



Brussels, 5.10.2016
C(2016) 6418 final

COMMISSION DECISION

of 5.10.2016

**on the Individual Measure 2016 in favour of Dominica 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) No 322/2015 of 2 March 2015 on the implementation of the 11th European Development Fund

Having regard to Council Regulation (EU) No 323/2015 of 2 March 2015 on the financial regulation applicable to the 11th European Development Fund,

Whereas:

- (1) The Commission has adopted the Country Strategy Paper for Dominica for the period 2016-2017, point 1.2 of which provides for the following priorities: Rehabilitation of climate and disaster resilient water infrastructure and establishment of an appropriate institutional framework for the energy sector.
- (2) The objectives pursued by the measure to be financed under the 11th EDF are to support the rehabilitation efforts of the Government of the Commonwealth of Dominica to re-establish the full functioning of basic services in critical areas and enhance ("build back better") resilience on a nationwide basis and improve public financial management. For the purpose of this specific intervention, the primary focus will be on the rehabilitation of climate and disaster resilient water infrastructure and establishing an appropriate institutional framework for the energy sector. Concurrently, significant improvements are expected with regard to PFM, focussing on the legal framework, external audit, and public procurement management.
- (3) Action entitled "State Building Contract for Dominica for Rehabilitation following Tropical Storm Erika". A **State Building Contract** is particularly pertinent in the current situation of Dominica, given the fragile situation in the country following the Tropical Storm Erika. The storm has considerably weakened the ability of the Government of the Commonwealth of Dominica to recover from the economic losses caused by the disaster. The proposed programme aims therefore to support the Government, through a state building contract, to rehabilitate basic infrastructure and consequently restore basic services to the population. It is the intention to capitalise on the commitment of the Government at the highest level to promote and undertake key reforms with a direct impact on future sustainable and inclusive growth in Dominica.
- (4) It is necessary to adopt a financing decision the detailed rules of which are set out in Article 94 of Commission Delegated Regulation (EU) No 1268/2012¹ applicable by virtue of Article 26 of Regulation (EU) No 323/2015.

¹ 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 Union (OJ L 362, 31.12.2012, p. 1).

- (5) It is necessary to adopt a work programme for grants the detailed rules on which are set out in Article 128(1) of Regulation (EU, Euratom) No 966/2012 and in Article 188(1) of Delegated Regulation (EU) No 1268/2012. The work programme is constituted by the Annex I and II of this decision.
- (6) It is necessary to allow the payment of interest due for late payment on the basis of Article 92 of Regulation (EU, Euratom) No 966/2012 and Article 111(4) of Delegated Regulation (EU) No 1268/2012, applicable by virtue of Articles 29(1) of Regulation (EU) No 323/2015.
- (7) The measure provided for in this Decision are in accordance with the opinion of the European Development Fund Committee set up by Article 8 of the 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 OCTs to which Part Four of the EC Treaty applies².

HAS DECIDED AS FOLLOWS:

Article 1

Adoption of the measure

The State Building Contract for Dominica for Rehabilitation following Tropical Storm Erika as set out in the Annex, is approved.

The measure shall include the following action

- Annex: State Building Contract for Dominica for Rehabilitation following Tropical Storm Erika

Article 2

Financial contribution

The maximum contribution of the European Union for the implementation of the measure referred to in Article 1 is set at EUR 8.9 million and shall be financed from the 11th European Development Fund.

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

Article 3

Implementation modalities

The section “Implementation” of the Annex to this Decision sets out the elements required by Article 94(2) of Delegated Regulation (EU) No 1268/2012.

Article 4

Non-substantial changes

² OJ L 210, 6.8.2013, p. 1

Increases or decreases not exceeding 20 % of the contribution set by the first paragraph of Article 2 while not bringing that contribution above EUR 10 million, 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 within the meaning of Article 94(4) of Delegated Regulation (EU) No 1268/2012, 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 set by this Article.

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

Done at Brussels, 5.10.2016

For the Commission

Neven Mimica
Member of the Commission