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**COMMISSION DECISION**

**of 22.3.2016**

**on the individual measure for a contribution to the European Union Trust Fund for the Central African Republic "Bêkou EU Trust Fund" to be financed from the European Development Fund**

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### **on the individual measure for a contribution to the European Union Trust Fund for the Central African Republic "Bêkou EU Trust Fund" to be financed from the 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, and especially Article 9 (3) 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, and especially Article 26 thereof,

Whereas:

- (1) The Commission has adopted the Regional Indicative Programme between the European Union and the Central African Region for the period 2014-2020.<sup>1</sup> Point 2 of the Annex provides for the following priorities: (1) Political integration and cooperation in peace and security matters; (2) Economic integration and trade (including infrastructures); (3) Sustainable management of natural resources and biodiversity.
- (2) The objectives pursued by this individual measure to be financed under the 11<sup>th</sup> European Development Fund (EDF) Internal Agreement ('Internal Agreement')<sup>2</sup> are to contribute to resilience in the Central African Republic through the 'Bêkou EU Trust Fund', which was established on the basis of Commission Decision C(2014)5019. Thereafter the Constitutive Agreement was signed between the Commission, on behalf of the European Union and three of its Member States, namely France, Germany and the Netherlands ("founding Members") on 15 July 2014. In accordance with Article 3.6 of the Constitutive Agreement, the Bêkou Trust Fund is open to contributions from other EU Member States and third countries. Italy and Switzerland joined on 18 November 2015 ("contributing Members"). The aim of the Bêkou EU Trust Fund is to prepare the transition from emergency response towards longer-term development assistance through an approach Linking Relief, Rehabilitation and Development (LRRD).
- (3) The Bêkou EU Trust Fund further contributes to the reconstruction of the Central African Republic, in particular restoring the national and local administrations and the democratic process, re-establishing the economic activities and essential services,

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<sup>1</sup> Decision C(2015) 4154 of 22.6.2015

<sup>2</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 210/1, 6.8.2013.

stabilising the country and building the rule of law and supporting sustainable and transparent management of natural resources. The activities also focus on enabling neighbouring countries to overcome the consequences of the crisis in the Central African Republic.

- (4) Further to the request from the Economic Community of Central African States<sup>3</sup> (ECCAS), the Duly Mandated Regional Organisation concerned in the Central African Regional Indicative Programme, funding from the Regional Indicative Programme will be transferred from the "Objectif spécifique 3.2: Une préservation plus efficace de la biodiversité et des écosystèmes fragiles", to the Bêkou EU Trust Fund. Special Objective 3.2 covers, among others, ecosystems in North-East Central African Republic/Chad and the South-East Central African Republic and these funds will contribute to an action implemented by the Bêkou Trust Fund in these geographical areas. More specifically, they intend to contribute to an improved, inclusive management of natural resources and biodiversity, the overall aim being to reduce poverty. The action will allow for the capitalisation of the achievements of past EU initiatives in the Central African Republic, including the ECOFAUNE project<sup>4</sup>, and for a rapid launch of activities. It will be implemented in a manner that ensures that the geographical scope and objectives of the original programming provisions will be respected, whilst due consideration will be taken to the specific objectives through the Linking Relief, Rehabilitation and Development (LRRD) approach aimed at sustainable and transparent management of natural resources of the Bêkou EU Trust Fund.
- (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) Pursuant to Article 94(4) of Delegated Regulation (EU) No 1268/2012, 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.
- (7) The measure provided for in this Decision does not fall in the categories of measures for which the prior opinion of the EDF Committee is required. The EDF Committee set up by Article 8 of the Internal Agreement should be informed of this Decision within one month following its adoption.

HAS DECIDED AS FOLLOWS:

#### *Article 1*

#### **Adoption of the measure**

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<sup>3</sup> Note 559/CEEAC/SG/CPIR-FED/2015 of 22.07.2015 from the Secretary General of the Economic Community of Central African States (ECCAS) to the Commission, the Director of DG DEVCO Directorate E Development Cooperation West and Central Africa

<sup>4</sup> "Ecosystèmes fauniques du nord-est RCA". ECOFAUNE is financed under the 10<sup>th</sup> EDF and was launched in 2012 for a three-year implementation period. This project is currently the only one addressing the sustainable management of natural resources and biodiversity in the northern and eastern parts of the Central African Republic. It is in particular important since it aims to reduce the increasingly negative impact on the environment from e.g. poaching, pastoralism and artisanal mining

<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).

The individual measure for a contribution to the European Union Trust Fund for the Central African Republic "Békou EU Trust Fund" to be financed from the European Development Fund is approved.

*Article 2*

**Financial contribution**

The maximum contribution of the European Union for the implementation of the measure referred to in Article 1 is set at EUR 5 000 000 and shall be financed from the 11<sup>th</sup> European Development Fund.

*Article 3*

**Implementation modalities**

The Trust Fund shall implement the contribution either:

- directly (i) by the Commission's departments, including its staff in the Union delegations under the authority of their respective Head of Delegation, (ii) or through executive agencies;
- or indirectly with third countries or the bodies they have designated, international organisations and their agencies, public law bodies or bodies governed by private law with a public service mission to the extent that the latter provide adequate financial guarantees.

The Constitutive Agreement signed with the donors defines the objectives, its duration and the rules and procedures applying to the management and governance of the Trust Fund.

*Article 4*

**Non-substantial changes**

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

Done at Brussels, 22.3.2016

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