COMMISSION DECISION

of 27.10.2017

on the 2017 Annual Action Programme in favour of the Republic of Haiti to be financed from the 11th 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 Council Regulation (EU) 2015/322 of 2 March 2015 on the implementation of the 11th European Development Fund\(^1\), and in particular Article 9 (1) thereof,

Having regard to Council Regulation (EU) 2015/323 of 2 March 2015 on the financial regulation applicable to the 11th European Development Fund\(^2\), and in particular Article 26 thereof,

Whereas:

(1) The Commission has adopted the Country Strategy Paper for Haiti\(^3\) for the period 2014-2020, which prioritises the strengthening of the State's capacity to implement policies and to provide for efficient and quality public services (1st concentration sector), the strengthening of social inclusion by improving access to adapted, quality education and professional training (2nd concentration sector); the improvement of basic infrastructure quality in a more balanced socio-economic environment (3rd concentration sector) and the increase of food and nutrition security (4th concentration sector); support to civil society and supporting measures to projects are crosscutting and hence outside of concentration sectors. These priorities are coherent with the Strategic Development Plan of Haiti (Plan Stratégique de Développement d'Haiti, PSDH).

(2) The objectives pursued by the annual action programme to be financed under the 11th European Development Fund (EDF) Internal Agreement\(^4\) (‘Internal Agreement’) are to fight poverty. More specifically, it aims at several objectives at the same time and includes actions on different sectors: (i) promote the economic activity and employment in rural areas, by the means of strengthening the quality of professional training; (ii) reduce the proportion of the population suffering from hunger and malnutrition through the improvement of basic services supporting production, security and malnutrition prevention and awareness; (iii) contribute to the entrenchment of democracy through an increased, equal and effective participation of civil society in the country's political, economic and social life; (iv) enhance the

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\(^{1}\) OJ L 58, 3.3.2015, p. 1.

\(^{2}\) OJ L 58, 3.3.2015, p. 17.

\(^{3}\) C(2014) 3716 final du 11.06.2014.

\(^{4}\) Internal Agreement between the Representatives of the Governments of the Member States of the European Union, meeting within the Council, on the financing of European Union aid under the multiannual financial framework for the period 2014 to 2020, in accordance with the ACP-EU Partnership Agreement, and on the allocation of financial assistance for the Overseas Countries and Territories to which Part Four of the Treaty on the Functioning of the European Union applies (OJ L 210, 6.8.2013, p. 1).
quality of the PSDH’s implementation through an improvement of the efficiency of the European’s aid and the partnership between Haiti and the EU.

(3) The action entitled ‘URBAYITI’ consists of two objectives combining support to institutional key actors involved and actions on the field. The first objective is reinforcing sector governance by structuring the institutional and legal framework, continuing to build capacity in the administrations in charge of implementing it at national and local level, and ensuring civil society participation. The second objective is improving the resilience of urban populations by improving access to basic services and economic development, and reducing environmental risks. This objective encompasses building infrastructures such as streets, public spaces, drainage, water supply, markets… according to priorities set in planning documents, following an integrated development approach. The first objective will have a national impact, in terms of national policy. The second objective will focus on targeted zones of the metropolitan area of Port-au-Prince, as well as a post- Matthew hurricane intervention in Jérémie and Les Cayes.

(4) 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 1268/2012⁵, applicable in accordance with Article 2(1) and Article 26 of Regulation (EU) 2015/323.

(5) 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 applicable in accordance with Article 2(1) and Article 37(1) of Regulation (EU) 2015/323. The work programme is set out in the Annex.

(6) The Commission should entrust budget-implementation tasks under indirect management to the entities specified in the Annex 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 applicable in accordance with Article 2(1) and Article 17 of Regulation (EU) 2015/323, 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. These entities comply with the conditions set out in points (a) to (d) of the first subparagraph of Article 60(2) of Regulation (EU, Euratom) No 966/2012 and the supervisory and support measures are in place as necessary.

(7) The Commission should entrust budget-implementation tasks under indirect management to the partner country specified in the Annex to this Decision, subject to the conclusion of a financing agreement. In accordance with Article 60(1)(c) of Regulation (EU, Euratom) No 966/2012 applicable in accordance with Article 2(1) and Article 17 of Regulation (EU) 2015/323, the authorising officer responsible needs to ensure that measures are taken to supervise and support the implementation of the entrusted tasks. A description of those measures and the entrusted tasks are laid down in the Annex to this Decision.

(8) It is necessary to allow for 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, applicable in accordance with Article 2(1) and Article 29(1) of Regulation (EU) 2015/323.

Pursuant to Article 94(4) of Delegated Regulation (EU) No 1268/2012, applicable in accordance with Article 2(1) and Article 26 of Regulation (EU) 2015/323, 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.

The measure provided for in this Decision is in accordance with the opinion of the EDF Committee established under Article 8 of the Internal Agreement.

HAS DECIDED AS FOLLOWS:

**Article 1**

**Adoption of the programme**

The 2017 Annual Action Programme in favour of the Republic of Haiti, as set out in the Annex, is adopted.

Annex: URBAYITI : Gouvernance urbaine et villes résilientes

**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 36 500 000 and shall be financed from the 11th European Development Fund.

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 Annex, subject to the conclusion of the relevant agreements.

The elements required by Article 94(2) of Delegated Regulation (EU) No 2012/1268 applicable in accordance with Article 2(1) and Article 26 of Regulation (EU) 2015/323, are set out in the Annex to this Decision.
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 2012/1268, applicable in accordance with Article 2(1) and Article 26 of Regulation (EU) 2015/323, 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 set by this Article.

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

Done at Brussels, 27.10.2017

For the Commission
Neven MIMICA
Member of the Commission