



Brussels, 28.11.2017
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COMMISSION DECISION

of 28.11.2017

on the individual measure in favour of the Republic of Angola, Cape Verde, Guinea Bissau, Mozambique, São Tomé e Príncipe and Timor Leste to be financed from the 11th European Development Fund

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on the individual measure in favour of the Republic of Angola, Cape Verde, Guinea Bissau, Mozambique, São Tomé e Príncipe and Timor Leste to be financed from the 11th European Development Fund

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 Multiannual Indicative Programme (MIP) for the period 2014-2020 for the PALOP/TL³ countries⁴ (Angola, Cape Verde, Guinea Bissau, Mozambique and São Tomé e Príncipe and Timor Leste), represented by the National Authorising Officer (NAO) of Mozambique, acting as single Authorising Officer for the PALOP-TL Programme, which prioritises job creation in the area of culture, development of governance capacities and a Technical Cooperation Facility (TCF).
- (2) The objectives pursued by the measure to be financed under the 11th European Development Fund (EDF) Internal Agreement⁵ ("Internal Agreement") are to support the implementation of the actions foreseen in the MIP, as well as to facilitate cooperation in general.
- (3) The action entitled "Technical Cooperation Facility (TCF) and support to the Coordination of the PALOP-TL/EU Cooperation Programme" should be based on two components: Component 1: Sustainable management of the programme information and communication; and Component 2: Institutional capacity building in regional cooperation management. The action will be implemented through procurement (direct management) as well as in indirect management with the Indirect management with the Government of Mozambique – acquisition of services and programme estimates

¹ OJ L 58, 3.3.2015, p. 1.

² OJ L 58, 3.3.2015, p. 17.

³ The six Portuguese speaking countries from the African, Caribbean and Pacific (ACP) group.

⁴ Commission Decision on the adoption of the Multiannual Indicative Programme 2014-2020 between the European Union and the Governments of PALOP-TL countries, represented by the Government of Mozambique C(2014) 8436 of 18.11.2014.

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 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).

- (4) The envisaged assistance to PALOP-TL is deemed to strictly follow the conditions and procedures set out by the restrictive measures concerning the PALOP-TL countries that are under those measures.
- (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 1268/2012⁶ applicable in accordance with Article 2 (1) and Article 26 of Regulation (EU) 2015/323.
- (6) The Commission should entrust budget-implementation tasks under indirect management to the partner countries specified in the Annex to this Decision, subject to the conclusion of a 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 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 the Annex to this Decision.
- (7) 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 2(1) and Article 29(1) of Regulation (EU) 2015/323.
- (8) Pursuant to Article 94(4) of Delegated Regulation (EU) No 1268/2012, applicable in accordance with Article 2(1) and Article 26 of Regulation (EU) 2015/323, any substantial change to a financing decision that has already been adopted should follow the same procedure as the initial decision. It is therefore appropriate that the Commission defines the changes to this Decision that are considered non-substantial in order to ensure that any such changes can be adopted by the authorising officer responsible.
- (9) The measure provided for in this Decision does not fall within the categories of measures for which the prior opinion of the Committee is required. The EDF Committee established under Article 8 of the Internal Agreement should be informed of this Decision within one month following its adoption.

HAS DECIDED AS FOLLOWS:

Article 1

Adoption of the measure

The Commission Decision on the individual measure in favour of the Republic of Angola, Cape Verde, Guinea Bissau, Mozambique, São Tomé e Príncipe and Timor Leste 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: Technical Cooperation Facility (TCF) and support to the Coordination of the PALOP-TL/EU Cooperation Programme.

Article 2

Financial contribution

⁶ 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 measure referred to in Article 1 is set at EUR 3 000 000 and shall 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

Methods of implementation

Budget-implementation tasks under indirect management may be entrusted to the entity identified in the Annex, 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 2(1) and Article 26 of Regulation (EU) 2015/323, are set out in the Annex to this Decision.

Article 4

Non-substantial changes

Increases or decreases not exceeding 20% of the contribution set in 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 2(1) and 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, 28.11.2017

For the Commission

Stefano Manservigi
Director General