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COMMISSION IMPLEMENTING DECISION

of 25.4.2014

**amending Decision C(2013)4452 with a view to approving the special measures
"Upgrading Solid Waste Management capacities in Bekaa and Akkar Regions in
Lebanon (SWAM)" and "Recovery of Local economies in Lebanon" under the SPRING
2013 programme**

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amending Decision C(2013)4452 with a view to approving the special measures "Upgrading Solid Waste Management capacities in Bekaa and Akkar Regions in Lebanon (SWAM)" and "Recovery of Local economies in Lebanon" under the SPRING 2013 programme

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 establishing common implementing rules and procedures for the implementation of the Union's instruments for external action¹ and in particular Article 2 thereof,

Having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002², and in particular Article 84(2) thereof,

Whereas:

- (1) The European Commission and the High Representative of the European Union for Foreign Affairs and Security Policy adopted on 8 March 2011 a Joint Communication on 'A Partnership for democracy and shared prosperity with the southern Mediterranean'³, which laid down the following priorities: (a) democratic transition and institution-building, (b) partnership with people, and (c) economic development and inclusive, sustainable growth.
- (2) The Commission adopted the Decision on the 2013 SPRING programme (Support for partnership, reforms and inclusive growth) for the Southern Neighbourhood region from the general budget of the European Union on 18 July 2013⁴. An increase in the budget was approved on 18 November 2013⁵.
- (3) Like SPRING 2011-2012⁶, the SPRING 2013 programme, financed under the European Neighbourhood and Partnership Instrument⁷, is intended to respond to the pressing socio-economic challenges that partner countries of the southern Mediterranean region are facing and to support them in their transition towards democracy. The SPRING 2013 programme will focus specifically on support related to democratic transformation and institution-building, and for sustainable and

¹ OJ L 77, 15.03.2014, p.95.

² OJ L 298, 26.10.2012, p. 1.

³ COM(2011)200.

⁴ C(2013)4452.

⁵ C(2013)8112.

⁶ C(2011)6828 of 26 September 2011.

⁷ Regulation (EC) No 1638/2006 of the European Parliament and of the Council of 24 October 2006, OJ L 310, 9.11.2006, p. 1-14.

inclusive growth and economic development. It is a multi-country programme with an umbrella approach that provides the flexibility needed to modulate assistance according to progress by individual countries towards deep and sustainable democracy and inclusive socio-economic development, applying the 'more-for-more' principle.

- (4) These special measures under the SPRING 2013 programme concerns the actions “Upgrading Solid Waste Management capacities in Bekaa and Akkar Regions in Lebanon (SWAM)” and “Recovery of Local economies in Lebanon”; they aim at upgrading the provision of basic services regarding Solid Waste Management and at recovering local economies in Lebanese communities particularly affected by the influx of Syrian refugees. These measures are consistent with the priorities of the new EU-Lebanon 2013-2015 Action Plan, in particular “Enhancing production and marketing of agricultural products in line with international standards, advancing liberalisation, raising competitiveness, and developing rural economy” and “Enhancing environmental protection and advancing sustainable regional development through greater decentralization and empowerment of municipalities and local authorities”.
- (5) This Decision complies with the conditions laid down in Article 94 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 (hereinafter referred to as ‘the Rules of Application’)⁸.
- (6) This Decision concerns only the management method for the programmes “Upgrading Solid Waste Management capacities in Bekaa and Akkar Regions in Lebanon (SWAM)” and “Recovery of Local economies in Lebanon”, as the financing of the programmes is already covered under the SPRING 2013 programme, which was adopted by decision C(2013)4452 of 18 July 2013.
- (7) Decision C(2013)4452 provides for centralised management only, except where the College decides otherwise in accordance with the empowerment procedure in Annex 1, point 4.1. Given that the empowerment procedure in question is not yet in place and in view of the urgency, the above Decision should be amended through the addition of these measures, which are to be implemented by indirect management. The decision to implement these measures by other management methods is due to the situation in the two sectors in Lebanon. The management methods selected are justified for operational reasons and have been discussed with the partner country.
- (8) The Commission may entrust budget-implementation tasks under indirect management to the partner country identified in this Decision, subject to the conclusion of a financing agreement. The scope of the budget-implementation tasks entrusted, as well as the Commission’s ex ante and ex post controls, are laid down in the Annexes of this Decision.
- (9) The maximum contribution of the European Union set by this Decision should cover any possible claims of interest due for late payment on the basis of Article 92 of the Regulation (EU, Euratom) No 966/2012 and Article 111(4) of Delegated Regulation (EU) No 1268/2012.
- (10) The Commission is required to define the term "non-substantial change" in the sense of Article 94(4) of Delegated Regulation (EU) No 1268/2012 to ensure that any such

⁸ OJ L 362, 31.12.2012, p. 1.

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').

- (11) The measures provided for in this Decision are in accordance with the opinion of the European Neighbourhood Instrument (ENI) Committee set up by the basic act⁹,

HAS DECIDED AS FOLLOWS:

Article 1

Adoption of the programme

The amendment to Decision C(2013)4452 with a view to approving the special measures in favour of Lebanon under the SPRING 2013 programme referred to in the second paragraph below is hereby approved.

The measures, which are described in the attached Annexes, consist of:

- “Upgrading Solid Waste Management capacities in Bekaa and Akkar Regions in Lebanon (SWAM)”;
- “Recovery of Local economies in Lebanon”.

The Annexes to this Decision become Annex 5 and Annex 6 to Decision C(2013)4452.

Article 2

Financial contribution

The maximum contribution of the European Union authorised by this Decision for the implementation of the special measures in favour of Lebanon shall be EUR 14 million for the programme “Upgrading Solid Waste Management capacities in Bekaa and Akkar Regions in Lebanon (SWAM)” and EUR 7 million for the programme “Recovery of Local economies in Lebanon”, to be financed from the SPRING 2013 programme.

Article 3

Implementing methods

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

Section 4 of the Annexes referred to in the second paragraph of Article 1 sets out the elements required by Article 94(2) of the Rules of Application.

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

Article 4

Non-substantial changes

Increases or decreases of up to EUR 10 million not exceeding 20 % of the contribution referred to in the first paragraph of Article 2, or cumulated changes to the allocations of

⁹ Regulation (EU) No 232/2014 of the European Parliament and of the Council establishing a European Neighbourhood Instrument, OJ L 77, 15.3.2014.

specific actions not exceeding 20 % of that contribution 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, 25.4.2014

For the Commission
Štefan FÜLE
Member of the Commission