



Brussels, 16.10.2015
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COMMISSION IMPLEMENTING DECISION

of 16.10.2015

**on the Annual Action Programme 2015 in favour of Georgia 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 of the European Parliament and of the Council (EU) No 236/2014 of 11 March 2014 establishing common implementing 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 Single Support Framework (SSF) for EU support to Georgia (2014-2017)³. In line with the SSF, this Implementing Decision falls under the focal sectors of public administration reform as well as agriculture and rural development. It also contains support for capacity development and institution building and in favour of civil society as foreseen in the SSF.
- (2) To facilitate the implementation of the incentive-based approach of the European Neighbourhood Instrument, the Commission establishes multi-country umbrella programmes that supplement the country financial allocations. In 2015, Georgia is granted EUR 10 million through the umbrella programme mechanism, on the basis of progress towards deep and sustainable democracy and implementation of agreed reform objectives contributing to the attainment of that goal. Hence, the umbrella programme provides partial funding for the present Annual Action Programme.
- (3) The objectives pursued by the Annual Action Programme to be financed under the European Neighbourhood Instrument are: 1) to improve the efficiency, accountability and transparency of the public administration of Georgia, in line with the European Principles of Public Administration; 2) to assist the Government of Georgia in eradicating poverty, by promoting sustainable and inclusive growth; 3) to enhance the overall sustainability of civil society in Georgia; and 4) to support Georgia in the implementation of contractual relations between Georgia and the EU.
- (4) The action entitled “Support to Public Administration Reform” aims to improve policy development and coordination in the central public administration and to enhance the professionalisation, effectiveness and efficiency of the civil service. It is designed to enhance the accountability of the State institutions, fight against corruption within the

¹ OJ L77, 15.03.2014, p. 95.

² OJ L 298, 26.10.2012, p. 1.

³ C(2014) 8302, 31.10.2014.

public sector and to improve transparency, accessibility and quality of services to citizens. The action will be implemented under direct management through budget support, grants and service contracts.

- (5) The action entitled “European Neighbourhood Programme for Agriculture and Rural Development in Georgia, phase II (ENPARD Georgia II)” is designed to assist the Government of Georgia in eradicating poverty, promoting sustainable and inclusive growth, and consolidating and improving democratic and economic governance. It seeks to promote agriculture and rural development policies and reforms and to improve the delivery of related services to help address basic needs of the rural population in Georgia. The action will be implemented under direct management through budget support, grants and service contracts.
- (6) The action entitled “Civil Society Facility (Georgia)” is designed to enhance the overall sustainability of civil society in Georgia. It is geared towards improving the regulatory framework of funding for civil society organisations (CSOs) and to enhance awareness on corporate social responsibility. It also aims to increase membership of CSOs and to enhance accountability mechanisms between CSOs and their constituencies/target groups as well as to strengthen CSO capacities regarding organisation, management, advocacy and oversight. The action will be implemented under direct management through grants and under indirect management with UNDP.
- (7) The action entitled “Technical Cooperation Facility” aims to assist the Government of Georgia in the implementation of contractual relations between Georgia and the EU. It seeks to ensure effective support to the public institutions of Georgia in capacity development and institution building in selected priority areas to comply with commitments set out in the Association Agreement, Visa Liberalisation Action Plan and Readmission Agreement. The action will be implemented under direct management through grants and service contracts.
- (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 1268/2012⁴.
- (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 Delegated Regulation (EU) No 1268/2012. The work programme is constituted by Annex 1 (section 5.4.1 and 5.4.2), Annex 2 (sections 5.4.1.1.1; 5.4.1.1.2; 5.4.1.2.1; 5.4.1.2.; 5.4.1.2.3), Annex 3 (sections 5.3.1; 5.3.2), and Annex 4 (sections 5.3.1; 5.3.2; 5.35) of this Decision.
- (10) The Commission should entrust budget-implementation tasks under indirect management to the entity 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 this entity guarantee a level of protection of the financial interests of the Union equivalent to that required when the Commission manages Union funds. UNDP complies 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.

⁴ 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).

- (11) 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.
- (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) 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.
- (14) The measures provided for in this Decision are in accordance with the opinion of European Neighbourhood Instrument Committee set up by Article 15 of the ENI Regulation.

HAS DECIDED AS FOLLOWS:

Article 1

Adoption of the measure

The Annual Action Programme in favour of Georgia, as set out in the Annexes, is approved.

The programme shall include the following actions:

- Annex 1: “Support to Public Administration Reform”;
- Annex 2: “European Neighbourhood Programme for Agriculture and Rural Development in Georgia, phase II (ENPARD Georgia II)”;
- Annex 3: “Civil Society Facility (Georgia)”;
- Annex 4: “Technical Cooperation Facility”.

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 100 million and shall be financed from:

- budget line 21 03 02 01: EUR 36 000 000;
- budget line 21 03 02 02: EUR 50 000 000;
- budget line 21 03 02 03: EUR 4 000 000;
- budget line 21 03 03 03: EUR 10 000 000;

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 entity identified in the attached Annex 3, subject to the conclusion of the relevant agreement.

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 costs related to participation of Georgia in EU Programme "Creative Europe" are recognised as eligible from the date set out in the Annex 4.

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, 16.10.2015

For the Commission
Johannes HAHN
Member of the Commission