



Brussels, 13.11.2017
C(2017) 7583 final

COMMISSION DECISION

of 13.11.2017

**on the Annual Action Programme 2017 in favour of Uganda 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 European Development Fund², and in particular Article 26 thereof,

Whereas:

- (1) The Commission has adopted the National Indicative Programme (NIP) for Uganda for the period 2014-2020³, which prioritises: Transport Infrastructures; Food Security and Agriculture; and Good Governance.
- (2) The objective pursued by the Annual Action Programme 2017 to be financed under the 11th European Development Fund (EDF) Internal Agreement ('Internal Agreement')⁴ is to improve governance in the areas of: a) public service delivery; b) strategic allocation and efficient use of public resources; c) domestic resource mobilisation; d) fight against corruption; and e) increased transparency. Moreover, accountability of public services and fair justice will assist in creating an enabling environment for business, private sector engagement and job creation.
- (3) The action entitled 'Justice and Accountability Reform' aims at contributing to the sustainable development and inclusive growth of Uganda by supporting the Accountability sector and the Justice, Law and Order sector. This will be done by improving governance of public funds, including the strategic allocation and efficient use of public resources, for improved service delivery and by supporting the implementation of Accountability sector and Justice, Law and Order sector priorities. The action will be implemented through direct management-Budget Support/Sector Reform Contract and indirect management with the Government of Uganda for complementary support.

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 Uganda C(2014)5516, 7.8.2014 and Corrigendum C(2015) 2513, 20.4.2015.

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 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) 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.
- (5) The Commission should entrust budget-implementation tasks under indirect management to the partner country 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 EDF, 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 those measures and the entrusted tasks are laid down in the Annex to this Decision.
- (6) It is necessary to allow for 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.
- (7) 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.
- (8) The measure provided for in this Decision is in accordance with the opinion of the European Development Fund Committee established under Article 8 of the Internal Agreement.

HAS DECIDED AS FOLLOWS:

Article 1

Adoption of the programme

The Annual Action Programme 2017 in favour of Uganda to be financed from the 11th European Development Fund, as set out in the Annex, is adopted.

The programme shall include the following action:

- (a) Annex 1: Action Document for Justice and Accountability Reform.

Article 2

Financial contribution

The maximum contribution of the European Union for the implementation of the programme referred to in Article 1 is set at EUR 66 000 000 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.

⁵ 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).

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 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 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, 13.11.2017

For the Commission

Neven MIMICA

Member of the Commission