COMMISSION DECISION

of 22.11.2018

on the financing of the annual action programme in favour of Timor-Leste for 2018
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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 thereof,

Having regard to Council Regulation (EU) 2015/323 of 2 March 2015 on the financial regulation applicable to the 11th European Development Fund², and in particular Article 26 thereof,

Whereas:

(1) In order to ensure the implementation of the Partnership for Improving Nutrition in Timor-Leste (PINTL) and of the Cooperation Support Facility II (CSF II), it is necessary to adopt an annual³ financing decision, which constitutes the annual work programme, for 2018. 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 National Multiannual Indicative Programme for the period 2014 to 2020⁴, which sets out the following priorities: Good governance, rural development and non-focal sector, including support measures.

(4) The objectives pursued by the annual action programme to be financed under the 11th European Development Fund (EDF) Internal Agreement⁵ (‘Internal Agreement’) are to improve the quality and coverage of integrated nutrition specific and selected nutrition sensitive interventions and to increase the effectiveness of NAO services in delivering the EU-Timor-Leste development cooperation.

(5) The action entitled ‘Partnership for Improving Nutrition in Timor-Leste (PINTL)’ is to contribute to the reduction of malnutrition in pregnant and lactating women, adolescent girls and children <5 years in Timor-Leste with specific focus on first 1000 days of life.

¹ OJ L 58, 3.3.2015, p. 1.
² OJ L 58, 3.3.2015, p. 17.
³ Multiannual financing decision shall always constitute a multiannual action programme.
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.
The action entitled 'Cooperation Support Facility II (CSF II)' is to promote inclusive and sustainable socio-economic development of Timor-Leste.

The Commission should acknowledge and accept contributions from other donors in accordance with Article 9(2) of Regulation (EU) 2015/323, subject to the conclusion of the relevant agreement. Where such contributions are not denominated in euro, a reasonable estimate of conversion should be made.

It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.

Pursuant to Article 17 of Regulation (EU) 2015/323 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) 2018/1046 applicable in accordance with Article 2(1) and Article 17 of Regulation (EU) 2015/323.

To this end, the Commission in accordance with Article 154(6) of Regulation (EU, Euratom) 2018/1046 retains the financial management responsibilities laid down in point 5 of the Annexes.

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 29(1) of Regulation (EU) 2015/323.

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 financing decision, constituting the annual programme for the implementation of the annual action programme in favour of Timor-Leste for 2018, as set out in the Annexes, is adopted.

The programme shall include the following actions:

(a) Partnership for Improving Nutrition in Timor-Leste (PINTL) set out in Annex I;
(b) Cooperation Support Facility II (CSF II) set out in Annex II;

Article 2
Union contribution

The maximum Union contribution for the implementation of the programme for 2018 is set at EUR 18 000 000, and shall be financed from the appropriations entered in the following lines of the general budget of the Union and shall be financed from the 11th European Development Fund:

(a) budget line FEDF-BFEDF-02.10.10.01-11-TL: EUR 15 000 000;
(b) budget line FEDF-BFEDF-02.10.10.01-11-TL: EUR 3 000 000;
The amount referred to in the first paragraph includes contributions from other donors to the European Development Fund as assigned revenue as provided for in action Partnership for Improving Nutrition in Timor-Leste (PINTL).

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 Annex I.

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, applicable in accordance with Article 2(1) and Article 26 of Regulation (EU) 2015/323, 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. Those changes shall be applied in accordance with the principles of sound financial management and proportionality.

Article 6

Grants

Grants may be awarded without a call for proposals in accordance with the conditions set out in the Annexes. Grants may be awarded to the bodies selected in accordance with point 5 of the Annex II.

Done at Brussels, 22.11.2018

For the Commission
Neven MIMICA
Member of the Commission