



Brussels, 15.12.2020
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COMMISSION IMPLEMENTING DECISION

of 15.12.2020

**on the ENI East Regional Action Programme 2020 part 4, to be financed from the
general budget of the 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, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012¹, and in particular Article 110 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 action², and in particular Article 2(1) thereof,

Whereas:

- (1) In order to ensure the implementation of the ENI East Regional Action Programme 2020 part 4, it is necessary to adopt an annual financing Decision, which constitutes an annual work programme, for the year 2020. Article 110 of Regulation (EU, Euratom) 2018/1046 establishes detailed rules on financing decisions.
- (2) The envisaged assistance is deemed to follow the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU³.
- (3) The Commission has adopted the European Neighbourhood Instrument (ENI) East Regional Strategy Paper⁴ for the period 2014-2020 and the Multiannual Indicative Programme⁵ for the period 2017-2020, which sets out the following priorities: (1) economic development and market opportunities; (2) strengthening institutions and good governance; (3) connectivity, energy efficiency, environment and climate change; (4) mobility and people-to-people contacts.
- (4) The objectives pursued by this annual action programme to be financed under the European Neighbourhood Instrument⁶ are to contribute to democratisation and empower citizens in the Eastern Neighbourhood, as identified as priorities in the Joint

¹ OJ L 193, 30.7.2018, p.1.

² OJ L 77, 15.3.2014, p. 95.

³ www.sanctionsmap.eu Please note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy between the published legal acts and the updates on the website it is the OJ version that prevails.

⁴ Decision C(2014)5200 of 28.7.2014.

⁵ Decision C(2017)5408 of 4.8.2017.

⁶ Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument (OJ L 77, 15.3.2014, p. 27).

Communication of the European Commission and of the High Representative of the Union for Foreign Affairs and Security Policy on the “Eastern Partnership policy beyond 2020 - *Reinforcing Resilience - an Eastern Partnership that delivers for all*”⁷.

- (5) The action entitles “EU4Youth phase III” (Annex 1) aims to contribute to the EU4Youth programme’s overall objective, which is to foster active participation of youth in both democratic life and in the labour markets of the beneficiary countries, with a focus on disadvantaged youth, thus contributing to sustainable and smart growth, social cohesion and reduction of inequalities in EaP societies.
- (6) The action entitled “EU4Environment – Water Resources and Environmental Data” (Annex 2) aims at helping Eastern Partnership countries to preserve their natural capital and ensure a green recovery with a focus on: knowledge-based decision-making and access to higher quality data as part of open government; and better management of water resources as a critical element for economic, social, and environmental resilience.
- (7) The action entitled “Covenant of Mayors for EaP countries phase III” (Annex 3) aims to enable local authorities in EaP countries to develop and implement climate and sustainable energy actions, and therefore significantly contribute to the reduction of greenhouse gas emissions and energy consumption, increase the generation of renewable energy, and adaptation to climate change.
- (8) It is appropriate to authorise the award of grants without a call for proposals, pursuant to Article 195 of Regulation (EU, Euratom) 2018/1046.
- (9) Pursuant to Article 4(7) of Regulation (EU) No 236/2014, indirect management is to be used for the implementation of the programme.
- (10) The Commission is to ensure a level of protection of the financial interests of the Union with regards to entities and persons entrusted with the implementation of Union funds by indirect management as provided for in Article 154(3) of Regulation (EU, Euratom) 2018/1046.

To this end, such entities and persons are to be subject to an assessment of their systems and procedures in accordance with Article 154(4) of Regulation (EU, Euratom) 2018/1046 and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of Regulation (EU, Euratom) 2018/1046 before a contribution agreement can be signed.

- (11) It is necessary to allow for the payment of interest due for late payment on the basis of Article 116(5) of Regulation (EU, Euratom) 2018/1046.
- (12) In order to allow for flexibility in the implementation of the programme, it is appropriate to allow changes which should not be considered substantial for the purposes of Article 110(5) of Regulation (EU, Euratom) 2018/1046.
- (13) The actions provided for in this Decision are in accordance with the opinion of the European Neighbourhood Instrument Committee established under Article 15 of the financing instrument referred to in recital 4.

⁷ JOIN(2020)7 of 18.03.2020

HAS DECIDED AS FOLLOWS:

Article 1
The programme

The ENI East Regional Action programme 2020 part 4 as set out in the Annexes, is adopted.

The programme shall include the following actions:

- (1) Annex 1: EU4Youth phase III
- (2) Annex 2: EU4Environment – Water Resources and Environmental Data
- (3) Annex 3: Covenant of Mayors for Eastern Partnership countries phase III

Article 2
Union contribution

The maximum Union contribution for the implementation of the programme for 2020 is set at EUR 34 200 000, and shall be financed from the appropriations entered in the following line of the general budget of the Union:

- (a) budget line 22 04 02 02: EUR 34 200 000:

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

Article 3
Methods of implementation and entrusted entities or persons

The implementation of the actions carried out by way of indirect management, as set out in the Annex[es], may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 5.3 of Annexes 1 and 2.

Article 4
Flexibility clause

Increases⁸ 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 110(5) of Regulation (EU, Euratom) 2018/1046, where these changes do not significantly affect the nature and objectives of the actions.

The authorising officer responsible may apply the changes referred to in the first paragraph. Those changes shall be applied in accordance with the principles of sound financial management and proportionality.

⁸ These changes can come from external assigned revenue made available after the adoption of the financing Decision.

Article 5

Grants

Grants may be awarded without a call for proposals pursuant to Article 195 of Regulation (EU, Euratom) 2018/1046 to the bodies referred to in point 5.3 of Annex 1.

Done at Brussels, 15.12.2020

For the Commission

Olivér VÁRHELYI

Member of the Commission