



Brussels, 29.11.2018
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COMMISSION DECISION

of 29.11.2018

on the financing of the annual action programme 2018 in favour of Uganda

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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) In order to ensure the implementation of the annual action programme for Uganda, it is necessary to adopt an annual financing decision. Article 110 of Regulation (EU, Euratom) 2018/1046 establishes detailed rules on financing decisions.
- (2) The envisaged assistance is to comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU³.
- (3) The Commission has adopted the National Indicative Programme (NIP) for Uganda for the period 2014-2020⁴, chapter 1.2 of which provides for the following priorities: focal sector 1: transport infrastructure; focal sector 2: food security and agriculture, and focal sector 3: good governance.
- (4) The objectives pursued by the annual action programme to be financed under the 11th European Development Fund (EDF) Internal Agreement⁵ ("Internal Agreement") are to support Uganda to achieve sustainable development by engaging in a transition towards an inclusive green and competitive low carbon economy based on sustainable consumption and production patterns, while generating growth, creating decent jobs and reducing poverty.
- (5) The action entitled "Promoting Inclusive Green Economy" aims at contributing to Uganda's transition towards an inclusive, green and competitive low carbon economy and the creation of green jobs in line with relevant national strategies including in the

¹ OJ L 58, 3.3.2015, p. 1.

² OJ L 58, 3.3.2015, p. 17.

³ 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.

⁴ Commission Decision on the adoption of the National Indicative Programme between the European Union and Uganda C(2014)5516, 7.8.2014 and Corrigendum C(2015) 2513, 20.4.2015.

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 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).

areas of sustainable energy, sustainable agricultural production and value chains, planned green cities, and natural capital management and development, notably providing access to finance.

- (6) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (7) Pursuant to Article 17 of Regulation (EU) 2015/323, indirect management is to be used for the implementation of the programme.
- (8) The Commission is to ensure a level of protection of the financial interests of the Union with regards to entities and persons entrusted with the implementation of Union funds by indirect management as provided for in Article 154(3) of Regulation (EU, Euratom) 2018/1046, applicable in accordance with Article 2(1) and Article 17 of Regulation (EU) 2015/323.

To this end, such entities and persons are to be subject to an assessment of their systems and procedures in accordance with Article 154(4) of Regulation (EU, Euratom) 2018/1046⁶ and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of Regulation (EU, Euratom) 2018/1046 before a contribution agreement can be signed.

- (9) 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 29(1) of Regulation (EU) 2015/323.
- (10) In order to allow for flexibility in the implementation of the programme, 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.
- (11) The action provided for in this Decision is in accordance with the opinion of the EDF Committee established under Article 8 of the Internal Agreement.

HAS DECIDED AS FOLLOWS:

Article 1 *The programme*

The financing decision, constituting the implementation of the annual action programme 2018 in favour of Uganda, as set out in the Annex, is adopted.

The programme shall include the following action:

- Annex: Promoting Inclusive Green Economy in Uganda

Article 2 *Union contribution*

The maximum Union contribution for the implementation of the programme is set at EUR 60 000 000 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.

⁶ Except for the cases of Article 154(6) of Regulation (EU, Euratom) 2018/1046, where the Commission may decide, not to require an ex-ante assessment

Article 3

Methods of implementation and entrusted entities or persons

The implementation of the actions carried out by way of indirect management, as set out in the Annex, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in points 5.4.2, 5.4.3, 5.4.4, 5.4.5 and 5.4.6 of the Annex .

Article 4

Flexibility clause

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 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 for the purposes of Article 110(5) of Regulation (EU, Euratom) 2018/1046, applicable in accordance with Article 2(1) and Article 26 of Regulation (EU) 2015/323, 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.

Article 5

Grants

Grants may be awarded without a call for proposals in accordance with the conditions set out in the Annex. Grants may be awarded to the bodies referred to or selected in accordance with point 5.4.1 of the Annex.

Done at Brussels, 29.11.2018

For the Commission

Neven Mimica

Member of the Commission