



Brussels, 12.7.2018
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COMMISSION IMPLEMENTING DECISION

of 12.7.2018

**on the Annual Action Programme 2018 Part 1 in favour of Myanmar/Burma to be
financed from the general budget of the Union**

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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 1605/2002¹, 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 action², and in particular Article 2(1) thereof,

Whereas:

- (1) The Commission has adopted the Multiannual Indicative Programme for Myanmar/Burma for the period 2014-2020³, 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 2016⁴.
- (2) The objectives pursued by the Annual Action Programme 2018 part 1 to be financed under the Development Cooperation Instrument⁵ are to equitably enhance the education and skills base among Myanmar/Burma youth.
- (3) The action entitled "Enhancing the education and skills base in Myanmar" has the specific objective of supporting implementation of the National Education Strategic Plan (NESP), in particular to increase completion of quality secondary education and to increase completion rates in reformed Technical and Vocational Education Training (TVET) courses, as well as to improve quality, transparency and accountability in the public finance management and budget oversight systems, in particular in the education sector. It combines budget support with complementary measures intended to strengthen secondary teacher training, to reform TVET curricula, to expand TVET partnerships, and to strengthen institutional capacities and systems in the education sector, public finance management and Parliamentary oversight.

¹ OJ L 298, 26.10.2012, p. 1.

² OJ L 77, 15.3.2014, p. 95.

³ Decision C(2014)9135.

⁴ 10482/16 of 20 June 2016.

⁵ 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).

- (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 1268/2012⁶.
- (5) The envisaged assistance to Myanmar/Burma is deemed to strictly follow the conditions and procedures set out by the restrictive measures concerning the said country.
- (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, the authorising officer responsible needs to ensure that this entity guarantees 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. For the pillars not yet assessed, the World Bank is currently undergoing the assessment under Regulation (EU, Euratom) No 966/2012. In anticipation of the results of this review, the authorising officer responsible deems that, based on the entity's positive assessment under Council Regulation (EC, Euratom) No 1605/2002⁷ and on the long-standing and problem-free cooperation with them, budget-implementation tasks can be entrusted to this entity.
- (7) 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.
- (8) 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.
- (9) The measure provided for in this Decision is 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 2018 part 1 in favour of Myanmar/Burma, as set out in the Annex, is adopted.

The programme shall include the following action: Annex: Enhancing the education and skills base in Myanmar.

Article 2

⁶ 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).

⁷ Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (OJ L 248, 16.9.2002, p.1).

Financial contribution

The maximum contribution of the European Union for the implementation of the programme referred to in Article 1 is set at EUR 221 000 000 and shall be financed from budget line 21.020200 of the general budget of the Union for 2018.

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 1268/2012 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 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, 12.7.2018

For the Commission

Neven Mimica

Member of the Commission

