



Brussels, 3.12.2015
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COMMISSION DECISION

of 3.12.2015

**on the Annual Action Programme 2015 in favour of Liberia 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 11th European Development Fund², and in particular Article 26 thereof,

Whereas:

- (1) The Commission has adopted the National Indicative Programme for Liberia for the period 2014-2020³, which provide for the following priorities: Good Governance, Energy and Education
- (2) The objectives pursued by the Annual Action Programme to be financed under the 11th EDF Internal Agreement ('Internal Agreement')⁴ are to extend access to power in larger Monrovia; ensure access to quality education for out of school children and support the National Authorising Officer's Office
- (3) The Action entitled "Ready for Life" will focus on implementation of good-quality alternative learning opportunities for children who have not had access to schooling and who have passed the age where access to primary school is a feasible option. The project will be implemented in close partnership with UNICEF who has a long experience in the education sector in Liberia.
- (4) The Action entitled "Monrovia Consolidation of Electricity Transmission and Distribution" aims at improving the environmental and socio-economic conditions of the people of Liberia, by increasing the number of connected customers to the electricity grid in larger Monrovia in order to take advantage of the significant reduction in cost of electricity expected when the Mount Coffee Hydropower Plant will start producing in August 2016.
- (5) The Action entitled "Support to the NAO function, Aid Harmonization and Coordination in Liberia" aims to strengthen the National Authorising Officer (NAO) to effectively programme, supervise, manage, monitor the implementation and account

¹ OJ L 58, 3.3.2015, p. 1.

² OJ L 58, 3.3.2015, p. 17.

³ C(2015)1267 of 26.2.2015.

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 OCTs to which Part Four of the EC Treaty applies, OJ L 210, 6.8.2013;

for EU cooperation development projects and to move towards more ownership by and alignment to national structures.

- (6) 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 26 of Regulation (EU) 2015/323.
- (7) It is necessary to adopt a work programme for grants the detailed rules on which are set out in Article 128(1) of Regulation (EU, Euratom) No 966/2012 and in Article 188(1) of Delegated Regulation (EU) No 1268/2012. The work programme is constituted by the Annex 3 section 5.4.2.
- (8) The Commission should entrust budget-implementation tasks under indirect management to the entity specified in this Decision, subject to the conclusion of a delegation agreement. In accordance with Article 60(1) and (2) of Regulation (EU, Euratom) No 966/2012, applicable in accordance with Articles 17 and 2(1) of Regulation (EU) 2015/323, the authorising officer responsible needs to ensure that this entity guarantees a level of protection of the financial interests of the Union equivalent to that required when the Commission manages Union funds. This entity complies with the conditions of points (a) to (d) of the first subparagraph of Article 60(2) of Regulation (EU, Euratom) No 966/2012 and the supervisory and support measures are in place as necessary.
- (9) The Commission should entrust budget-implementation tasks under indirect management to the Government of Liberia specified 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 in accordance with Articles 17 and 2(1) 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 Annex 2 and 3 to this decision.
- (10) The authorising officer responsible should be able to award grants without a call for proposals provided that the conditions for an exception to a call for proposals in accordance with Article 190 of Delegated Regulation (EU) No 1268/2012, applicable in accordance with Article 37(1) of Regulation (EU) 2015/323 are fulfilled. The operating grant under direct management will co-finance the running costs of the NAO on an annual basis without prejudice to programme estimates in support to budget implementing tasks on an annual basis.
- (11) The Commission should authorise the eligibility of costs as of a date preceding that of submission of a grant application for the reasons of extreme urgency in crisis management aid or in situations of imminent or immediate danger to the stability of a country, including by an armed conflict, where an early involvement engagement of the Union may prevent an escalation.
- (12) 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 Articles 29(1) of Regulation (EU) No 323/2015.

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).

- (13) The measures provided for in this Decision are in accordance with the opinion of the EDF Committee set up by Article 8 of the Internal Agreement.

HAS DECIDED AS FOLLOWS:

Article 1

Adoption of the measure

The Annual Action Programme 2015 in favour of Liberia to be financed from the 11th European Development Fund, as set out in the Annexes, is approved.

The programme shall include the following actions:

- Annex 1: " Ready for Life (R4L): EU Support to Out of School Children in Liberia";
- Annex 2: "Monrovia Consolidation of Electricity Transmission and Distribution";
- Annex 3: "Support to the NAO function, Aid Harmonization and Coordination in Liberia".

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 70 360 000 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

Implementation modalities

Budget-implementation tasks under indirect management may be entrusted to the entities identified in the attached Annexes 1, 2 and 3, subject to the conclusion of the relevant agreements. The section "Implementation" of the Annexes to this Decision sets out the elements required by Article 94(2) of Delegated Regulation (EU) No 1268/2012 applicable in accordance with Article 26 of Regulation (EU) 2015/323.

Grants may be awarded without a call for proposals by the authorising officer responsible in accordance with Article 190 of Delegated Regulation (EU) No 1268/2012, applicable in accordance with Article 37(1) of Regulation (EU) 2015/323.

The eligibility of costs prior to the submission of grant applications shall be authorised as of the dates set out in Annex 1.

Article 4

Non-substantial changes

Increases or decreases of up to EUR all others 10 million 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 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, 3.12.2015

For the Commission
Neven MIMICA
Member of the Commission

