



Brussels, 17.12.2012  
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**COMMISSION DECISION**

**of 17.12.2012**

**on the Annual Action Programme 2012 in favour of the Republic of Kiribati to be  
financed from the 10th European Development Fund**

## COMMISSION DECISION

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### on the Annual Action Programme 2012 in favour of the Republic of Kiribati to be financed from the 10th European Development Fund

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000<sup>1</sup> and revised in Ouagadougou, Burkina Faso, on 23 June 2010<sup>2</sup>, hereinafter referred to as the "Cotonou Agreement", and in particular Article 34 of Annex IV thereof,

Having regard to Council Regulation (EC) No 617/2007 of 14 May 2007 on the implementation of the 10<sup>th</sup> European Development Fund under the ACP-EC Partnership Agreement<sup>3</sup>, and in particular Article 7 thereof.

Having regard to Council Regulation (EC) No 215/2008 of 18 February 2008 on Financial Regulation applicable to the 10<sup>th</sup> European Development Fund<sup>4</sup> and in particular Articles 21(a), 22, 23 and 29(1)(a) thereof,

Whereas:

- (1) The Commission has adopted the Country Strategy Paper for the Republic of Kiribati and the Multiannual Indicative Programme for the period 2008-2013<sup>5</sup>, which present water supply and sanitation as priority sectors for intervention.
- (2) Commission Decision C(2011)9773 of 15 December 2011 allocated funds to an initiative in support of the Millennium Development Goals (MDG) in African, Caribbean and Pacific Countries and invited ACP States to submit projects and programmes demonstrating how additional funding could contribute to improving the trend towards the attainment of the following MDG target: MDG 7.c "Halve, by 2015, the proportion of the population without sustainable access to safe drinking water and basic sanitation".
- (3) The provision of technical assistance to the government of Kiribati is essential to the efficient implementation of projects financed from the 10<sup>th</sup> European Development Fund, as well as the preparation of the next programming cycle.
- (4) The objectives pursued by the Annual Action Programme are to assist the government of Kiribati to secure safe and sustainable drinking water supply to Kiritimati island communities; and to provide Technical Assistance to support the implementation of

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<sup>1</sup> Oj L 317, 15.12.2000, p. 3

<sup>2</sup> Oj L 287, 4.11.2010, p.3

<sup>3</sup> OJ L 152, 13.6.2007, p. 1

<sup>4</sup> OJ L 78, 19.03.2008, p. 1

<sup>5</sup> C(2007)4613 of 12 October 2007

the Kiribati National Development Plan 2012-15 and in particular development programmes financed from the European Development Fund.

- (5) The measures covered by this Decision are in conformity with the objectives of development finance co-operation as defined in Article 55 of the ACP-EC Partnership Agreement.
- (6) This Decision constitutes a Financing Decision within the meaning of Article 16 of Annex IV to the ACP-EC Partnership Agreement and Article 67 of the Financial Regulation applicable to the 10<sup>th</sup> European Development Fund.
- (7) It is appropriate to define the term “substantial change” within the meaning of Article 7 of Regulation (EC) N° 617/2007 to ensure that any substantial change in this Decision shall follow the same procedure as the initial Decision.
- (8) The Commission has ensured that the management system set up by the Secretariat of the Pacific Community to which the Commission will entrust implementation of EU funds for the action “Improved Drinking Water Supply for Kiritimati Island” complies with the conditions for the delegation of tasks under joint management, as provided for in Article 29 of the Financial Regulation applicable to the 10th EDF.
- (9) The measures provided for in this Decision are in accordance with the opinion of the European Development Fund Committee set up by Article 8 of the Internal Agreement of 17 July 2006.

HAS DECIDED AS FOLLOWS:

#### *Article 1*

The Annual Action Programme 2012 in favour of the Republic of Kiribati constituted by the actions “Improved Drinking Water Supply for Kiritimati Island” and “Technical Cooperation Facility phase II”, the text of which is set out in the attached Annexes, is approved.

#### *Article 2*

The maximum contribution of the European Union to the Annual Action Programme is set at EUR 6,334,136.96, to be financed from the 10th European Development Fund.

#### *Article 3*

Cumulated changes of the allocations to the specific actions not exceeding 20% of the maximum contribution authorised by this Decision and not representing more than EUR 10 million shall not be considered substantial provided that they do not significantly affect the nature and objectives of the Annual Action Programme. This may include an increase of the maximum contribution authorised by this Decision of up to 20%.

The relevant authorising officer may amend the present Decision to introduce non-substantial changes in the Annual Action Programme in accordance with the principles of sound financial management.

#### *Article 4*

The management system set up by the Secretariat of the Pacific Community complies with the conditions for the delegation of tasks under joint management. The financial implementation of tasks related to this action can thus be entrusted to this entity.

Done at Brussels, 17.12.2012

*For the Commission*  
*Fokion Fotiadis*  
*Director-General*

**ANNEXES**

**Annual Action Programme for the Republic of Kiribati:**

**Annex 1: Action fiche – "Improved Drinking Water Supply for Kiritimati Island"**

**Annex 2: Action fiche – "Technical Cooperation Facility phase II"**