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**COMMISSION IMPLEMENTING DECISION**

**of 21.11.2019**

**on the financing of the Annual Action Programme 2019 in favour of the Republic of  
South Africa**

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## on the financing of the Annual Action Programme 2019 in favour of the Republic of South Africa

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012<sup>1</sup>, and in particular Article 110 thereof,

Having regard to Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action<sup>2</sup>, and in particular Article 2(1) thereof,

Whereas:

- (1) In order to ensure the implementation of the Annual Action Programme 2019 in favour of the Republic of South Africa, it is necessary to adopt an annual financing decision. 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 Treaty on the Functioning of the European Union (TFEU)<sup>3</sup>.
- (3) The Commission has adopted the Multiannual Indicative Programme for the period 2014-2020<sup>4</sup>, which sets out the following priorities: employment creation; education, training and innovation; and building a capable and developmental state.
- (4) The objectives pursued by the Annual Action Programme 2019 to be financed under the Development Cooperation Instrument<sup>5</sup> are to assist the government of South Africa in eradicating poverty, promoting sustainable and inclusive growth, and consolidating and improving democratic and economic governance.

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<sup>1</sup> OJ L 193, 30.7.2018, p.1.

<sup>2</sup> OJ L 77, 15.3.2014, p. 95.

<sup>3</sup> [www.sanctionsmap.eu](http://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.

<sup>4</sup> Commission Implementing Decision adopting a multiannual indicative programme between the European Union and the Republic of South Africa for the period 2014-2020, C(2014) 5703 final of 13.8.2014 as amended by Decision C(2018) 4741 of 20.07.2018.

<sup>5</sup> Regulation (EU) No 233/2014 of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for development cooperation for the period 2014-2020, OJ L 77, 15.3.2014, p. 44.

- (5) The action entitled ‘Enhancing Accountability Programme’ has as overall objective to improve public governance in South Africa. It will also aim to reinforce the role of civil society, private sector and specific State institutions in enhancing accountability, democratic engagement and transparency in South Africa.
- (6) The action entitled ‘Support Programme to the implementation of the EU-SADC Economic Partnership Agreement (EPA) in South Africa’ has as overall objective to enhance South Africa’s trade and business opportunities by promoting the full implementation of the EU-SADC EPA in South Africa while advancing regional integration with a specific focus on agricultural products. It will specifically address unlocking challenges related to quality infrastructure and technical capacity in agricultural value chains that are throttling exports to the EU and supporting increased responsiveness to opportunities under the EU-SADC EPA, particularly for emerging exporters of agricultural products and those with recognised geographical indications.
- (7) 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.
- (8) In order to allow for flexibility in the implementation of the programme, it is appropriate to allow changes which should not be considered substantial for the purposes of Article 110(5) of Regulation (EU, Euratom) 2018/1046.
- (9) The actions provided for in this Decision are in accordance with the opinion of the Development Cooperation Instrument Committee established under Article 19 of Regulation (EU) No 233/2014.

HAS DECIDED AS FOLLOWS:

*Article 1*  
*The programme*

The financing decision, constituting the annual programme for the implementation of the Annual Action Programme 2019 in favour of the Republic of South Africa, as set out in the Annexes, is adopted.

The programme shall include the following actions:

- ‘Enhancing Accountability Programme’ set out in Annex 1;
- ‘Support Programme to the implementation of the EU-SADC Economic Partnership Agreement (EPA) in South Africa’ set out in Annex 2.

*Article 2*  
*Union contribution*

The maximum Union contribution for the implementation of the programme for 2019 is set at EUR 22 300 000, and shall be financed from the appropriations entered in the following line of the general budget of the Union:

- budget line 21.020600: EUR 22 300 000.

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

*Article 3*  
*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<sup>6</sup> to the allocations of specific actions not exceeding 20% of the contribution set in the first paragraph of Article 2, 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, 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. Those changes shall be applied 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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