



Brussels, 12.10.2015  
C(2015) 6845 final

## **COMMISSION DECISION**

**of 12.10.2015**

**amending Decision C(2014) 9861 on the 2014 Annual Action Programme for the Democratic Republic of the Congo financed under the European Development Fund bridging facility using resources from the 11th European Development Fund**

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### **amending Decision C(2014) 9861 on the 2014 Annual Action Programme for the Democratic Republic of the Congo financed under the European Development Fund bridging facility using resources from the 11th 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 11th European Development Fund<sup>1</sup>, and in particular Article 9 thereof,

Having regard to Council Regulation (EU) 2015/323 of 2 March 2015 on the Financial Regulation applicable to the 11th European Development Fund<sup>2</sup>, and in particular Article 26 thereof,

Whereas:

- (1) The Commission has adopted the National Indicative Programme for the Democratic Republic of the Congo for 2014-2020<sup>3</sup>, point 1.2 of which sets out the following priorities: combating poverty, the environment, governance and infrastructure.
- (2) The Annual Action Programme aims to alleviate the poverty affecting part of the Congolese population by helping to improve the health of the population in seven health districts in Oriental Province through the provision of high-quality primary health care; and to enable the country, through the National Authorising Officer, to assume fully its role under the Cotonou Partnership Agreement in programming, identifying, formulating and implementing the programmes and projects financed by the European Development Fund (EDF). The Commission has adopted the 2014 Annual Action Programme for the Democratic Republic of the Congo, which is to be financed under the EDF bridging facility<sup>4</sup> and comprises two measures: (i) LRRD - emerging from crisis and the link with development: improving the health of the population in seven health districts in Oriental Province through the provision of high-quality primary health care; and (ii) Programme to support the National Authorising Officer (PAON).
- (3) The purpose of this Decision is to allocate an additional EUR 6 000 000 from the 11th EDF to measure (ii), Programme to support the National Authorising Officer (PAON).
- (4) This Decision complies with the conditions laid down in Article 94 of Commission Delegated Regulation (EU) No 1268/2012<sup>5</sup>, applicable by virtue of

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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(2014) 3904.

<sup>4</sup> Decision C(2014) 9861.

<sup>5</sup> 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).

Articles 2(1) and 26 of the Annex to Council Regulation (EU) No 567/2014<sup>6</sup>, and Article 2(1) of Regulation (EU) 2015/323.

- (5) The Commission may delegate budget-implementation tasks under indirect management to the partner country identified in this Decision, subject to the conclusion of a financing agreement. Pursuant to 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, and Articles 17 and 2(1) of Regulation (EU) 2015/323, the authorising officer responsible has ensured that measures have been taken to supervise and support the implementation of the delegated tasks. A description of these measures and the delegated budget-implementation tasks are to be found in the Annexes to this Decision.
- (6) The authorising officer responsible may award grants without a call for proposals, after ensuring that the conditions for an exception to a call for proposals laid down in Article 190 of Commission Delegated Regulation (EU) No 1268/2012, applicable by virtue of Articles 37(1) and 2(1) of the Annex to Regulation (EU) No 567/2014 and Articles 37(1) and 2(1) of Regulation (EU) 2015/323, are fulfilled. In the interests of transparency, the reasons for awarding such grants and their potential beneficiaries must be indicated if known.
- (7) The maximum contribution of the European Union set by this Decision should cover any claims for interest due for late payment on the basis of Article 92 of Regulation (EU, Euratom) No 966/2012<sup>7</sup> and Article 111(4) of Commission Delegated Regulation (EU) No 1268/2012, applicable by virtue of Articles 29(1) and 2(1) of the Annex to Regulation (EU) No 567/2014, and Articles 29(1) and 2(1) of Regulation (EU) 2015/323.
- (9) The measure provided for in this Decision must be submitted to the European Development Fund Committee set up by Article 8 of the Internal Agreement between the Representatives of the Governments of the Member States of the European Union, 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<sup>8</sup>,

HAS DECIDED AS FOLLOWS:

#### *Sole Article*

Decision C(2014) 9861 is hereby amended as follows:

- (1) Article 2 is replaced by the following:

‘Article 2

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<sup>6</sup> Council Regulation (EU) No 567/2014 of 26 May 2014 amending Regulation (EC) No 215/2008 on the 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 Agreement (OJ L 157, 27.5.2014, p. 52).

<sup>7</sup> Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p. 1).

<sup>8</sup> OJ L 210, 6.8.2013, p. 1.

The maximum contribution of the European Union authorised by this Decision for the implementation of this programme is set at EUR 13 000 000 (EUR 7 000 000 financed under the EDF bridging facility and EUR 6 000 000 to be financed under the 11th EDF).'

- (2) Annex II, 'Programme to support the National Authorising Officer (PAON)', is replaced by the text in the Annex to this Decision.

Done at Brussels, 12.10.2015

*For the Commission*  
*Neven Mimica*  
*Member of the Commission*