order to allow for flexibility in the implementation of the measure, 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.
- (13) 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 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

³ Commission Decision C(2015)7293 of 20.10.2015.

⁴ 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.

for the Overseas Countries and Territories to which Part Four of the Treaty on the Functioning of the European Union applies⁵.

HAS DECIDED AS FOLLOWS:

Article 1
Adoption of the measure

The financing decision constituting the implementation of the individual measure in favour of Eritrea to be financed from the 11th European Development Fund, as set out in the Annex, is adopted.

Article 2
Union contribution

The maximum Union contribution for the implementation of the measure is set at EUR 180 000 000 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
Implementation modalities

The EU Emergency Trust Fund for stability and addressing the root causes of irregular migration and forced displacement in Africa, as established by the Commission on 20 October 2015, shall implement the individual measure according to the rules and procedures applying to the management and governance of the Trust Fund.

Article 4
Non-substantial changes

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 changes⁶ 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 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.

Done at Brussels, 16.4.2019

For the Commission
Neven MIMICA
Member of the Commission

⁵ OJ L 210, 6.8.2013, p. 1

⁶ These changes can come from assigned revenue made available after the adoption of the financing decision.