COMMISSION DECISION

of 24.10.2019

on the financing of the Annual Action Programme in favour of the Republic of Kiribati for 2019
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THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EU) 2015/322 of 2 March 2015 on the implementation of the 11th European Development Fund\(^1\), and in particular Article 9(1) thereof,

Having regard to Council Regulation (EU) 2018/1877 of 26 November 2018 on the financial regulation applicable to the 11th European Development Fund, and repealing Regulation (EU) 2015/323\(^2\), and in particular Article 24 thereof,

Whereas:

(1) In order to ensure the implementation of the Annual Action Programme in favour of the Republic of Kiribati for 2019, 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 TFEU\(^3\).

(3) The Commission has adopted the National Multiannual Indicative Programme for the period 2014 to 2020\(^4\), which sets out the following priorities: to contribute to the sustainable socio-economic development of Kiritimati Island and reinforce Kiribati capacities in Public Finance Management.

(4) The objectives pursued by the annual action programme to be financed under the 11th European Development Fund (EDF) Internal Agreement\(^5\) (‘Internal Agreement’) are to strengthen the economic dialogue and public financial management (PFM) reforms through a State and Resilience Building Contract (SRBC) and ensure specific and timely delivery in the water and sanitation (WASH) sectors.

(5) The action entitled ‘EU-Kiribati Partnership for a sustainable and inclusive socio-economic development’ will contribute to the improvement of the social and economic

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\(^1\) OJ L 58, 3.3.2015, p. 1.
\(^3\) 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.
\(^4\) Commission Decision on the adoption of the National Indicative Programme between the European Union and Republic of Kiribati.
\(^5\) Internal Agreement between the Representatives of the Governments of the Member States of the European Union, meeting within the Council, on the financing of European Union aid under the multiannual financial framework for the period 2014 to 2020, in accordance with the ACP-EU Partnership Agreement, and on the allocation of financial assistance for the Overseas Countries and Territories to which Part Four of the Treaty on the Functioning of the European Union applies, OJ L 210, 6.8.2013, p. 1.
development of Kiribati while strengthening resilience for the Kiribati population. The Action will address major governance issues, climate change mitigation and adaptation contributing to increase the resilience of the whole country.

(6) Pursuant to Article 15 of Regulation (EU) 2018/1877 indirect management is to be used for the implementation of the programme.

(7) 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 applicable in accordance with Article 30(1) of Regulation (EU) 2018/1877.

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, applicable in accordance with Article 30(1) of Regulation (EU) 2018/1877, and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of Regulation (EU, Euratom) 2018/1046, applicable in accordance with Article 30(1) of Regulation (EU) 2018/1877, before a contribution agreement can be signed.

(8) 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 applicable in accordance with Article 24(2) and Article 25 of Regulation (EU) 2018/1877.

(9) 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, applicable by virtue of Article 24(2) of Regulation (EU) 2018/1877.

(10) The action provided for in this Decision is in accordance with the opinion of the EDF Committee established under Article 8 of the Internal Agreement.

HAS DECIDED AS FOLLOWS:

Article 1
The programme

The Annual Action Programme in favour of the Republic of Kiribati for 2019, as set out in the Annex is adopted.

The programme shall include the following action:
- "EU-Kiribati Partnership for a sustainable and inclusive socio-economic development", as set out in the Annex.

Article 2
Union contribution

The maximum Union contribution for the implementation of the programme for 2019 is set at EUR 20 800 000, and shall be financed from the appropriations entered in the budget line FEDF-BFEDF-02.10.01-11-KI of the 11th European Development Fund.

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6 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.
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 to be carried out by way of indirect management, as set out in the Annex, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 5 of the Annex.

**Article 4**  
*Flexibility clause*

Increases or decreases 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 for the purposes of Article 110(5) of Regulation (EU, Euratom) 2018/1046, applicable in accordance with Article 24(2) of Regulation (EU) 2018/1877, provided that these changes do not significantly affect the nature and objectives of the actions.

The authorising officer responsible may apply the changes referred to in the first paragraph, acting in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 24.10.2019

*For the Commission*  
*Neven MIMICA*  
*Member of the Commission*