

**COMMISSION DECISION**  
**of**

**on the Annual Action Programme 2010 in favour of the Latin America region to be  
financed under Article 19 09 01 of the general budget of the European Union**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) N° 1905/2006 of the European Parliament and of the Council, of 18 December 2006, establishing a financial instrument for development cooperation<sup>1</sup>, and in particular Article 22 thereof,

Whereas:

- (1) The European Commission has adopted the Regional Strategy Paper for Latin America<sup>2</sup> and the Multiannual Indicative Programme for the period 2007-2013, which indicates the priorities of i) social and territorial cohesion, ii) regional integration, and iii) mutual understanding and higher education.
- (2) The objectives pursued by the Annual Action Programme are to (a) support national public policies attempting to increase the level of social cohesion and strengthen the institutions responsible of their implementation and (b) promote additional investments and key infrastructures in transport, energy, environment and to support social and private sector development in Latin American countries.
- (3) The present Decision constitutes a financing decision within the meaning of Article 75 of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities<sup>3</sup> (hereafter 'the Financial Regulation') and Article 90 of Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of the Financial Regulation applicable to the general budget of the European Communities<sup>4</sup> (hereafter 'the Implementing Rules').
- (4) The maximum contribution of the European Union set by the present Decision should cover any possible interest due for late payment on the basis of articles 83 of the Financial Regulation and 106(5) of the Implementing Rules.
- (5) The European Commission is required to define the term “substantial change” in the meaning of Article 90 (4) of the Implementing Rules to ensure that any substantial change in this decision shall follow the same procedure as the initial decision.

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<sup>1</sup> OJEU L 378, 27.12.2006, p. 41-71

<sup>2</sup> C(2007) 3331, 12.07.2007

<sup>3</sup> OJEU L 248 of 16.09.2002 p. 1

<sup>4</sup> OJEU L 357 of 31.12 2002, p.1.

- (6) In case of use of indirect centralised management, the European Commission will ensure that the management system set up by the entities to which the European Commission will entrust implementation of Community funds complies with the conditions for the delegation of tasks under indirect centralised management, as provided for in Article 56(1) of the Financial Regulation and Article 35 of the Implementing Rules with regard to the actions implemented under indirect centralised management.
- (7) The measures provided for in this Decision are in accordance with the opinion of the Development Cooperation Committee set up by Article 35 of Regulation (EC) No 1905/2006.

HAS DECIDED AS FOLLOWS:

*Article 1*

The Annual Action Programme 2010 in favour of Latin America Region constituted by the actions "EUROsociAL II Programme" and "Latin America Investment Facility 2010, LAIF", the text of which is set out in the Annexes, is approved.

*Article 2*

The maximum contribution of the European Union to the Annual Action Programme is set at EUR 64 million to be financed from budget line 19.09.01 of the general budget of the European Union for 2010.

This maximum contribution shall also cover any possible interests due for late payment.

*Article 3*

Cumulated changes of the allocations to the specific actions not exceeding 20% of the maximum contribution of the European Union shall not be considered substantial, provided that they do not significantly affect the nature and objectives of the Annual Action Programme.

The authorising officer may introduce non substantial changes to the Annual Action Programme in accordance with the principles of sound financial management.

*Article 4*

Indirect centralised management will be used for the implementation of actions provided that the management system set up by the entities to which the European Commission will entrust implementation of European Union funds complies with the conditions for the delegation of tasks under indirect centralised management, as foreseen in Article 56(1) of the Financial Regulation and Article 35 of the Implementing Rules. The related financial implementation tasks could thus be entrusted to these entities.

## *Article 5*

Regarding "*Latin America Investment Facility Commitment 2010 (LAIF)*", joint management will be used to delegate implementation of tasks to international organisations. Only the European Investment Bank (EIB) and the Nordic Investment Bank (NIB) are concerned by this management mode. EIB and NIB are currently subject to an external review in relation to Article 53d of the Financial Regulation. In anticipation of the results of this review the authorising officer deems that, based on the long-standing and problem free cooperation with these Organisations, the joint management mode can be proposed and the Standard Convention for International Organisations can be signed in accordance with the provisions laid down in Article 43 of the Implementing Rules.

Done at Brussels,

*For the Commission*  
*Andris Piebalgs*  
*Member of the Commission*

## ANNEXES

**Annual Action Programme (Regional Latin America):**

**Annex 1: Action Fiche "EUROsociAL II Programme" - DCI-ALA/2009/021-542**

**Annex 2: Action Fiche "Latin America Investment Facility Commitment 2010 (LAIF)"  
- DCI-LA/2009/021-734, rider number 1.**