



Brussels, 16.12.2015
C(2015) 9123 final

COMMISSION DECISION

of 16.12.2015

**on the individual measure in favour of the Republic of Namibia to be financed from the
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 11th European Development Fund (EDF) National Indicative Programme (NIP) 2014–2020 for co-operation between the Republic of Namibia and the European Union³, of which points 1.2 and 3 provide for two focal sectors: (i) Education and Skills and (ii) Agriculture.
- (2) The objectives pursued by the measure to be financed under the 11th EDF Internal Agreement ('Internal Agreement')⁴ are to contribute to a well-educated and skilled society in Namibia able to play an active role in the social and economic development of the country by improving cognitive, linguistic, social and emotional development of all children entering primary education. This measure is necessary in order to ensure continuity of EU support to the education sector in Namibia.
- (3) Action entitled “11th EDF Education Sector Reform Contract (ESRC) for Namibia” aims at improving equitable and inclusive access as well as quality in the Early Childhood Development (ECD) and Pre-Primary Education (PPE) sub-sectors through strengthening of system delivery capacity. In particular, the expected results are the following: (i) increased equitable and inclusive access to ECD and PPE facilities and/or services; (ii) increased quality of teaching in ECD and PPE; (iii) improved management and institutional framework for ECD and PPE. The budget support component of the action will be implemented under direct management while the complementary support component will be implemented by means of indirect management with the partner country.

¹ OJ L 58, 3.3.2015, p. 1.

² OJ L 58, 3.3.2015, p. 17.

³ Commission Decision C(2014)7781 of 30.10.2014.

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 Treaty on the Functioning of the European Union applies (OJ L 210, 6.8.2013, p.1).

- (4) 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.
- (5) The Commission should entrust budget-implementation tasks under indirect management to the partner country 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 the Annex to this Decision.
- (6) 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) 2015/323.
- (7) 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.
- (8) The measure provided for in this Decision is 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 individual measure in favour of the Republic of Namibia to be financed from the European Development Fund, as set out in the Annex, is approved.

The measure shall include the following action:

- Annex: 11th EDF Education Sector Reform Contract (ESRC) for Namibia.

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 27 000 000 and shall be financed from the European Development Fund.

The financial contribution provided for in the first paragraph may also cover interest due for late payment.

Article 3

Implementation modalities

⁵ 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).

Budget-implementation tasks under indirect management may be entrusted to the entity identified in the attached Annex, subject to the conclusion of the relevant agreement. The section “Implementation” of the Annex 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.

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 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, 16.12.2015

For the Commission
Neven Mimica
Member of the Commission