



Brussels, 18.10.2013
C(2013) 7057 final

COMMISSION DECISION

of 18.10.2013

**on the Annual Action Programme 2013 in favour of the Kingdom of Swaziland to be
financed from the 10th 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 the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000¹ and revised in Ouagadougou, Burkina Faso, on 22 June 2010² (hereinafter referred to as ‘the Cotonou Agreement’), and in particular Articles 16 and 34 of Annex IV thereof,

Having regard to Council Regulation (EC) No 617/2007 of 14 May 2007 on the implementation of the 10th European Development Fund under the Cotonou Agreement³, and in particular Article 7 thereof,

Having regard to Council Regulation (EC) No 215/2008 of 18 February 2008 on Financial Regulation applicable to the 10th European Development Fund⁴ (hereinafter referred to as ‘the 10th EDF Financial Regulation’) and in particular Article 67 thereof,

Whereas:

- (1) The Commission has adopted a Country Strategy Paper for Swaziland⁵, the Multiannual Indicative Programme for the period 2008-2013, and the Mid Term Review.⁶ The focal areas covered by the revised Multiannual Indicative Programme provide for the following priorities: i) human development - including education and health; ii) water supply, sanitation and irrigation; and iii) non focal areas. Support for Governance is included among the non focal areas.
- (2) The objectives pursued by the Annual Action Programme are to promote macro-fiscal stability in Swaziland and to improve the allocation of public resources over the medium term to support accelerated economic growth and poverty reduction. The project purpose is to strengthen economic governance through improved public financial management systems, institutions and procedures. The programme supports the Public Finance Management reform process initiated by the Government and allows discussion around sound management of its public finances.
- (3) The measure covered by this Decision is in conformity with the objectives of development finance co-operation as defined in Article 55 of the Cotonou Agreement.
- (4) The Commission may entrust budget-implementation tasks under joint management (indirect management with an international organisation) to the entities identified in

¹ OJ L 317, 15.12.2000, p. 3.

² OJ L 287, 4.11.2010, p. 3.

³ OJ L 152, 13.6.2007, p. 1.

⁴ OJ L 78, 19.03.2008, p. 1.

⁵ C(2007) 5582

⁶ C(2011) 5617

this Decision, subject to the conclusion of a contribution agreement. The responsible authorising officer has ensured that these entities comply with the conditions of Article 29 of the 10th EDF Financial Regulation.

- (5) The Commission may entrust budget-implementation tasks under decentralised management (indirect management with the partner country) to the beneficiary third country identified in this Decision, subject to the conclusion of a financing agreement. The degree of decentralisation foreseen complies with the conditions of Articles 21 to 24 of the 10th EDF Financial Regulation.
- (6) The maximum contribution of the European Union set by this Decision should cover any possible claims for interest due for late payment on the basis of Article 87(2) of the 10th EDF Financial Regulation and Article 111(4) of Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union⁷.
- (7) The Commission is required to define the term "non-substantial change" in the sense of Article 9(2) of Council Regulation (EC) No 617/2007 to ensure that any such changes can be adopted by the authorising officer by delegation, or under his or her responsibility, by sub-delegation (hereinafter referred to as the 'responsible authorising officer').
- (8) The measure provided for in this Decision is in accordance with the opinion of the European Development Fund Committee set up under Article 8 of the Internal Agreement between the Representatives of the Governments of the Member States, meeting within the Council, on the financing of Community aid under the multiannual financial framework for the period 2008 to 2013 in accordance with the Agreement between the African, Caribbean and Pacific Group of States and the EU (ACP-EC Agreement) and on the allocation of financial assistance for the Overseas Countries and Territories to which Part Four of the EC Treaty applies⁸.

HAS DECIDED AS FOLLOWS:

Article 1

Adoption of the programme

The Annual Action Programme 2013 in favour of the Kingdom of Swaziland, constituted by the action identified in the second paragraph, is approved.

The action, the description of which is set out in the attached Annex shall be:

- Swaziland Governance (Public Finance Management) Programme.

Article 2

Financial contribution

The maximum contribution of the European Union authorised by this Decision for the implementation of this programme is set at EUR 8 200 000 to be financed from the 10th European Development Fund.

⁷ OJ L 362, 31.12.2012, p. 1.

⁸ OJ L 247, 9.9.2006, p. 32.

Article 3

Implementation modalities

Budget-implementation tasks under decentralised and joint management may be entrusted to the entities identified in the attached Annex, subject to the conclusion of the relevant agreements.

Section 4 of the Annex referred to in the second paragraph of Article 1 sets out the elements of a financing decision.

The financial contribution referred to in Article 2 shall also cover any possible interests due for late payment.

Article 4

Non-substantial changes

Increases or cumulated changes to the allocations of specific actions not exceeding 20 % of the contribution referred to in Article 2 shall not be considered substantial, provided that they do not significantly affect the nature and objectives of the actions. The use of contingencies shall be taken into account in the ceiling referred to in this article.

The responsible authorising officer may adopt these non-substantial changes in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 18.10.2013

For the Commission
Fokion Fotiadis,
Director General

ANNEX

Action Fiche – "Swaziland Governance (Public Finance Management) Programme"