



Brussels, 3.8.2017  
C(2017) 5360 final

**COMMISSION IMPLEMENTING DECISION**

**of 3.8.2017**

**on the Annual Action Programme 2017 for the Article 5 of the Instrument contributing  
to Stability and Peace to be financed from the general budget of the Union**

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### **on the Annual Action Programme 2017 for the Article 5 of the Instrument contributing to Stability and Peace to be financed from the general budget of the Union**

THE EUROPEAN COMMISSION,

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

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 1605/2002<sup>1</sup>, and in particular Article 84(2) thereof,

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 action<sup>2</sup>, and in particular Article 2(1) thereof,

Whereas:

- (1) The objectives pursued by the Annual Action Programme 2017 to be financed under the Instrument contributing to Stability and Peace<sup>3</sup> will follow the priorities identified by the Thematic Strategy Paper 2014 - 2017<sup>4</sup>: the breaking-up of trans-national terrorist networks and the fight against violent extremism, the fight against organised crime, including the fight against cybercrime and the illicit trafficking in small arms and light weapons and falsified medicine, addressing threats to critical infrastructure, and security threats emanating from climate change, and mitigation of and preparedness against risks related to chemical, biological, radiological and nuclear (CBRN) materials or agents. In support of the programmed objectives, an Expert Support Facility (ESF) has been established.
- (2) As regards counterterrorism, in line with the EU Counter-Terrorism Strategy<sup>5</sup>, the objective is to disrupt terrorist networks and the activities of recruiters to terrorism, cut off terrorist funding and bring terrorists to justice while continuing to respect human rights and international law.
- (3) Actions to fight against organised crime will contribute to the improvement of partner countries' capabilities to tackle effectively the multifaceted components of organised crime mainly through the proactive engagement of local law enforcement actors, strengthened cooperation between the latter and police authorities and increased data gathering and information sharing.

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<sup>1</sup> OJ L 298, 26.10.2012, p. 1.

<sup>2</sup> OJ L 77, 15.3.2014, p. 1.

<sup>3</sup> Regulation (EU) No 230/2014 of the European Parliament and of the Council of 11 March 2014 establishing an instrument contributing to stability and peace (OJ L 77, 15.3.2014, p. 1).

<sup>4</sup> C(2014) 5607 final of 11.8.2014 adopting the Thematic Strategy Paper 2014-2020 and accompanying Multiannual indicative Programme 2014-2017 of the Instrument contributing to Stability and Peace

<sup>5</sup> Council of the European Union (EU) No 14469/4/05 of 30 November 2005 The European Union Counter-Terrorism Strategy.

- (4) The action in the field of critical infrastructures will contribute to increase port security by increased preparedness, and monitoring and handling of transiting goods in West and central Africa.
- (5) The action in the field of climate change and security, aims to transform the potential for conflicts into opportunities for cooperation and climate resilient development across sectors with a focus on the sustainable and cooperative management of water, land and energy, thus serving overall cooperation within and between countries for improving climate resilience and stability purposes.
- (6) Actions in the field of CBRN risk management are expected to strengthen the long-term national and regional capabilities of responsible authorities and administrative infrastructures to develop durable cooperation in the fight against the CBRN threats.
- (7) With respect to the ESF, in line with previous efforts in this domain, the expected results are to consolidate EU Member States experts' support to partner countries in developing regional and trans-regional initiatives that might respond to their real needs and priorities, from the planning phase to the monitoring and evaluation ones. The ESF intends to be a flexible structure aiming at the provision of more reliable and effective technical assistance to beneficiaries in the areas covered by the IcSP. To this end, the ESF is responsible for the support to the preparation and implementation of trans-regional and/or multi-purpose projects and programmes at the programming and implementation levels, as a centre of expertise. The present phase will focus on article 5 of the IcSP Regulation.
- (8) 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 1268/2012<sup>6</sup>.
- (9) 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 Commission Delegated Regulation (EU) No 1268/2012. The Annex I constitutes the work programme.
- (10) The Commission should entrust budget-implementation tasks under indirect management to the entities specified in this Decision, subject to the conclusion of delegation agreements. In accordance with Article 60(1)(c) 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 European Union funds. The United Nations Interregional Crime and Justice Research Institute (UNICRI), International Science and Technology Center (ISTC) and Science and Technology Centre of Ukraine (STCU) 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. In accordance with Article 58(1)(c) of Regulation (EU, Euratom) No 966/2012, part of the actions under Annex II, III and IV may be implemented in indirect management with the Council of Europe, the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) and the French International Technical Expertise Agency. The United Nations Office on Drugs and Crime is currently undergoing the assessment provided for in Article 61 of Regulation (EU, Euratom) No 966/2012. In anticipation of the results of this review,

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<sup>6</sup> 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 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 authorising officer responsible deems that, based on the entity's positive assessment prior to the entry into force of Regulation (EU, Euratom) No 966/2012 and on the long-standing and problem-free cooperation with it, budget-implementation tasks can be entrusted to the United Nations Office on Drugs and Crime. UNODC is dependent of the UN Secretariat, as confirmed during the 5th FAFA working group in April 2008, and it is covered by the four pillars analysis performed for the UN Secretariat.

- (11) The authorising officer responsible should be able to award grants without a call for proposals only in the exceptional cases set out in Article 190 of Delegated Regulation (EU) No 1268/2012. With reference to Annex I, under the responsibility of the Commission's authorising officer responsible, the grant may be awarded without a call for proposals to the Global Community Engagement and Resilience Fund. Under the responsibility of the Commission's authorising officer responsible, the recourse to an award of a grant without a call for proposals is justified by the specific characteristics of the action that require a particular type of body on account of its technical competence, its high degree of specialisation or its administrative power as foreseen in the Article 190 1 f of Delegated Regulation (EU) No 1268/2012).
- (12) 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.
- (13) The measures provided for in this Decision are in accordance with the opinion of the Stability and Peace Instrument Committee, set up by Article 11 of the financing instrument referred to in Recital 2.

HAS DECIDED AS FOLLOWS:

#### *Article 1*

#### **Adoption of the programme**

The Annual Action Programme 2017 for the Instrument contributing to Stability and Peace to be financed from the general budget of the European Union, as set out in the Annexes, is adopted.

The programme shall include the following actions:

- Annex I: Countering Terrorism
- Annex II: Fighting Organised Crime
- Annex III: Protecting Critical Infrastructure
- Annex IV: Climate Change and Security
- Annex V: Mitigating CBRN Risks
- Annex VI: Expert Support Facility (Phase 11)

## *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 64 900 000 and shall be financed from budget line 21 05 01 of the general budget of the European Union for 2017.

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

## *Article 3*

### **Methods of implementation**

Budget-implementation tasks under indirect management may be entrusted to the entities identified in the Annexes II, III, IV, V to this Decision, subject to the conclusion of the relevant agreements.

The elements required by Article 94(2) of Delegated Regulation (EU) No 1268/2012 are set out in the Annexes to this Decision.

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.

## *Article 4*

### **Non-substantial changes**

Increases or decreases of up to EUR 10 million not exceeding 20 % of the contribution set in 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, 3.8.2017

*For the Commission*

*Neven MIMICA*

*Member of the Commission*