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**COMMISSION DECISION**

**of 10.10.2013**

**on the Annual Action Programme 2013 – Part 2 in favour of Intra-ACP cooperation to  
be financed from the 10<sup>th</sup> European Development Fund**

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### on the Annual Action Programme 2013 – Part 2 in favour of Intra-ACP cooperation 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 members of the African, Caribbean and Pacific (ACP) 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 Ouagadougou, Burkina Faso, on 22 June 2010<sup>2</sup> (hereinafter referred to as ‘the Cotonou Agreement’), and in particular Articles 16 and 34 of Annex IV thereof,

Having regard to Council Regulation (EC) No 617/2007 of 14 May 2007 on the implementation of the 10<sup>th</sup> European Development Fund under the Cotonou Agreement<sup>3</sup>, and in particular Article 7 thereof,

Having regard to Council Regulation (EC) No 215/2008 of 18 February 2008 on Financial Regulation applicable to the 10<sup>th</sup> European Development Fund<sup>4</sup> (hereinafter referred to as ‘the 10<sup>th</sup> EDF Financial Regulation’) and in particular Article 67 thereof,

Whereas:

- (1) The Commission has adopted the Strategy Paper for Intra-ACP cooperation and the Multiannual Indicative Programme for the period 2008-2013, point 4 of which provides for the following priorities: 1) measures helping the ACP States to protect themselves against international threats by participating in global initiatives in the area of health, 2) measures helping the ACP states to protect themselves against exogenous shocks in the area of climate change and environmental pressure and aiming at integrating the ACP States both among themselves and in the world economy, 3) more specific measures to support integration in Africa and 4) institutional and support expenditure.
- (2) The objectives pursued by Part 2 of the Annual Action Programme are to plan the annual financing of activities foreseen under "all-ACP Initiatives" which in particular include actions in the field of trade & private sector, environment & climate change, agriculture & rural development and governance & education.
- (3) The measures covered by this Decision are in conformity with the objectives of development finance co-operation as defined in Article 55 of the Cotonou Agreement.
- (4) The Commission may entrust budget-implementation tasks under indirect centralised management (indirect management with a Member State or EU agency) to the entities identified in this Decision, subject to the conclusion of a delegation agreement. The

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

<sup>2</sup> OJ L 287, 4.11.2010, p. 3.

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

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

responsible authorising officer has accordingly ensured that these entities comply with the conditions of Articles 25-28 of the 10<sup>th</sup> EDF Financial Regulation.

- (5) The Commission may entrust budget-implementation tasks under joint management (indirect management with an international organisation) to the entities identified in this Decision, subject to the conclusion of a contribution agreement. The responsible authorising officer has ensured that these entities comply with the conditions of Article 29 of the 10<sup>th</sup> EDF Financial Regulation.
- (6) The Commission may entrust budget-implementation tasks under decentralised management (indirect management with the partner country) to the beneficiary third country identified in this Decision, subject to the conclusion of a financing agreement. The degree of decentralisation foreseen complies with the conditions of Articles 21 to 24 of the 10<sup>th</sup> EDF Financial Regulation.
- (7) It is appropriate to acknowledge that grants may be awarded without a call for proposals by the responsible authorising officer who ensures that the conditions for an exception to a call for proposals according to Article 190 of 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<sup>5</sup> are fulfilled. The reasons for and potential beneficiaries of such award should be identified, where known, in this Decision for reasons of transparency.
- (8) The maximum contribution of the European Union set by this Decision should cover any possible claims for interest due for late payment on the basis of Article 87(2) of the 10<sup>th</sup> EDF Financial Regulation and Article 111(4) of 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<sup>6</sup>.
- (9) The Commission is required to define the term "non-substantial change" in the sense of Article 9(2) of Council Regulation (EC) No 617/2007 to ensure that any such changes can be adopted by the authorising officer by delegation, or under his or her responsibility, by sub-delegation (hereinafter referred to as the 'responsible authorising officer').
- (10) The measures provided for in this Decision are in accordance with the opinion of the European Development Fund Committee set up under Article 8 of the Internal Agreement between the Representatives of the Governments of the Member States, meeting within the Council, on the financing of Community aid under the multiannual financial framework for the period 2008 to 2013 in accordance with the ACP-EC Agreement and on the allocation of financial assistance for the Overseas Countries and Territories to which Part Four of the EC Treaty applies<sup>7</sup>.

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<sup>5</sup> L 362, 31.12.2012, p. 1.

<sup>6</sup> OJ L 362, 31.12.2012, p. 1.

<sup>7</sup> OJ L 247, 9.9.2006, p. 32.

HAS DECIDED AS FOLLOWS:

### *Article 1*

#### **Adoption of the programme**

The Annual Action Programme in favour of Intra-ACP cooperation Part 2 constituted by the actions identified in the second paragraph, is approved.

The actions, the description of which is set out in the attached Annexes shall be:

- Action fiche 1: "ACP-EU Natural Disaster Risk Management in the CARIFORUM"
- Action fiche 2: "Building Disaster Resilience to Natural Hazards in Sub-Saharan African Regions, Countries and Communities"
- Action fiche 3: "Action Against Desertification for sustainable livelihoods and productive and resilient landscapes in 8 ACP countries: Burkina Faso, Ethiopia, Fiji, The Gambia, Haiti, Niger, Nigeria and Senegal"
- Action fiche 4: "Initiative francophone pour la formation à distance des maîtres (IFADEM)"
- Action fiche 5 : "Supporting ACP-EU Cooperation on migration and development"
- Action fiche 6: "TradeCom II - ACP Trade Capacity Building Programme"
- Action fiche 7: "Programme Produits de base Fève Cacao, Noix de Coco, Racines/Tubercules au profit des Petits Producteurs dans les Pays ACP"
- Action fiche 8: "Capacity building of mineral institutions and of small-scale private sector operating in low-value minerals in ACP countries"
- Action fiche 9: "Work Programme 2014 for the Technical Centre for Agricultural and Rural Cooperation ACP-EU (CTA)"

### *Article 2*

#### **Financial contribution**

The maximum contribution of the European Union authorised by this Decision for the implementation of this Annual Action Programme Part 2 is set at EUR 201 859 141 to be financed from the 10<sup>th</sup> European Development Fund.

### *Article 3*

#### **Implementation modalities**

Budget-implementation tasks under indirect centralised, decentralised and joint management may be entrusted to the entities identified in the attached Annexes, subject to the conclusion of the relevant agreements.

Section 4 of the Annexes referred to in the second paragraph of Article 1 sets out the elements of a financing decision.

Grants may be awarded without a call for proposals by the responsible authorising officer according to Article 190 of the Rules of Application. Where known at the moment of the adoption of this Decision, the reasons for this as well as the potential beneficiaries shall be identified in the attached Annexes.

The financial contribution referred to in Article 2 shall also cover any possible interests due for late payment.

*Article 4*

**Non-substantial changes**

Increases or cumulated changes to the allocations of specific actions not exceeding 20 % of the contribution referred to in the first paragraph of Article 2 and not representing more than EUR 10 million shall not be considered substantial, 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 referred to in this article.

The responsible authorising officer may adopt these non-substantial changes in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 10.10.2013

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

## ANNEXES

- Annex 1: " ACP-EU Natural Disaster Risk Management in the CARIFORUM"
- Annex 2: " Building Disaster Resilience to Natural Hazards in Sub-Saharan African Regions, Countries and Communities"
- Annex 3: " Action Against Desertification for sustainable livelihoods and productive and resilient landscapes in 8 ACP countries: Burkina Faso, Ethiopia, Fiji, The Gambia, Haiti, Niger, Nigeria and Senegal "
- Annex 4: " Initiative francophone pour la formation à distance des maîtres (IFADEM) "
- Annex 5: "Supporting ACP-EU Cooperation on migration and development"
- Annex 6: " TradeCom II - ACP Trade Capacity Building Programme"
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- Annex 9: "Work Programme 2014 for the Technical Centre for Agricultural and Rural Cooperation ACP-EU (CTA)"