COMMISSION IMPLEMENTING DECISION

of 7.9.2018

on the financing of the annual action programme in favour of Afghanistan for 2018 part 2, 2019 part 1 and 2020 part 1
COMMISSION IMPLEMENTING DECISION

of 7.9.2018

on the financing of the annual action programme in favour of Afghanistan for 2018 part 2, 2019 part 1 and 2020 part 1

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 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) In order to ensure the implementation of the annual action programme in favour of Afghanistan for 2018 part 2, 2019 part 1 and 2020 part 1, it is necessary to adopt a multiannual financing decision, which constitutes the multiannual work programme, for years 2018, 2019 and 2020. Article 110 of Regulation (EU, Euratom) 2018/1046 establishes detailed rules on financing decisions.

(2) The envisaged assistance is to comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU3.

(3) The Commission has adopted the Multiannual Indicative Programme between the European Union and Afghanistan for the period 2014-20204, which, after its revision following a mid-term review5, provides for the following priorities: (i) to promote a peaceful and inclusive Afghan society through improved security, access to justice, democratic governance and domestic accountability, (ii) to foster a more inclusive, sustainable and private sector-led economic growth, and (iii) to contribute to the Government’s long-term goals of reducing poverty and deepening the relationship between citizens and the state on the basis of quality basic social services.

---

2 OJ L 77, 15.3.2014, p. 95.
3 www.sanctionsmap.eu. Note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy, the OJ prevails.
The objectives pursued by the annual action programme to be financed under the Development Cooperation Instrument are to support the Government of Afghanistan to (i) provide greater security and stability, as well as sustainable and inclusive growth and job creation, (ii) improve the health and nutrition status of the Afghan population, (iii) strengthen the civilian police force and (iv) to promote democratic processes, successful political transition and political stabilisation of Afghanistan.

The action entitled "State and Resilience Building Contract for Afghanistan II" proposes the continuation of the State Building Contract (2016-2018) signed at the Brussels Conference on Afghanistan. It should support the Government through the provision of discretionary funds in the implementation of the full policy framework and reform agenda (Afghanistan National Peace and Development Framework, National Priority Plans) as well as in the consolidation of results, in turn setting up the foundations for a stable, prosperous society, addressing peace and security challenges.

The action entitled "EU Support to Health and Nutrition Services for the Afghan Population – SEHATMANDI" aims at continuing the EU support to the health sector in Afghanistan to improve health and nutrition status of Afghans. The action is the combination of a provision of health services across the country through the Afghanistan Reconstruction Trust Fund (ARTF) managed by the World Bank. and key reform capacity building, including human resource development, through direct management.

The action entitled ‘Support to Police Reform in Afghanistan’ is the continuation of the long-standing EU support to police reform in Afghanistan. Under the Law and Order Trust Fund Afghanistan (LOTFA), the overarching objective is to contribute to achieving fiscal and technical sustainability of a fully self-reliant and rule of law based civilian police force. A second component shall provide EU strategic advice, support to the Afghan National Police and the Ministry of Interior.

The action entitled "Supporting Elections in Afghanistan" aims to promote democratic processes, successful political transition and political stabilisation of Afghanistan by providing financial support for the organisation of the next Presidential and Provincial Councils elections. It shall support the Electoral Management Bodies of Afghanistan, as well as its Civil Society Organisations through the provision of funding to ensure that appropriate means, assistance and capacities are in place to hold regular, gender-inclusive, credible and transparent elections Afghan led and Afghan owned, which provide confidence in the electoral and democratic processes of the country.

Pursuant to Article 4(7) of Regulation (EU) No 236/2014 indirect management is to be used for the implementation of the programme.

The Commission is to ensure a level of protection of the financial interests of the Union with regards to entities and persons entrusted with the implementation of Union funds by indirect management as provided for in Article 154(3) of Regulation (EU, Euratom) 2018/1046.

To this end, such entities and persons are to be subject to an assessment of their systems and procedures in accordance with Article 154(4) of Regulation (EU, Euratom) 2018/1046 and, if necessary, to appropriate supervisory measures in

---


**7** Except for the cases of Article 154(6) of Regulation (EU, Euratom) 2018/1046, where the Commission may decide, not to require an ex-ante assessment.
accordance with Article 154(5) of Regulation (EU, Euratom) 2018/1046 before a contribution agreement can be signed.

(11) It is necessary to allow for the payment of interest due for late payment on the basis of Article 116(5) of Regulation (EU, Euratom) 2018/1046.

(12) In order to allow for flexibility in the implementation of the programme, it is appropriate to allow changes which should not be considered substantial for the purposes of Article 110(5) of Regulation (EU, Euratom) 2018/1046.

(13) The measures provided for in this Decision are in accordance with the opinion of the Development Cooperation Instrument Committee set up by Article 19 of Regulation (EU) No 233/2014,

HAS DECIDED AS FOLLOWS:

**Article 1**

The programme

The multiannual financing decision, constituting the multiannual programme for the implementation of the annual action programme in favour of Afghanistan for 2018 part 2, 2019 part 1 and 2020 part 1, as set out in the Annexes, is adopted.

The programme shall include the following actions:

– "State and Resilience Building Contract for Afghanistan II" set out in Annex 1;
– "Support to Health & Nutrition Services" set out in Annex 2;
– "Support to Police Reform in Afghanistan" set out in Annex 3;

**Article 2**

Union contribution

The maximum Union contribution for the implementation of the programme for 2018, 2019 and 2020 is set at EUR 464 650 000 and shall be financed from the appropriations entered in the following line of the general budget of the Union: 21.0205.

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

The implementation of this Decision is subject to the availability of the appropriations provided for in the general budget of the Union for 2019 and 2020 following the adoption of that budget by the budgetary authority.

**Article 3**

Methods of implementation and entrusted entities or persons

The implementation of the actions carried out by way of indirect management, as set out in the Annexes, maybe be entrusted to the entities or persons referred to or selected in accordance to the criteria laid down in point 5.4.3 of Annex 1, point 5.3.4 of Annex 2, point 5.3.1.2 of Annex 3 and point 5.3.3 of Annex 4.
**Article 4**

*Flexibility clause*

Increases or decreases of up to EUR 10 000 000 not exceeding 20 % of the contribution set in the first paragraph of Article 2, considering each financial year separately, 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 for the purposes of Article 110(5) of Regulation (EU, Euratom) 2018/1046, provided that these changes 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 apply the changes referred to in the first paragraph. Those changes shall be applied in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 7.9.2018

*For the Commission*

*Neven MIMICA*

*Member of the Commission*