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**COMMISSION DECISION**

**of 22.9.2017**

**on the Annual Action Programme 2017 (Part 1) in favour of the Republic of Zambia to  
be financed from the 11<sup>th</sup> European Development Fund**

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### **on the Annual Action Programme 2017 (Part 1) in favour of the Republic of Zambia to be financed from the 11<sup>th</sup> European Development Fund**

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 11<sup>th</sup> European Development Fund<sup>1</sup> and in particular Article 9(1) thereof,

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

Whereas:

- (1) The Commission has adopted the National Multiannual Indicative Programme for Zambia for the period 2014-2020<sup>3</sup>, which prioritises the enhancement of human rights awareness and in particular support to vulnerable groups such as women and children; transparent, accountable and effective use of public resources and improved access to clean, reliable and affordable energy.
- (2) The objectives pursued by the annual action programme to be financed under the 11<sup>th</sup> European Development Fund (EDF) Internal Agreement<sup>4</sup> ("Internal Agreement") are to contribute to the reduction of Sexual and Gender-Based Violence in Zambia; to contribute to sustainable and inclusive growth through an increased mobilisation and effective use of domestic resources as well as to promote access to affordable, reliable, sustainable and modern energy for all.
- (3) The action entitled "Sexual and Gender-Based Violence (SGBV) Prevention and Support to SGBV Survivors in Zambia" aims at challenging and changing beliefs, attitudes and practices in the target areas and at increasing SGBV survivors' access and use of comprehensive support services. The action will be implemented through grants and procurement.
- (4) The action entitled "Support to Effectiveness and Transparency in Management of Public resources (EFFEFFECT)" aims at improving the accountability, transparency and effectiveness in management of public resources, and increasing domestic revenue mobilisation. This action will be implemented through grants, procurement, and

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<sup>1</sup> OJ L 58, 3.3.2015, p. 1.

<sup>2</sup> OJ L 58, 3.3.2015, p. 17.

<sup>3</sup> Commission Decision on the adoption of the National Indicative Programme between the European Union and Zambia C(2014)3607 of 12.6.2014.

<sup>4</sup> 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).

indirect management with the partner country and with the Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH (GIZ).

- (5) The action entitled "Contribution to the African Investment Facility: ElectriFI – Zambia window" aims at encouraging more investments in the field of decentralised energy solutions to benefit populations living principally in rural areas and at promoting increased contribution of renewable energy sources by attracting additional financing from the private sector. This action will be implemented in indirect management by entities to be indicated in complementary financing decisions through the African Investment Facility award procedure.
- (6) 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 1268/2012<sup>5</sup>, applicable in accordance with Article 2(1) and Article 26 of Regulation (EU) 2015/323.
- (7) It is necessary to adopt a work programme for grants in accordance with Article 128(1) of Regulation (EU, Euratom) No 966/2012 and Article 188(1) of Delegated Regulation (EU) No 1268/2012 applicable in accordance with Article 2(1) and Article 37(1) of Regulation (EU) 2015/323. The work programmes are set out in Annexes 1 and 2.
- (8) The Commission should entrust budget-implementation tasks under indirect management to the entity specified in Annex 2 to this Decision, subject to the conclusion of a delegation agreement. In accordance with Article 60(1)(c) and (2) of Regulation (EU, Euratom) No 966/2012 applicable in accordance with Article 2(1) and Article 17 of Regulation (EU) 2015/323, the authorising officer responsible needs to ensure that this entity guarantees a level of protection of the financial interests of the European Union equivalent to that required when the Commission manages European Union funds. This entity complies with the conditions set out in points (a) to (d) of the first subparagraph of Article 60(2) of Regulation (EU, Euratom) No 966/2012 and the supervisory and support measures are in place as necessary.
- (9) The Commission should entrust budget-implementation tasks under indirect management to the partner country specified in Annexes 1 and 2 to this Decision, subject to the conclusion of a financing agreement. In accordance with Article 60(1)(c) of Regulation (EU, Euratom) No 966/2012 applicable in accordance with Article 2(1) and Article 17 of Regulation (EU) 2015/323, the authorising officer responsible needs to ensure that measures are taken to supervise and support the implementation of the entrusted tasks. A description of those measures and the entrusted tasks are laid down in Annexes 1 and 2 to this Decision.
- (10) The authorising officer responsible should be able to award grants without a call for proposals only in the exceptional cases set out in Article 190 of Delegated Regulation (EU) No 1268/2012, applicable in accordance with Article 2(1) and Article 37(1) of Regulation (EU) 2015/323.
- (11) It is necessary to allow for 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 in accordance with Article 2(1) and Article 29(1) of Regulation (EU) 2015/323.

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<sup>5</sup> Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) 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).

- (12) Pursuant to Article 94(4) of Delegated Regulation (EU) No 1268/2012, applicable in accordance with Article 2(1) and Article 26 of Regulation (EU) 2015/323, any substantial change to a financing decision that has already been adopted should follow the same procedure as the initial decision. It is therefore appropriate that the Commission defines the changes to this Decision that are considered non-substantial in order to ensure that any such changes can be adopted by the authorising officer responsible.
- (13) The measures provided for in this Decision are in accordance with the opinion of the EDF Committee established under Article 8 of the Internal Agreement.

HAS DECIDED AS FOLLOWS:

#### *Article 1*

##### **Adoption of the programme**

The Commission Decision on the Annual Action Programme 2017 in favour of the Republic of Zambia to be financed from the 11<sup>th</sup> European Development Fund, as set out in the Annexes, is adopted.

The programme shall include the following actions:

- Annex 1: "Sexual and Gender-Based Violence (SGBV) Prevention and Support to SGBV Survivors in Zambia";
- Annex 2: "Support to Effectiveness and Transparency in Management of Public resources (EFFECT)";
- Annex 3: "Contribution to the African Investment Facility: ElectriFI – Zambia window".

#### *Article 2*

##### **Financial contribution**

The maximum contribution of the European Union for the implementation of the programme referred to in Article 1 is set at EUR 82 000 000 and shall be financed from the 11<sup>th</sup> European Development Fund.

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

#### *Article 3*

##### **Methods of implementation**

Budget-implementation tasks under indirect management may be entrusted to the entities identified in Annexes 1 and 2, subject to the conclusion of the relevant agreements.

The elements required by Article 94(2) of Delegated Regulation (EU) No 1268/2012 applicable in accordance with Article 2(1) and Article 26 of Regulation (EU) 2015/323, are set out in the Annexes to this Decision.

Grants may be awarded without a call for proposals by the authorising officer responsible in accordance with Article 190 of Delegated Regulation (EU) No 1268/2012, applicable in accordance with Article 2(1) and Article 37(1) of Regulation (EU) 2015/323.

*Article 4*

**Non-substantial changes**

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 within the meaning of Article 94(4) of Delegated Regulation (EU) No 1268/2012, applicable in accordance with Article 2(1) and Article 26 of Regulation (EU) 2015/323, 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, 22.9.2017

*For the Commission*  
*Neven MIMICA*  
*Member of the Commission*