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EUROPEAN COMMISSION

Brussels, 29.03.2011
C(2011) 1966 final

COMMISSION DECISION

of 29.03.2011

**on a special support measure for Orphans and other Vulnerable Children in favour of
Zimbabwe to be financed from the 10th European Development Fund**

COMMISSION DECISION

of 29.03.2011

on a special support measure for Orphans and other Vulnerable Children in favour of Zimbabwe 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, revised by the Agreement of 25 June 2005² signed in Luxemburg, and in particular Article 34 of Annex IV thereof,

Having regard to 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 thereof,

Having regard to Council Decision 2002/148/EC of 18 February 2002 concluding consultations with Zimbabwe under Article 96 of the ACP-EC Partnership Agreement, as updated by Council Decision 2010/97/CFSP, and in particular the annex attached thereto,

Having regard to Council Regulation (EC) No 215/2008 of 18 February 2008 on Financial Regulation applicable to the 10th European Development Fund⁴ and in particular Article 29(1)(a) and Article 29(1)(c) thereof,

Whereas:

- (1) EU development assistance to Zimbabwe is currently limited to projects that directly support the population in accordance with Council Decision 2002/148/EC;
- (2) Commission Decision C(2010) 4728 concerning an allocation of special support for an ad hoc short term response for Zimbabwe from the 10th European Development Fund, aims to address urgent needs under this exceptional circumstance, in particular through actions sustaining the delivery of essential social services including health and education;

¹ OJ L 317, 15.12.2000, p. 3.

² OJ L 287, 28.10.2005, p. 5.

³ OJ L 152, 13.6.2007, p. 1.

⁴ OJ L 78, 19.3.2008, p. 1.

- (3) The purpose of the project is for Zimbabwe children to live in a safe, secure and supportive environment and to secure their basic rights that are conducive to child growth and development;
- (4) The project covered by this Decision is in conformity with the objectives of development finance co-operation as defined in Article 55 of the ACP-EC Partnership Agreement, and with the specific objectives of the ad hoc short term response, as set by Decision C(2010) 4728;
- (5) 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 Fund;
- (6) It is appropriate to define the term “substantial change” within the meaning of Article 8 of Regulation (EC) N° 617/2007 to ensure that any substantial change in this Decision shall follow the same procedure as the initial Decision;
- (7) In accordance with article 8 of the Regulation of 14 May 2007 relating to the implementation of the 10th European Development Fund, the measures provided for in this Decision are not included in the categories of proposals subject to an opinion of the European Development Fund Committee. The EDF Committee will be informed of these measures within a month following the adoption of this act.

HAS DECIDED AS FOLLOWS:

Article 1

The special measure in favour of Zimbabwe constituted by the "Programme of Support to the National Action Plan for Orphans and other Vulnerable Children - Phase 2 (PoS to NAP for OVC 2)", (ACP ZIM/10EDF/022-675), the text of which is set out in the attached Annex, is approved.

Article 2

The maximum contribution of the European Union to the special measure is set at EUR 6,000,000 to be financed from the 10th European Development Fund.

Article 3

Within the global indicative budget of all the specific actions, cumulated changes of the allocations 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 programme.

The relevant authorising officer may amend the present Decision to introduce non-substantial changes in the programme in accordance with the principles of sound financial management.

Done at Brussels,

For the Commission
Andris Piebalgs
[Member of the Commission]

ANNEX

Action fiche : Zimbabwe - Special support measure 'Programme of Support to the National Action Plan for Orphans and other Vulnerable Children - Phase 2' (PoS to NAP for OVC 2)