



Brussels, 14.12.2012
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COMMISSION IMPLEMENTING DECISION

of 14.12.2012

**on the Special Measure 2012 in favour of Libya to be financed from the general budget
of the European Union**

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THE EUROPEAN COMMISSION,

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

Having regard to the European Parliament and Council Regulation (EC) No 1638/2006 of 24 October 2006 laying down the general provisions establishing a European Neighbourhood and Partnership Instrument¹, and in particular Article 13(2) thereof,

Whereas:

- (1) European Union (EU) co-operation activities with Libya began in 2005 with the gradual normalisation of Libya's foreign relations. EU co-operation has focused on health and HIV/AIDS, through the Benghazi Action Plan and Instrument for Stability action, and on migration, via the Thematic Programme for Cooperation with Third countries in the Areas of Migration and Asylum and its predecessor AENEAS.
- (2) Since 22 February 2011, all aid co-operation with Libya has been temporarily suspended, but needs based humanitarian assistance has been provided. Since June 2011, activities to support the emerging civil society under the Instrument for Stability scheme have started and others have been and are being contracted under the European Instrument for Democracy and Human Rights and the European Neighbourhood and Partnership Instrument and in January 2012 the three programmes of the 2011 Implementation of special measures focusing on public administration, civil society and education have started.
- (3) In line with the two Joint Communications of the European Commission and of the High Representative of the EU for Foreign Affairs and Security Policy, "A partnership for democracy and shared prosperity with the Southern Mediterranean"² and "A new response to a changing Neighbourhood"³, the Special Measure 2012 in favour of Libya focuses on democratic transition and institution-building and stronger partnership with the population with a component on police and justice as well as a component on health, and a component on sustainable and inclusive growth and economic development through technical and vocational education and training.
- (4) The present Decision constitutes a Financing Decision within the meaning of Article 75 of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the

¹ OJ L 310, 9.11.2006, p. 1-14.

² COM(2011)200 of 8 March 2011.

³ COM(2011)303 of 25 May 2011.

Financial Regulation applicable to the general budget⁴ (hereafter 'the Financial Regulation') and Article 90 of Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of the Financial Regulation applicable to the general budget⁵ (hereafter 'the Implementing Rules').

- (5) The maximum contribution of the European Union set by the present Decision should cover any possible claims for interest due for late payment on the basis of Articles 83 of the Financial Regulation and 106(5) of its Implementing Rules.
- (6) The Commission is required to define the term “substantial change” in the meaning of Article 90 (4) of the Implementing Rules to ensure that any substantial change in this Decision shall follow the same procedure as the initial Decision.
- (7) The special measure provided for in this Decision is in accordance with the opinion of the ENPI Committee set up under Article 26 of Regulation (EC) No 1638/2006,

HAS DECIDED AS FOLLOWS:

Article 1

The Special Measure 2012 in favour of Libya, constituted by the actions "Technical and vocational education and training (TVET) delivery and development", "Libya health systems strengthening programme" and "Strengthening democracy, good governance and civilian culture in the security and justice sectors", the text of which is set out in the attached Annexes, is approved.

Article 2

The maximum contribution of the European Union to the Special Measure 2012 in favour of Libya is set at EUR 25 million to be financed from budget line 19 08 01 01 of the general budget of the European Union for 2012.

This maximum contribution shall also cover any possible interests due for late payment.

Article 3

Cumulated changes of the allocations to the specific actions not exceeding 20% of the maximum contribution of the European Union shall not be considered substantial, provided that they do not significantly affect the nature and objectives of the Special Measure 2012 in favour of Libya. This may include an increase of the maximum contribution of the European Union up to 20%.

⁴ OJ L 248 of 16.09.2002 p. 1-48.

⁵ OJ L 357 of 31.12.2002, p. 1-71.

The relevant authorising officer may amend the present Decision to introduce non-substantial changes to the Special Measure 2012 in favour of Libya in accordance with the principles of sound financial management.

Done at Brussels, 14.12.2012

For the Commission
Štefan FÜLE
Member of the Commission

ANNEXES

Annex 1: action fiche Technical and vocational education and training (TVET) delivery and development

Annex 2: action fiche Libya health systems strengthening programme

Annex 3: action fiche Strengthening democracy, good governance and civilian culture in the security and justice sectors