



EUROPEAN
COMMISSION

Brussels, 17.2.2015
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COMMISSION DECISION

of 17.2.2015

**on the Annual Action Programme 2014 in favour of the Kingdom of Lesotho to be
financed from the European Development Fund Bridging Facility**

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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) No 566/2014 amending Regulation (EC) No 617/2007 on the implementation of the 10th European Development Fund (EDF) as regards the application of the transition period between the 10th EDF and the 11th EDF until the entry into force of the 11th EDF Internal Agreement¹, and in particular Article 9 (1) of its annex,

Having regard to Council Regulation (EU) No 567/2014 amending Regulation (EC) No 215/2008 on Financial Regulation applicable to the 10th European Development Fund as regards the application of the transition period between the 10th European Development Fund and the 11th European Development Fund until the entry into force of the 11th European Development Fund Internal Agreement², and in particular Article 26 of its annex,

Whereas:

- (1) The Commission has adopted the National Indicative Programme (NIP) 2014-2020 for Lesotho³ for the period 2014-2020, points 1.2.3 "Sector 3 – Governance" and 5 "Support measures" which provide for the following priorities: governance, including providing social welfare to the most vulnerable segments in Basotho society and in particular children and support measures through a Technical Cooperation Facility (TCF).
- (2) The objectives pursued by the Annual Action Programme to be financed under the EDF Bridging Facility are: i) to assist the government to prevent and reduce the economic and social vulnerabilities of the most disadvantaged and socially excluded segments of the society, and ii) to expedite the mobilisation of technical assistance and capacity building support in the implementation of all aspects of EU-Lesotho cooperation.
- (3) Action entitled "*Strengthening Governance of Social Protection in Lesotho*" will establish a social protection system that ensures the most economic and socially vulnerable segments of Lesotho's population are provided with a level of protection that is sustainable and addresses poverty, deprivation, vulnerability and inequality throughout the life course in a comprehensive and holistic manner. It will be implemented through an Indirect Management Delegated Agreement (IMDA) with UNICEF in close partnership with the Ministry of Social Development. Action entitled "*Technical Cooperation Facility (TCF)*" will support the implementation of the National Strategic Development Plan (NSDP) through the identification, formulation, and implementation of actions under the 11th EDF and will assist government in

¹ OJ L 157, 27.5.2014, p. 35.

² OJ L 157, 27.5.2014, p. 52.

³ C(2014) 3639, 12.06.2014

executing existing 10th EDF NIP and other EU/EDF funded activities through Programme Estimates and technical assistance.

- (4) This Decision complies with the conditions laid down in Article 94 of 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 Union⁴ applicable by virtue of Articles 2(1) and 26 of the annex to Regulation (EU) No. 567/2014.
- (5) The Commission should entrust budget-implementation tasks under indirect management to the partner country identified in 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 by virtue of Articles 17 and 2(1) of the annex to Regulation (EU) No 567/2014, the responsible authorising officer has ensured that measures have been 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 Annexes to this Decision.
- (6) The maximum contribution of the European Union set by this Decision should cover any possible claims for 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 by virtue of Articles 29(1) and 2(1) of the annex to Regulation (EU) No 567/2014⁵.
- (7) The Commission is required to define the term "non-substantial change" in the sense of Article 94(4) of Delegated Regulation (EU) No 1268/2012 to ensure that any such changes can be adopted by the authorising officer by delegation, or under his or her responsibility, by sub-delegation (hereinafter referred to as the 'responsible authorising officer').
- (8) 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, meeting within the Council, on the financing of Community aid under the multiannual financial framework for the period 2008 to 2013 in accordance with the ACP-EC Partnership Agreement and on the allocation of financial assistance for the OCTs to which Part Four of the EC Treaty applies⁶.

HAS DECIDED AS FOLLOWS:

Article 1

Adoption of the measure

The “Annual Action Programme 2014 in favour of the Kingdom of Lesotho to be financed from the European Development Fund Bridging Facility”, as set out in the Annexes, is approved:

The Programme shall include the following actions:

- Annex 1: “Strengthening Governance of Social Protection in Lesotho: Building an Integrated Social Protection System”;

⁴ OJ L 362, 31.12.2012, p. 1.

⁵ OJ L 362, 31.12.2012, p. 1.

⁶ OJ L 247, 9.9.2006, p. 32.

- Annex 2: “Technical Cooperation Facility V”.

Article 2

Financial contribution

The maximum contribution of the European Union authorised by this Decision for the implementation of this programme is set at EUR 12 000 000 to be financed from the European Development Fund Bridging Facility.

Article 3

Implementation modalities

Budget-implementation tasks under indirect management may be entrusted to the entities identified in the attached Annexes, subject to the conclusion of the relevant agreements.

Section 4 of the Annexes referred to in the second paragraph of Article 1 sets out the elements required by Article 94(2) of Delegated Regulation (EU) No 1268/2012.

The financial contribution referred to in Article 2 shall also cover any possible interests due for late payment.

Article 4

Non-substantial changes

Increases or decreases not exceeding 20 % of the contribution referred to in the first paragraph of Article 2, or cumulated changes to the allocations of specific actions not exceeding 20 % of that contribution shall not be considered substantial within the meaning of Article 94(4) of the Delegated Regulation (EU) No 1268/2014, 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 referred to in this Article.

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

Done at Brussels, 17.2.2015

For the Commission
Neven MIMICA
Member of the Commission