COMMISSION DECISION

of 1.8.2019

on the financing of the special measure in favour of the Pacific Region for the Joint Pacific Initiative on Climate Change, Biodiversity and Resilience for 2019 to be financed from the reserve of the 11th European Development Fund
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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, and in particular Article 9(3) 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, and in particular Article 24 thereof,

Whereas:

(1) In order to ensure the implementation of the special measure in favour of the Pacific region for the “Joint Pacific Initiative on Climate Change, Biodiversity and Resilience” 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) The Pacific region is one of the most exposed regions to natural hazards and climate change in the world. The considerable challenges related to climate change, ocean governance and environment faced by the region call for a stronger joint action. This action will create a joint facility managed by the French Development Agency (AFD) to provide funding for activities to build resilience of Small Islands Developing States of the Pacific in the context of an ever-increasing impact of the climate change and the need to protect the biodiversity and the resources that Small Island Developing States rely upon. This special measure is justified in light of the critical conditions of the Pacific Small Island Developing States, especially in relation with their frequent exposure to extreme climatic events, small size and remoteness. The use of a special measure is further justified by the very essence of this action providing the necessary complementary support to existing regional and national programmes.

(4) The objectives pursued by the measure to be financed under the 11th European Development Fund (EDF) Internal Agreement (‘Internal Agreement’) are to assist

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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 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
Pacific region (comprising fifteen countries (Cook Islands, Fiji, Kiribati, Marshall Islands, Federal States of Micronesia, Nauru, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, Timor Leste, Vanuatu), three French overseas territories (New Caledonia, French Polynesia and Wallis-and-Futuna), and one British overseas territory (Pitcairn) to make their ecosystems, economies and communities more resilient to the impacts of climate change.

(5) The action entitled “Joint Pacific Initiative on Biodiversity, Climate Change, and Resilience” will assist the Pacific towards achieving more resilient communities and ecosystems to climate change. To achieve the objective the Action will build an international coalition of donors to optimise access to climate change adaptation and biodiversity conservation funding for local and national authorities, regional and civil society organisations.

(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.

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 accordance with Article 154(5) of Regulation (EU, Euratom) 2018/1046 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 EDF 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 measure, 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.

(10) The measure provided for in this Decision does not fall in the categories of measures for which the prior opinion of the Committee is required. The measure should be submitted for opinion to the EDF Committee established under Article 8 of the Internal Agreement.

HAS DECIDED AS FOLLOWS:

Article 1
The programme

The annual financing decision, constituting the annual programme for the implementation of the special measure in favour of the Pacific Region for “Joint Pacific Initiative on Biodiversity, Climate Change and Resilience” for 2019, as set out in the Annex, is adopted.

The programme shall include the following action:

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5 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.
Annex: Joint Pacific Initiative on Biodiversity, Climate Change and Resilience

**Article 2**

**Union contribution**

The maximum Union contribution for the implementation of the measure for 2019 referred to in Article 1 is set at EUR 9 900 000, and shall be financed from the reserve of the 11th European Development Fund: budget line FEDF-BFEDF-02.40.21.10.30-11-RPA FJ: EUR 9 900 000.

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 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 of up to EUR 10 000 000 not exceeding 20% of the contribution set in the first paragraph of Article 2, or cumulated changes\(^6\) 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.

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\(^6\) 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, 1.8.2019

For the Commission
Neven MIMICA
Member of the Commission

CERTIFIED COPY
For the Secretary-General,

Jordi AYET PUIGARNAU
Director of the Registry
EUROPEAN COMMISSION