COMMISSION IMPLEMENTING DECISION

of 13.8.2015

on the Annual Action Programmes 2015 part II and 2016 part I in favour of the Asia region to be financed from the general budget of the European 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) 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\(^1\), and in particular Article 2(1) thereof,


Whereas:

(1) The Commission has adopted the Regional Strategy Paper for Asia\(^3\) and the Multianual Regional Indicative Programme for Asia for the period 2014-2020\(^4\), points 3.1.1.1, 3.2.1.1, 3.3.1, 3.4.1.1 and 3.4.2.1 of which provide for the following priorities: enhance the Association of Southeast Asian Nations (hereunder ASEAN) integration process, which contributes to trade, poverty reduction and sustainable economic growth, as well as to preserving peace and stability in South East Asia; encourage increased regional integration and co-operation in South and North-East Asia; provide support to reintegrate or integrate uprooted people, including support to local communities and resettlement areas; contribute, through the promotion of sustainable growth, to economic prosperity and poverty reduction in Asia and to support the development of a green economy and mitigation of climate change; and promote additional investments and key infrastructure with a priority focus on climate change relevant and "green" investments in areas of environment, energy as well as in SME's and social infrastructure.

(2) The Commission has adopted the Annual Action Programmes 2014 and 2015 part I in favour of the Asia region, to be funded from the general budget of the European Union\(^5\).

(3) The objectives pursued by the Annual Action Programme to be financed under the Development Cooperation Instrument\(^6\) are to enhance regional integration in South

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\(^1\) OJ L 77, 15.03.2014, p. 95
\(^3\) Decision C(2014)9382
\(^4\) Decision C(2014)6112
\(^5\) Decision C(2014)8785
East, South and North East Asia, support the reintegration of uprooted people, and contribute to economic prosperity and the development of a green economy.

(4) Action 1, entitled “Aid to Uprooted People Pakistan”, is to facilitate the reintegration of Federally Administered Tribal Areas (hereunder FATA) Internally Displaced Persons (hereunder IDPs) in the FATA region by creating a favourable environment for their return, through the improvement of the service delivery capacity of the FATA Administration and assistance to the reform process in FATA, as well as through supporting and sustaining community-driven local development initiatives in selected areas to create a favourable socioeconomic environment for returning IDPs.

(5) Action 2, entitled "Aid to Uprooted People Thailand" is to contribute to a long-term solution to the challenges encountered by the Myanmar refugees living in 9 camps along the Myanmar border, displaced and marginalised Rohingyas and Myanmar Muslim communities living in Mae Sot (Tak province), and in Phang Nga and Ranong provinces in Thailand.

(6) Action 3, entitled "Supporting Protection and Sustainable Solutions for the Refugees from Bhutan in Nepal", aims to support the process of achieving sustainable solutions for refugees from Bhutan in Nepal, while providing international protection and multi-sectorial assistance during the process.

(7) Action 4, entitled “Asian Investment Facility", pursues the objective of the promotion of a green economy through the leverage of additional investments and key infrastructure with a priority focus on climate change relevant and "green" investments in areas of environment, energy as well as in SME’s and social infrastructure.

(8) It is necessary to adopt a financing decision the detailed rules on which are set out in Article 94 of Commission Delegated Regulation (EU) No 1268/2012.

(9) It is necessary to adopt a work programme for grants the detailed rules on which are set out in Article 128(1) of Regulation (EU, Euratom) No 966/2012 and in Article 188(1) of Delegated Regulation (EU) No 1268/2012. The work programme is constituted by the Annexes 1 (section 5.4.1.5) and 2, (sections 5.4.1.1 and 5.4.1.2).

(10) The Commission should entrust budget-implementation tasks under indirect management to the entities specified in this Decision, subject to the conclusion of a delegation agreement. In accordance with Article 60(1) 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 Union equivalent to that required when the Commission manages Union funds. With the exception of the financial instruments, UNHCR and GIZ comply with the conditions of 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. KfW is currently undergoing the assessment under Regulation (EU, Euratom) No 966/2012. In anticipation of the results of this review, the authorising officer deems that, based on the entity's positive assessment under Council Regulation (EC, Euratom) No 1605/2002 and on the long-standing and problem-free cooperation with it, budget-implementation tasks can be entrusted to this entity.

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The authorising officer responsible should be able to award grants without a call for proposals provided that the conditions for an exception to a call for proposals in accordance with Article 190 of Delegated Regulation (EU) No 1268/2012.

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.

Pursuant to Article 94(4) of Delegated Regulation (EU) No 1268/2012, the Commission should define changes to this Decision which are not substantial in order to ensure that any such changes can be adopted by the authorising officer responsible.

The measures provided for in this Decision are in accordance with the opinion of the Development Cooperation Instrument set up by Article 19 of the financing instrument referred to in Recital 3.

HAS DECIDED AS FOLLOWS:

**Article 1**

Adoption of the measure

The Annual Action Programmes 2015 part II and 2016 part I in favour of the Asia region to be financed from the general budget of the European Union, as set out in the Annexes, is approved.

The programme shall include the following actions:

- Annex 1: Aid to Uprooted People Pakistan;
- Annex 2: Aid to Uprooted People Thailand;
- Annex 3: Supporting Protection and Sustainable Solutions for the Refugees from Bhutan in Nepal;

**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 79 000 000 and shall be financed for an amount of EUR 59 000 000 from budget line 21.020200 of the general budget of the European Union for financial year 2015 and for an amount of EUR 20 000 000 from budget line 21.020200 of the general budget of the European Union for financial year 2016.

The financial contribution 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 draft budget for financial year 2016 after the adoption of the budget for that financial year or as provided for in the system of provisional twelfths.
Article 3

Implementation modalities

Budget-implementation tasks under indirect management may be entrusted to the entities identified in the attached Annex 1, Annex 3 and Annex 4, subject to the conclusion of the relevant agreements.

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

Grants may be awarded without a call for proposals by the authorising officer responsible in accordance with Article 190 of Delegated Regulation (EU) No 1268/2012.

Article 4

Non-substantial changes

Increases or decreases of up to EUR 10 million not exceeding 20% of the contribution set by 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 the non-substantial changes in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 13.8.2015

For the Commission
Neven MIMICA
Member of the Commission