COMMISSION IMPLEMENTING DECISION

of 24.10.2019

on the financing of the annual action programme in favour of Pakistan for 2019 part 2
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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 Pakistan for 2019 part 2, it is necessary to adopt an annual financing decision, which constitutes the annual work programme, for 2019. Article 110 of Regulation (EU, Euratom) No 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 Commission has adopted the Country Strategy Paper for Pakistan, the National Multiannual Indicative Programme (MIP) for the period 2014-2020, which sets out the following priorities: rural development; education and Technical and Vocational Education and Training (TVET); and good governance, human rights and rule of law. These priorities remain valid following the Mid-Term Review of the MIP.

(4) The objectives pursued by the annual action programme 2019 part 2 to be financed under the Development Cooperation Instrument are to support the provincial Government of Balochistan in their efforts to address adequately the water scarcity challenge and to improve the access and quality of primary education in the province.

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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. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy, the OJ prevails.
(5) The action entitled ‘Revival of Balochistan Water Resources Programme’ aims to strengthen the sound governance of water and land resources, by supporting the Government’s national water policy, and Balochistan’s integrated water resource management policy and to strengthen the Balochistan Water Authority. To increase the impact of the action, it is essential to support simultaneously a shift towards low water agriculture, combined with integrated livestock and rangeland management. This will be accompanied by value chain development of low water agricultural products and capacity building in the field of agro-technology.

(6) The action entitled ‘Balochistan Education Support Programme II (BES II)’ aims to strengthen the quality and performance of the education systems in Balochistan, in particular to improve the access and quality of primary and middle level education, and to increase accountability, reporting and transparency of the provincial education department.

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

(8) The Commission is to ensure a level of protection of the financial interests of the Union with regard 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) No 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) No 2018/1046 and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of Regulation (EU, Euratom) No 2018/1046 before a contribution agreement can be signed.

(9) 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) No 2018/1046.

(10) 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.

(11) The measures provided for in this Decision are in accordance with the opinion of the Development Cooperation Instrument Committee, established under Article 19 of Regulation (EU) No 233/2014.

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 Pakistan for 2019 part 2, as set out in the Annexes, is adopted.

The programme shall include the following actions:

(a) ‘Revival of Balochistan Water Resources Programme’, set out in Annex I;

(b) ‘Balochistan Education Support Programme II (BES II)’, set out in Annex II.

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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.
Article 2  
**Union contribution**

The maximum Union contribution for the implementation of the programme for 2019 part 2 is set at EUR 58 000 000, and shall be financed from the appropriations entered in the following line of the general budget of the Union:

– budget line 21.020200: EUR 58 000 000

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 Annexes I and II, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 5.3.3 or 5.3.2 of the Annexes I and II, respectively.

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 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) No 2018/1046, provided that these changes do not significantly affect the nature and objectives of the actions. The use of contingencies shall be taken into account in the ceiling set by this Article.

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, 24.10.2019

*For the Commission*

*Neven MIMICA*

*Member of the Commission*