

COMMISSION DECISION

of 13/12/2007

approving the Special Measure "Programme of Support to the EU HIV Action Plan for Benghazi - Phase IV" in favour of Libya to be financed under Article 19 08 01 of the general budget of the European Communities

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Regulation (EC) n°1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provision establishing a European Neighbourhood and Partnership Instrument (ENPI)¹, and in particular Article 13 thereof,

Whereas:

- (1) Until recently, the relations between the EC and Libya did not allow the development of a strategy paper or a multi-annual indicative programme for Libya.
- (2) A memorandum was signed by the Commission and the Libyan authorities on 23 July 2007 laying down the elements for future relations with Libya, in which the Commission commits itself to upgrading the Benghazi Centre for Infectious Diseases and Immunology so that it becomes a centre of excellence at regional level in continuation of the HIV-AIDS Action Plan for Benghazi started by the European Commission in 2005. The funds committed by the EU for this Action Plan will soon be fully used and it is now urgent to commit new funds for this project in order to ensure the continuity of operations and consolidate the results already obtained.
- (3) This decision constitutes a financing decision within the meaning of Article 75 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities² and of Article 90 of Commission Regulation (EC, Euratom) No 2432/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002³.

¹ OJ L 310, 9.11.2006, p. 1.

² OJ L 248, 16.09.2002, p. 1. Regulation last amended by Regulation (EC, Euratom) No1995/2006 (OJ L 390, 30.12.2006, p. 1).

³ OJ L 357, 31.12.2002; p. 1. Regulation last amended by Regulation (CE, Euratom) No 478/2007 (OJ L 111, 28.04.2007, p. 13).

- (4) It is appropriate to define the term “substantial change” in the meaning of Article 90 (4) Regulation (EC, Euratom) No 2342/2002 for the application of this decision.
- (5) The Member States (ENPI Committee) will be informed after adoption of the decision by the Commission in accordance with Article 13.4 of Regulation (EC) No 1638/2006,

HAS DECIDED AS FOLLOWS:

Article 1

The action "*Programme of Support to the EU HIV Action Plan for Benghazi - Phase IV*", the text of which is set out in the Annex, is approved.

Article 2

The maximum contribution of the Community is set at EUR 2 million to be financed from budget line 19 08 01 01 of the general budget of the European Communities for 2007.

Article 3

Within the maximum indicative budget of the above-mentioned action, cumulated changes not exceeding 20% of the maximum contribution of the Community are not considered to be substantial provided that they do not significantly affect its nature and objectives.

The authorising officer may adopt such changes in accordance with the principles of sound financial management.

Done at Brussels, 13 December 2007

For the Commission
Benita FERRERO-WALDNER
Member of the Commission