COMMISSION IMPLEMENTING DECISION

of 24.10.2019

on the financing of the annual action programme in favour of Sri Lanka for 2019
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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 Sri Lanka 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 Commission has adopted the Multiannual Indicative Programme (MIP) for Sri Lanka for the period 2014-2020. Following the mid-term review of the MIP, this now includes two focal sectors: Support to Integrated Rural Development and Democratic Governance and Reconciliation.

(4) The objectives pursued by the annual action programme to be financed under the Development Cooperation Instrument are: i) to contribute to a more productive, sustainable, diversified, climate-resilient, market-oriented and inclusive agriculture in

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1 OJ L 193, 30.7.2018, p.1
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.
Sri Lanka, and ii) to contribute to a more independent judiciary and an improved and responsive justice system in Sri Lanka.

(5) The action entitled ‘Support to Food Safety and Quality in Sri Lanka’ will i) increase food safety and quality compliance, through the adoption of good agriculture and hygienic practices by food producers and processors, and an updated risk-based and well-coordinated food control system; and ii) increase the share of the Sri Lankan national organic market through better standards, higher investments and increased consumer demand.

(6) The action entitled 'Support to Justice Sector in Sri Lanka' will i) improve access to justice for all (in particular women, the poor and persons in vulnerable situations); ii) improve accountability, transparency and credibility of the justice system; and iii) improve the efficiency and quality of justice.

(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 regards to entities and persons entrusted with the implementation of European Union’s 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.

(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) 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 the Regulation (EU, Euratom) 2018/1046.

(11) The actions 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 Sri Lanka for 2019, as set out in the Annexes, is adopted.

The programme shall include the following actions:

(a) ‘Support to Food Safety and Quality in Sri Lanka’, set out in Annex I;

(b) ‘Support to the Justice Sector in Sri Lanka’, set out in Annex II.

7 Except for 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 European Union’s contribution for the implementation of the programme for 2019 is set at EUR 28 000 000, and shall be financed from the appropriations entered in the following line of the general budget of the Union:

– Budget line 21.020200: EUR 28 000 000.

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, 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.

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) 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