COMMISSION DECISION

of 27.11.2013

on the individual measure for strengthening technical and functional skills of Supreme Audit Institutions (SAIs), National Parliaments and Civil Society for the control of public finances in favour of the PALOP countries (Angola, Cape Verde, Guinea Bissau, Mozambique, Sao Tomé and Principe) and Timor-Leste to be financed from the 10th European Development Fund
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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 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 Ouagadougou, Burkina Faso, on 22 June 2010² (hereinafter referred to as ‘the Cotonou Agreement’), and in particular Articles 16 and 34 of Annex IV thereof,

Having regard to to Council Regulation (EC) No 617/2007 of 14 May 2007 on the implementation of the 10th European Development Fund under the Cotonou Agreement³, 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 10th European Development Fund⁴ (hereinafter referred to as ‘the 10th EDF Financial Regulation’) and in particular Article 67 thereof,

Whereas:

(1) The Commission has adopted the Country Strategy Papers and Multiannual Indicative Programmes for the period 2008-2013, for the PALOP countries (Angola⁵, Cape Verde⁶, Guinea Bissau⁷, Mozambique⁸, Sao Tomé and Principe) and Timor-Leste⁹. The six Portuguese-speaking ACP countries and the European Commission signed a Memorandum of Understanding (MoU) in Lisbon, on 7 November 2007, on the continuation of their long-standing cooperation under the 10th EDF.

(2) The objectives pursued by this Decision/Project are to promote economic governance in the PALOP countries and Timor-Leste by strengthening technical and functional skills of Supreme Audit Institutions (SAIs), Parliaments and Civil Society as a general objective and to improve the effective external political, judicial and civilian control of public finances in the PALOP countries and Timor-Leste for a more efficient and effective use of public resources as specific objective. The main expected results are

² OJ L 287, 4.11.2010, p. 3.
that the control and audit capacities of SAI over public finances are strengthened and that the oversight capacities of Parliaments and Civil Society over public finances are developed. These results will be pursued in a context of joint learning.

(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 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 10th EDF Financial Regulation.

(5) 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 are fulfilled. The reasons for and potential beneficiaries of such award should be identified, where known, in this Decision for reasons of transparency.

(6) 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 10th 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.

(7) 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').

(8) The measure provided for in this Decision is 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.

HAS DECIDED AS FOLLOWS:

**Article 1**

**Adoption of the measure**

The individual measure in favour of the PALOP countries (Angola, Cape Verde, Guinea Bissau, Mozambique, Sao Tomé and Principe) and Timor-Leste, constituted by the action identified in the second paragraph, is approved.

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The action, the description of which is set out in the attached Annex, shall be:

Strengthening technical and functional skills of Supreme Audit Institutions (SAIs), National Parliaments and Civil Society for the control of public finances in the PALOP countries (Angola, Cape Verde, Guinea Bissau, Mozambique, Sao Tomé and Príncipe) and Timor-Leste.

**Article 2**

**Financial contribution**

The maximum contribution of the European Union authorised by this Decision for the implementation of this measure is set at EUR 6 500 000 to be financed from the 10th European Development Fund.

**Article 3**

**Implementation modalities**

Budget-implementation tasks under joint management may be entrusted to the entities identified in the attached Annex, subject to the conclusion of the relevant agreements.

Section 4 of the Annex 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 Annex.

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 Article 2 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, 27.11.2013

*For the Commission*

Fernando Frutuoso de Melo
Director-General