COMMISSION IMPLEMENTING DECISION

of 13.11.2019

on the financing of the annual action programme in favour of the Asia region for 2019

part III
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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, and in particular Article 2(1) thereof,

Whereas:

(1) In order to ensure the implementation of the annual action programme in favour of the Asia region for 2019 part III, it is necessary to adopt an annual financing decision, which constitutes the annual work programme, for 2019. 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 of the Treaty on the Functioning of the European Union (TFEU).


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.
4 The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy, the OJ prevails.
6 OJ L 77, 15.3.2014, p. 44.
(4) The objectives pursued by the annual action programme to be financed under the Development Cooperation Instrument⁶ are to support the Association of Southeast Asian Nations (ASEAN) regional integration, sustainable and inclusive economic growth through trade facilitation, improvement of an enabling business and investment environment, as well as promoting investments in the areas of environment, clean energy, sustainable urban development, transport and social infrastructure and private sector development.

(5) The action entitled ‘Smart Green ASEAN Cities’ aims to support on-going initiatives of Smart Cities development in ASEAN countries and to contribute to the reduction of the environmental and carbon footprints of cities while promoting energy efficiency and renewable energy, sustainable transport systems, and reduced air pollution, and contributing to the development of a circular economy. The specific objective is that smart city solutions are adopted in ASEAN countries.

(6) The action entitled ‘ASEAN Regional Integration Support – Philippines Trade-Related Assistance (ARISE Plus – Philippines)’ aims to foster inclusive economic growth and poverty reduction in the Philippines by improving the country’s trade performance and competitiveness. It aims to support regional economic integration and trade in ASEAN countries and contribute to the integration of the Philippine economy into the global production chains through targeted support to both the public and private sectors.

(7) The action entitled ‘Regional-ASEAN Forest Governance support programme (FLEGT)’ aims to support the sustainable production and responsible trade of timber and timber products within and from the ASEAN region. The specific objective is to enhance and demonstrate forest governance, monitoring and sustainable forest management across ASEAN Member States.

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

(9) 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) 2018/1046⁷ and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of Regulation (EU, Euratom) 2018/1046 before a contribution agreement can be signed.

(10) 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.

(11) 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.

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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.
HAS DECIDED AS FOLLOWS:

Article 1
The programme

The annual financing decision, constituting the annual programme for the implementation of the annual action programme in favour of the Asia region for 2019 part III, as set out in the Annexes, is adopted.

The programme shall include the following actions

(a) ‘Smart Green ASEAN Cities’, set out in Annex I;
(b) ‘ASEAN Regional Integration Support – Philippines Trade-Related Technical Assistance (ARISE Plus – Philippines)’, set out in Annex II;
(c) ‘Regional-ASEAN Forest Governance support programme (FLEGT)’, set out in Annex III.

Article 2
Union contribution

The maximum Union contribution for the implementation of the programme for 2019 is set at EUR 16 400 000, and shall be financed from the appropriations entered in the following line of the general budget of the Union: 21.020.200.

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

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, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 5 of the Annexes I, II and III.

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\(^8\) 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.

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\(^8\) These changes can come from assigned revenue made available after the adoption of the financing decision.
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, 13.11.2019

For the Commission
Neven MIMICA
Member of the Commission