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**COMMISSION IMPLEMENTING DECISION**

**of 11.8.2017**

**on the Annual Action Programme 2017 part 1 in favour of Myanmar/Burma**

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THE EUROPEAN COMMISSION,

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

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 1605/2002<sup>1</sup>, and in particular Article 84(2) thereof,

Having regard to Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action<sup>2</sup>, and in particular Article 2(1) thereof,

Whereas:

- (1) The Commission has adopted the Multiannual Indicative Programme for the period 2014-2020<sup>3</sup>, point 1.1 of which provides for the following priorities: (1) to support peace and national reconciliation; (2) to assist in building a functioning democracy; (3) to foster sustainable development and trade; and (4) to support the re-integration of Myanmar/Burma into the international community. These priorities are in line with the areas of engagement of the EU strategy with Myanmar/Burma as adopted by the Foreign Affairs Council on 20 June 2016.
- (2) The objectives pursued by the Annual Action Programme 2017 part 1 to be financed under the Development Cooperation Instrument<sup>4</sup> are to: (1) continue to strengthen governance in support of Myanmar/Burma's democratic transition processes and reform agenda, with EU support specifically focusing on institutional strengthening and policy dialogue, and support to elections; and (2) contribute to lasting peace, security, stability and sustainable development in Myanmar/Burma.
- (3) The action entitled "EU Peace Support in Myanmar/Burma – PEACE III" has the following specific objectives: (1) Successive milestones of the peace process are reached ensuring the Nationwide Ceasefire Agreement is conducive for a national political dialogue process and a transition to sustainable peace in the country; and (2) Improved socio-economic recovery in conflict-affected areas and areas affected by intercommunal violence.
- (4) The action entitled "Strengthening Governance and Democracy in Myanmar/Burma II" has the following specific objectives: (1) Strengthened electoral cycle and democratic governance, consistent with the democratic principles of

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<sup>1</sup> OJ L 298, 26.10.2012, p. 1.

<sup>2</sup> OJ L 77, 15.3.2014, p. 95.

<sup>3</sup> Decision C(2014)9135

<sup>4</sup> Regulation (EU) No 233/2014 of the European Parliament and of the Council establishing a financing instrument for development cooperation for the period 2014-2020 (OJ L 77, 15.3.2014, p. 44).

universal suffrage, political equality, representative political parties, transparency, and credible and professional election administration at the national and subnational levels; (2) Reform processes informed through deeper democratic and constitutional culture with a view to improved inclusion of underrepresented groups in democratic institutions and processes; and (3) Strengthened policy making institutions in their capacity to advance the reform process; improved capacities of public service delivery institutions; EU cooperation programmes/projects are well communicated and responsive to the Government reform agenda and the needs of the population.

- (5) It is necessary to adopt a financing decision the detailed rules of which are set out in Article 94 of Commission Delegated Regulation (EU) No 1268/2012<sup>5</sup>.
- (6) It is necessary to adopt a work programme for grants in accordance with Article 128(1) of Regulation (EU, Euratom) No 966/2012 and Article 188(1) of Delegated Regulation (EU) No 1268/2012. The work programme is set out in Annex 1.
- (7) The Commission should entrust budget-implementation tasks under indirect management to the entities specified in Annexes 1 and 2 to this Decision, subject to the conclusion of delegation agreements. In accordance with Article 60(1)(c) and (2) of Regulation (EU, Euratom) No 966/2012, the authorising officer responsible needs to ensure that these entities guarantee a level of protection of the financial interests of the European Union equivalent to that required when the Commission manages European Union funds..
- (8) It is necessary to allow the payment of interest due for late payment on the basis of Article 92 of Regulation (EU, Euratom) No 966/2012 and Article 111(4) of Delegated Regulation (EU) No 1268/2012.
- (9) Pursuant to Article 94(4) of Delegated Regulation (EU) No 1268/2012, any substantial change to a financing decision that has already been adopted should follow the same procedure as the initial decision. It is therefore appropriate that the Commission defines the changes to this Decision that are considered non-substantial in order to ensure that any such changes can be adopted by the authorising officer responsible.
- (10) The measures provided for in this Decision are in accordance with the opinion of the Development Cooperation Instrument Committee established under Article 19 of Regulation (EU) No 233/2014,

HAS DECIDED AS FOLLOWS:

#### *Article 1*

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

The Annual Action Programme 2017 part 1 in favour of Myanmar/Burma, as set out in the Annexes, is adopted.

The programme shall include the following actions:

- Annex 1: EU Peace Support in Myanmar/Burma – PEACE III
- Annex 2: Strengthening Governance and Democracy in Myanmar/Burma II

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<sup>5</sup> Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (OJ L 362, 31.12.2012, p. 1).

*Article 2*

**Financial contribution**

The maximum contribution of the European Union for the implementation of the programme referred to in Article 1 is set at EUR 39 000 000 and shall be financed from budget line 21.020200 of the general budget of the Union for 2017.

The financial contribution provided for in the first paragraph may also cover interest due for late payment.

*Article 3*

**Methods of implementation**

Budget-implementation tasks under indirect management may be entrusted to the entities identified in the Annexes 1 and 2, subject to the conclusion of the relevant agreement.

The elements required by Article 94(2) of Delegated Regulation (EU) No 1268/2012 are set out in the Annexes to this Decision.

The section “Implementation” of the Annexes to this Decision sets out the elements required by Article 94(2) of Delegated Regulation (EU) No 1268/2012.

*Article 4*

**Non-substantial changes**

Increases or decreases of up to EUR 10 000 000 not exceeding 20 % of the contribution set in the first paragraph of Article 2, or cumulated changes to the allocations of specific actions not exceeding 20 % of that contribution, as well as extensions of the implementation period shall not be considered substantial within the meaning of Article 94(4) of Delegated Regulation (EU) No 1268/2012, provided that they do not significantly affect the nature and objectives of the actions.

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

Done at Brussels, 11.8.2017

*For the Commission*

*Karmenu VELLA*

*Member of the Commission*