

Brussels, 9.12.2015
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COMMISSION IMPLEMENTING DECISION

of 9.12.2015

**on the Annual Action Programme 2015 in favour of Myanmar/Burma 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 Multiannual Indicative Programme for the period 2014-2020³, point 1.1 of which provides for the following priorities: (1) to support peace and national reconciliation; (2) to assist in building a functioning democracy; (3) to foster development and trade; and (4) to support the re-integration of Myanmar/Burma into the international community. These priorities are outlined in the EU-Myanmar/Burma Comprehensive Framework, which sets out the framework for EU policy and support to the ongoing reforms in Myanmar/Burma, and was adopted by the Foreign Affairs Council on 22 July 2013.
- (2) The objectives pursued by the Annual Action Programme 2015 to be financed under the Development Cooperation Instrument⁴ are to (1) contribute to poverty reduction and improved food security and nutrition in selected areas of Myanmar/Burma; (2) contribute to a more preventive, balanced and professional approach by law enforcement agencies based on international best practices and respect of human rights; and (3) contribute to lasting peace, security, stability and sustainable development in Myanmar/Burma.
- (3) The action entitled “Myanmar Sustainable Aquaculture Programme (MYSAP)” has the specific objective of sustainably intensifying aquaculture by supporting freshwater aquaculture, recovery of coastal shrimp farms, mud crab value chain, development of local hatcheries, access to proteins from fish by vulnerable populations and participation of rural households in the aquaculture value chain. The implementation modality is indirect management with the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ).

¹ OJ L 77, 15.3.2014, p. 95.

² OJ L 298, 26.10.2012, p. 1.

³ Decision C(2014)9135

⁴ Regulation (EU) No 233/2014 of the European Parliament and of the Council establishing a financing instrument for development cooperation for the period 2014-2020 (OJ L 77, 15.3.2014, p. 44).

- (4) The action entitled "Support to the Reform of the Myanmar Police" has the specific objective of contributing to an effective, efficient and accountable police service trusted by the different communities, applying international best practices and respect for human rights and fundamental freedoms. The implementation modality is indirect management with the International and Ibero-American Foundation for Administration and Public Policies (FIIAPP).
- (5) The action entitled "EU Peace Support in Myanmar/Burma – PEACE II" has the following specific objectives: (1) successive milestones of the peace process are reached ensuring a permanent ceasefire leading to national dialogue processes, and (2) improved socio-economic recovery in conflict-affected areas and areas affected by intercommunal violence. The implementation modalities are a combination of a call for proposals, procurement for services and indirect management with the United Nations Office for Project Services (UNOPS).
- (6) 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.
- (7) 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 Annex 2 (section 5.3.2) and Annex 3 (section 5.3.1).
- (8) The Commission should entrust budget-implementation tasks under indirect management to the entities specified 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.
- (9) 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.
- (10) 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.
- (11) The measures provided for in this Decision are in accordance with the opinion of the Development Cooperation Instrument Committee set up by Article 19 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 in favour of Myanmar/Burma 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: Myanmar Sustainable Aquaculture Programme (MYSAP);
- Annex 2: Support to the Reform of the Myanmar Police;
- Annex 3: EU Peace Support in Myanmar/Burma – PEACE II.

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 70 000 000 and shall be financed from budget line 21.020200 of the general budget of the European Union for 2015.

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

Article 3

Implementation modalities

Budget-implementation tasks under indirect management may be entrusted to the entities identified in the attached Annexes 1, 2 and 3, 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.

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 use of contingencies shall be taken into account in the ceiling set by this Article.

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

Done at Brussels, 9.12.2015

For the Commission

Neven MIMICA

Member of the Commission