



Brussels, 30.11.2015
C(2015) 8483 final

COMMISSION IMPLEMENTING DECISION

of 30.11.2015

**on the Annual Action Programme 2015 and Annual Action Programme 2016 part 1 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 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 action¹, and in particular Article 2(1) thereof,

Having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002², and in particular Article 84(2) thereof,

Whereas:

- (1) The Commission has adopted the Country Strategy Paper and the Multiannual Indicative Programme for the period 2014-2015 for Libya³, point 1.2 of which provides for the following priorities: 1) democratic governance, 2) youth: active citizenship and socioeconomic integration and 3) health.
- (2) The objective pursued by the Annual Action Programme to be financed under Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument⁴ is to support a smart, sustainable and inclusive development in all aspects reducing social exclusion and promoting public health.
- (3) The action entitled "Improving health information system and supply chain management in Libya" aims to improve the health care provision efficiency in Libya by focusing on two components: a) the improvement of the supply chain system in all its components from a purely regulatory perspective (standards and guidelines) to the ambitious scope of creating a new national culture in planning, procurement, storage and distribution of medicines and supplies; and b) the improvement of the management and quality of the health information system. The implementation method will be direct management via a direct grant to the World Health Organization (WHO).
- (4) The action entitled "Pilot Project: Towards resilience and social inclusion of adolescents and young people in Libya" aims to contribute to the resilience and social inclusion of Libyan adolescents and youth by focusing on two specific objectives: 1)

¹ OJ L 77, 15.3.2014, p. 95.

² OJ L 298, 26.10.2012, p. 1.

³ C(2014) 5699, 12.8.2014.

⁴ OJ L 77, 15.3.2014, p. 27.

the expansion of the active role in the society of Libyan adolescents and youth; and 2) the increase of their resilience and social inclusion. The implementation method will be indirect management with the United Nations Children's Fund (UNICEF).

- (5) 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 1268/2012⁵.
- (6) 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 1 (section 5.3.1).
- (7) The Commission may entrust budget-implementation tasks under indirect management to the entity identified in this Decision, subject to the conclusion of a delegation agreement. In accordance with Article 60(1) and (2) of Regulation (EU, Euratom) No 966/2012, the authorising officer responsible needs to ensure that these entities guarantee a level of protection of the financial interests of the Union equivalent to that required when the Commission manages Union funds. These entities comply with the conditions of 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.
- (8) The authorising officer responsible should be able to award grants without a call for proposals provided that the conditions for an exception to a call for proposals in accordance with Article 190 of Delegated Regulation (EU) No 1268/2012 are fulfilled.
- (9) The Commission should authorise the eligibility of costs as of a date preceding that of submission of a grant application for the reasons of extreme urgency in crisis management aid or in situations of imminent or immediate danger to the stability of a country, including by an armed conflict, where an early involvement engagement of the Union may prevent an escalation.
- (10) 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.
- (11) Pursuant to Article 94(4) of Delegated Regulation (EU) No 1268/2012, the Commission should define changes to this Decision which are not substantial in order to ensure that any such changes can be adopted by the authorising officer responsible.
- (12) The measures provided for in this Decision is in accordance with the opinion of the European Neighbourhood Instrument Committee set up by Article 15 of the financing instrument referred to in recital 2,

HAS DECIDED AS FOLLOWS:

Article 1

Adoption of the measure

⁵ 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).

The Annual Action Programme 2015 and Annual Action Programme 2016 part 1 in favour of Libya to be financed from the general budget of the European Union, as set out in the Annexes, is approved.

The programme shall include the following actions:

- Annex 1: Improving health information system and supply chain management in Libya;
- Annex 2: Pilot Project: Towards resilience and social inclusion of adolescents and young people in Libya.

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 8 million and shall be financed as follows:

- EUR 4.4 million from budget line 21 03 01 02 of the general budget of the European Union for 2015;
- EUR 3.6 million from budget line 21 03 01 02 of the general budget of the European Union for 2016.

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

The implementation of this Decision is subject to the availability of the appropriations provided for in the draft budget for 2016 after the adoption of the budget for that financial year or as provided for in the system of provisional twelfths.

Article 3

Implementation modalities

Budget-implementation tasks under indirect management may be entrusted to the entity identified in the attached annex 2, subject to the conclusion of the relevant agreements.

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

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.

The eligibility of costs prior to the submission of grant applications shall be authorised as of the date set out in the Annex 1.

Article 4

Non-substantial changes

Increases or decreases of up to EUR 10 million not exceeding 20% of the contribution set by 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, provided that they do not significantly affect the nature and objectives of the actions.

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

Done at Brussels, 30.11.2015

For the Commission
Johannes HAHN
Member of the Commission