



Brussels, 13.10.2014
C(2014) 7274 final

COMMISSION IMPLEMENTING DECISION

of 13.10.2014

**on the Annual Action Programme 2014 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 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: democratic governance, youth: active citizenship and socioeconomic integration and 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 transition from a "peace-making" phase to a longer-term "peace-building" phase with a focus on developing the institutions of democratic governance.
- (3) The action entitled "Support to the democratic transition at national and local level" is aiming at strengthening the democratic transition process and the institutions of democratic governance at both central and local levels to respond to citizens' needs, ensure respect of the rule of law, and upgrade the financial public management as well as to improve the capacity of civil society organisations to participate in and support the democratic transition. The programme will be implemented through grants except the component addressing public financial management which will be implemented through indirect management with an international organisation (the World Bank).
- (4) This Decision complies with the conditions laid down in Article 94 of 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

¹ OJ L 77, 15.3.2014, p. 95.

² OJ L 298, 26.10.2012, p. 1.

³ C(2014) 5699 of 12.8.2014.

⁴ OJ L 77, 15.3.2014, p. 27.

and of the Council on the financial rules applicable to the general budget of the Union⁵.

- (5) 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. However, the World Bank is currently undergoing the ex-ante assessment. In anticipation of the results of this review, the responsible authorising officer deems that, based on a preliminary evaluation and on the long-standing and problem-free cooperation with it, budget-implementation tasks can be entrusted to this entity.
- (6) It is appropriate to acknowledge that grants may be awarded without a call for proposals by the responsible authorising officer who ensures that the conditions for an exception to a call for proposals according to Article 190 of Commission Delegated Regulation (EU) No 1268/2012 are fulfilled. The reasons for and potential beneficiaries of such award should be identified, where known, in this Decision for reasons of transparency.
- (7) The maximum contribution of the European Union set by this Decision should cover any possible claims for 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.
- (8) The Commission is required to define the term "non-substantial change" in the sense of Article 94(4) of Delegated Regulation (EU) No 1268/2012 to ensure that any such changes can be adopted by the authorising officer by delegation, or under his or her responsibility, by sub-delegation (hereinafter referred to as the 'responsible authorising officer').
- (9) The measure provided for in this Decision is in accordance with the opinion of the European Neighbourhood Instrument Committee set up by the basic act referred to in Recital 2,

HAS DECIDED AS FOLLOWS:

Article 1

Adoption of the measure

The following Annual Action Programme, constituted by the action identified in the second paragraph and attached as Annex, is approved:

“Annual Action Programme 2014 in favour of Libya to be financed from the general budget of the European Union”.

The action constituting this measure is:

- Annex: “Support to the democratic transition at national and local level”.

Article 2

Financial contribution

⁵ OJ L 362, 31.12.2012, p. 1.

The maximum contribution of the European Union authorised by this Decision for the implementation of this programme is set at EUR 8 million to be financed from budget line 21 03 01 01 of the general budget of the European Union for 2014.

Article 3

Implementation modalities

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

Section 4 of the Annex referred to in the second paragraph of Article 1 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 responsible authorising officer according to Article 190 of Delegated Regulation (EU) No 1268/2012. Where known at the moment of the adoption of this Decision, the reasons for this as well as the potential beneficiaries shall be identified in the attached Annex.

The financial contribution referred to in Article 2 shall also cover any possible interests due for late payment.

Article 4

Non-substantial changes

Increases or decreases of up to EUR 10 million not exceeding 20 % of the contribution referred to in Article 2, or cumulated changes to the allocations of specific actions not exceeding 20 % of that contribution shall not be considered substantial, provided that they do not significantly affect the nature and objectives of the action. The use of contingencies shall be taken into account in the ceiling referred to in this Article.

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

Done at Brussels, 13.10.2014

For the Commission
Štefan FÜLE
Member of the Commission