COMMISSION DECISION

of 21.11.2019

on the financing of the annual action programme for 2019 in favour of Timor-Leste to be financed from 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 Fund1, 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) 2015/3232, and in particular Article 24 thereof,

Whereas:

(1) In order to ensure the implementation of the annual action programme for 2019 in favour of Timor-Leste, to be financed from the 11th European Development Fund (EDF), it is necessary to adopt an annual financing decision, which constitutes the annual work programme. Article 24 of Council Regulation (EU) 2018/1877 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 TFEU3.

(3) The Commission has adopted the National Multiannual Indicative Programme for Timor-Leste for the period 2014 to 20204, which sets out the following priorities: 1) Good Governance; 2) Rural Development.

(4) The objectives pursued by the annual action programme are to contribute to Timor-Leste’s sustainable development.

(5) The action entitled ‘Supporting Programme to Deconcentration and Decentralisation process in Timor-Leste (SPDD-TL)’ is to support the deconcentration and decentralisation process, bringing governance, public administration and services closer to people, for both women and men, giving special attention to the needs and priorities of people living in vulnerable situations.

The Commission should acknowledge and accept contributions from other donors, subject to the conclusion of the relevant agreement. Where such contributions are not denominated in euro, a reasonable estimate of conversion should be made.

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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 C(2014) 5960 of 25.08.2014 on the adoption of the National Indicative Programme between the European Union and Timor-Leste
Pursuant to Article 15 of Regulation (EU) 2018/1877, indirect management is to be used for the implementation of the programme.

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) 2018/1046⁵, 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 and, if necessary, to appropriate supervisory measures, in accordance with Articles 154(4) and 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.

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.

In order to allow for flexibility in the implementation of the programme, it is appropriate to allow changes that should not be considered substantial for the purposes of Article 110(5) of Regulation (EU, Euratom) 2018/1046.

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 for 2019 in favour of Timor-Leste, as set out in the Annex, is adopted.

The programme shall include the following action:


Article 2
Union contribution

The maximum Union contribution for the implementation of the programme is set at EUR 15 000 000, and shall be financed from the 11th EDF:

– Bilateral allocation for Timor-Leste.

The appropriations provided for in the first paragraph may also cover interest due for late payment.

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⁵ Please add the complete reference to this Regulation.

⁶ For multiannual financing decisions, Article 1 is only used for the first year, when adopting the programme.
Article 3
Methods of implementation and entrusted entities or persons

The implementation of the actions to be carried out by way of indirect management may be entrusted to the entity referred to in accordance with the criteria laid down in 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 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 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, in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 21.11.2019

For the Commission
Neven MIMICA
Member of the Commission

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These changes can come from assigned revenue made available after the adoption of the financing decision.