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EUROPEAN COMMISSION

Brussels, 31.05.2011  
C(2011) 3702 final

**COMMISSION DECISION**

**of 31.05.2011**

**on the adoption of a special measure in favour of Zimbabwe, to be financed from the  
10<sup>th</sup> European Development Fund**

## COMMISSION DECISION

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### on the adoption of a special measure in favour of Zimbabwe, to be financed from the 10<sup>th</sup> 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 2000<sup>1</sup> and revised in Luxembourg on 25 June 2005<sup>2</sup> (hereinafter referred to as the 'ACP-EC Partnership Agreement'), and in particular Article 34 of its Annex IV,

Having regard to Council Regulation (EC) No 617/2007 of 14 May 2007 on the implementation of the tenth European Development Fund (hereinafter referred to as 'the 10th EDF') under the ACP-EC Partnership Agreement (hereinafter referred to as '10th EDF Implementing Regulation')<sup>3</sup>, and in particular Article 8(1) thereof,

Having regard to Council Regulation (EC) No 215/2008 of 18 February 2008 on the Financial Regulation applicable to the 10<sup>th</sup> European Development Fund<sup>4</sup> and in particular Article 29(1)(a) 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<sup>5</sup>, and in particular the annex attached thereto,

Whereas:

- (1) On 20 December 2010, the Commission has adopted a Decision C (2010) 9233 concerning a third allocation of special support to Zimbabwe from the tenth European Development Fund for actions to address urgent needs in the health sector in the context of the ad hoc short term response for Zimbabwe.
- (2) The objective pursued by the special measure's programme is to procure and distribute essential medicines to health care facilities and to strengthen the capacity of related Ministry of Health and Child Welfare institutions.

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<sup>1</sup> OJ L 317, 15.12.2000, p. 3.

<sup>2</sup> OJ L 287, 28.10.2005, p. 4.

<sup>3</sup> OJ L 152, 13.6.2007, p. 1.

<sup>4</sup> OJ L 78, 19.03.2008, p 1

<sup>5</sup> OJ L 50, 21.2.2002, p. 64–65 last extended by Decision 2010/97/CFSP of 16 February 2010

- (3) The measure covered by this Decision is in conformity with the appropriate measures adopted by the Council under Decision 2002/148/EC.
- (4) 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.
- (5) It is appropriate to define the term “substantial change” within the meaning of Article 7 of Regulation (EC) N° 617/2007 to ensure that any substantial change in this Decision shall follow the same procedure as the initial Decision.
- (6) The measure provided for in this Decision is 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 DECIDED AS FOLLOWS:

*Article 1*

The special measure in favour of Zimbabwe, entitled “Essential medicine support programme”, the text of which is attached in the Annex to this Decision, is hereby approved.

*Article 2*

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

*Article 3*

Cumulated changes of the allocations to specific actions not exceeding 20% of the maximum contribution authorised by this Decision shall not be considered substantial provided that they do not significantly affect the nature and objectives of the special measure. This may include an increase of the maximum contribution authorised by this Decision up to 20%.

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

Done at Brussels,

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

**Annex**

Action fiche “Essential medicine support programme”