

PE/2010/690 C(2010) 771

COMMISSION DECISION

of 5 February 2010

on the adoption and the financing of a special measure in favour of the Dominican Republic to be financed from the 10th European Development Fund

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to the Partnership Agreement between the Member States of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000¹ and revised in Luxembourg on 25 June 2005² (hereinafter referred to as the 'ACP-EC Partnership Agreement'), and in particular Articles 17 and 18.2 of its Annex IV,

Having regard to the Council Regulation (EC) No 617/2007 of 14 May 2007 on the implementation of the 10th European Development Fund under the ACP-EC Partnership Agreement³, and in particular Article 8.1 thereof,

Having regard to Financing Agreement No 9579/DO with the Dominican Republic signed on 02 February 2007, and in particular Articles 2.3, 4.5, 20.1 and 20.2 of the General Conditions applying to the 9th EDF attached thereto,

Whereas:

- (1) The Commission has adopted the Country Strategy Paper for the Dominican Republic and the National Indicative Programme for the period 2008-2013⁴, which provides for the following priorities: social and human development and governance and support for economic and institutional reforms.
- (2) The Commission has adopted Decision C(2009)8447 on an increase in allocations of resources for unforeseen needs from the 10th European Development Fund to provide additional support for certain ACP countries for mitigating the adverse effects of instability in export earnings (FLEX, application year 2008); the Commission has also adopted addenda to the Country Strategy Papers and National Indicative Programmes of the ACP countries concerned. In this context the B-Envelope for the Dominican Republic was increased by EUR 15.330.000.

¹ OJ L 317, 15.12.2000, p. 3

² OJ L 287, 28.10.2005, p. 4.

³ OJ L 152, 13.6.2007, p. 1

⁴ C(2007) 5227

- (3) The purpose of support for short-term fluctuations in export earnings (also referred to as 'FLEX') is to safeguard socio-economic reforms and policies that could be adversely affected by a drop in revenue, and to remedy the adverse effects of instability of export earnings, in particular from agricultural and mining products.
- (4) The purpose of the Financing Agreement No 9579/DO with the Dominican Republic signed on 02 February 2007 is to improve access to basic education of recognized and sustainable quality while developing the effectiveness and efficiency of the sector conceived as a multi-institutional system closely related with the national efforts of social and economic development.
- (5) The report demonstrating sufficient progress of Public Finance Management (PFM) to support the 2008 disbursement was only submitted by the beneficiary in May 2009. This has led to a shift in the disbursement calendar.
- (6) In the meantime the earthquake which has struck Haiti on the 12 January last has led the Dominican Republic to provide important logistical and financial means for facing the situation, putting further strain on its public budget and risking diversion of resources from access to education.
- (7) It is thus necessary to increase the ceiling of the Fund Commitment of the above-mentioned Financing Agreement by the amount of EUR 15.330.000, and to extend the time limit for implementation and the total period of execution of the above-mentioned Financing Agreement until 31/12/2010 and to 31/12/2012 respectively.
- (8) In his request dated 09/10/2009, the National Authorising Officer of the Dominican Republic has properly justified such an increase in the ceiling of the fund commitment.
- (9) The measures covered by this Decision are in conformity with the objectives of development finance co-operation as defined in Article 55 of the ACP-EC Partnership Agreement.
- (10) This Decision constitutes a financing decision within the meaning of Article 16 of Annex IV to the ACP-EC Partnership Agreement and Article 67 of the Financial Regulation applicable to the 10th European Development Fund⁵.
- (11) The measures provided for in this Decision are in accordance with the opinion of the European Development Fund Committee set up by article 8 of the Internal Agreement of 17 July 2006.

HAS ADOPTED THIS DECISION:

Article 1

An additional contribution of the European Union to the project "Education Sector Budget Support Programme" (PAPSE), which is the subject of Financing Agreement 9579/DO (9 ACP.DO.018), a description of which is annexed, is hereby approved for an amount of EUR 15.330.000, from the 10th European Development Fund.

⁵ OJ L 78/1, 19.3.2008

Article 2

Addendum No 1 to Financing Agreement 9579/DO signed on 02 February 2007 with the Dominican Republic, the text of which is annexed, is hereby approved.

Article 3

This decision is addressed to the responsible authorising officer.

Done at Brussels, 05/02/2010

For the Commission

Member of the Commission

ANNEXES

1. Annex: Action fiche FLEX – Rider 1 to "Support Programme to Sector Policy in Education" (9 ACP DO 018, FED/2007/18831, Financing Agreement No 9579/DO) – special measure