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**COMMISSION DECISION**

**of 30.11.2016**

**on the Annual Action Programme 2016 in favour of the Republic of Liberia to be  
financed from the 11<sup>th</sup> European Development Fund**

## COMMISSION DECISION

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### on the Annual Action Programme 2016 in favour of the Republic of Liberia to be financed from the 11<sup>th</sup> 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 11<sup>th</sup> European Development Fund<sup>1</sup>, 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 11<sup>th</sup> European Development Fund<sup>2</sup>, and in particular Article 26 thereof,

Whereas:

- (1) The Commission has adopted the National Indicative Programme for the Republic of Liberia for the period 2014-2020<sup>3</sup>, which provides for the following priorities:

The first focal sector "good governance" will contribute to Liberia's Agenda for Transformation objectives of wealth creation and increased inclusiveness for a more equal and just society;

The fourth focal sector "agriculture" will promote a robust, competitive, sustainable and modernised agriculture sector supportive of sustainable economic growth and development.

- (2) The objectives pursued by the Annual Action Programme to be financed under the 11<sup>th</sup> European Development Fund (EDF) Internal Agreement<sup>4</sup> are to increase income and resilience against shocks in the rural areas and to improve food and nutrition security as well as assist in the process of improving accountability and transparency in the management of public resources in Liberia, thereby ultimately contributing to poverty reduction.
- (3) The action entitled "EU Liberia Agriculture Programme (EU-LAP)" will provide support to sustainably increase productivity and access to markets of agricultural smallholders and fishing communities; it will promote nutrition-sensitive and climate-resilient agriculture production systems as well as enhance agricultural policies

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<sup>1</sup> OJ L 58, 3.3.2015, p. 1.

<sup>2</sup> OJ L 58, 3.3.2015, p. 17.

<sup>3</sup> decision C(2015) 1267 of 26/02/2015

<sup>4</sup> 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).

strengthening the capacity of core institutions and non-state actors. The action will be implemented through indirect management with international organisations and direct management with international non-governmental organisations.

- (4) The action entitled " Support to General Auditing Commission" will assist the General Auditing Commission of Liberia (GAC) in becoming a modern, credible and independent Supreme Audit Institution as defined in the INTOSAI (International Organisation of Supreme Audit Institutions) standards and the AFROSAI (African Organisation of English-speaking Supreme Audit Institutions) guidelines by supporting it to comply with the provisions in the GAC Act, 2014, improve the quality and impact of its public external audit and its key management and administration functions. The project will also strengthen and improve the relationships of GAC with its main stakeholders (Legislature, other Integrity institutions, etc.) so as to improve the overall impact and efficiency of its activities. The implementation modality is indirect management with the partner country through service contract and programme-estimates.
- (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 1268/2012<sup>5</sup> applicable in accordance with Article 2(1) and Article 26 of Regulation (EU) 2015/323.
- (6) 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 EDF applicable in accordance with Article 37(1) of Regulation (EU) 2015/323. The work programme is set out in Annex 1 (section 5.4.1).
- (7) The Commission should entrust budget-implementation tasks under indirect management to the entities 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 Article 2(1) and Article 17 of Regulation (EU) 2015/323, the authorising officer responsible needs to ensure that these entities guarantee a level of protection of the financial interests of the Union equivalent to that required when the Commission manages Union funds. These entities comply 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.
- (8) The Commission should entrust budget-implementation tasks under indirect management to the Republic of Liberia, 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 Annex 2 to this Decision.
- (9) 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.

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<sup>5</sup> 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).

- (10) 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 29(1) of Regulation (EU) 2015/322.
- (11) Pursuant to Article 94(4) of Delegated Regulation (EU) No 1268/2012 applicable in accordance with Article 26 of Regulation (EU) 2015/323, the Commission should define changes to this Decision which are not substantial in order to ensure that any such changes can be adopted by the authorising officer responsible.
- (12) 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 plan 2016 in favour of the Republic of Liberia to be financed from the 11<sup>th</sup> European Development Fund, as set out in the Annexes, is approved.

The programme shall include the following actions:

- Annex 1: EU Liberia Agriculture Programme (EULAP);
- Annex 2: Support to General Auditing Commission.

#### *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 35 000 000 and shall be financed from the 11<sup>th</sup> EDF.

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 Annexes 1 and 2, subject to the conclusion of the relevant agreements.

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 are set out in the Annexes..

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.

#### *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 26 of Regulation (EU) 2015/323, provided that they do not significantly affect the nature and objectives of the actions.

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

Done at Brussels, 30.11.2016

*For the Commission*  
*Neven MIMICA*  
*Member of the Commission*