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COMMISSION IMPLEMENTING DECISION

of 30.7.2019

on the Annual Action Programme in favour of ENI South countries Part 1 for 2019

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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 Union¹, 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 of 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 'Annual Action Programme in favour of the ENI South countries Part I for 2019', it is necessary to adopt an annual financing decision, which constitutes the annual work programme for 2019. 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) Regional South Strategy Paper (2014-2020)⁴ and the Multiannual Indicative Programme (2018-2020)⁵ which set the following priorities: (i) building resilience and promoting stability; (ii) fostering inclusive and sustainable economic development and job creation; (iii) promoting connectivity and the sustainable use of natural resources; (iv) support for capacity development/institution building of regional bodies.
- (4) The objectives pursued by the annual action programme to be financed under the European Neighbourhood Instrument⁶ are to: contribute to improving energy interconnections, the regulatory framework and to promoting reforms as well as investments towards energy efficiency; to further develop the concept of a sustainable cooperation mechanism of effective coordination and cooperation on justice and security matters; to strengthen partner countries' capacity to prevent and to respond to

¹ OJ L 193, 30.7.2018, p.1.

² OJ L 77, 15.03.2014, 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 http://eeas.europa.eu/archives/docs/enp/pdf/financing-the-enp/regional_south_strategy_paper_2014_2020_and_multiannual_indicative_programme_2014_2017_en.pdf

⁵ C(2018) 6362 Commission Implementing Decision adopted 5 October 2018.

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).

cross-border health security threats and finally to foster rights-based migration governance-systems in the Euro-Mediterranean region.

- (5) The first action entitled ‘Promoting the Energy Transition in the Southern Neighbourhood’ aims to support partner countries in the development and implementation of sustainable medium to long-term energy policies. Enhancing energy security while fostering the transition to a low carbon economy is a priority, thereby contributing to more stable, efficient, competitive and climate-resilient socioeconomic contexts.
- (6) The second action entitled ‘2019 Security Package’ aims to further develop the concept of a sustainable cooperation mechanism for cross-border police cooperation and on judicial cooperation in criminal matters, between EU Member States and the partner countries; and to set up a regional competent workforce for the prevention and control of challenges posed by transferable diseases and to enhance regional cooperation to tackle cross-border health security threats.
- (7) The third action entitled ‘Euromed Migration V’ will support three components; (1) strengthened ‘Dialogue and Cooperation’ which aims to improve cooperation between relevant stakeholders in the field of migration governance, (2) ‘Knowledge management and development’ which aims to improve migration-related knowledge and data management by building and accruing evidence to better inform policy-making in the field of migration governance and (3) ‘Communications and Narrative on migration’ which aims to foster a realistic and fair narrative on migration, promoting intercultural dialogue, cultural diversity and mutual understanding.
- (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 to the Euro-Mediterranean Energy Regulators (MEDREG) as it is the only platform for the construction of a coherent and efficient regulatory framework and the promotion of a shared regulatory culture at regional level. It is appropriate to authorise the award of a grant without a call for proposals to the Association of Mediterranean Transmission System Operators (MED TSO) as it is an extension of the Mediterranean region European Transmission System Operators (ENTSO-E) and is the only association bringing together the electricity companies operating the grids (from 19 Mediterranean countries), including both EU and non EU Member States at regional level. It is appropriate to authorise the award of a grant without a call for proposals to the partnership between the Mediterranean Association of the National Agencies for Energy Conservation (MEDENER), which brings together most agencies in the region responsible for energy efficiency and the promotion of renewable energy sources, and the Regional Centre for Renewable Energy and Energy Efficiency (RCREEE), which is the only institution working on promoting energy efficiency measures in the buildings sector and for appliances with all Arab countries of the Southern Neighbour region (among others). It is appropriate to authorise the award of a grant without a call for proposals to the Observatoire Méditerranéen de l'Énergie (OME) as it brings together the leading energy companies operating in the Mediterranean region, and which has been formally nominated as Secretariat of the UfM Gas Platform. It is appropriate to authorise the award of a grant without a call for proposals to the ‘East Mediterranean Gas Forum’ (EMGF) as it is the only formal platform for sub-regional cooperation between gas producing countries, buyers and transit countries in the region.
- (9) The Commission should authorise the launch of a call for tender by means of a suspensive clause before the adoption of this Decision.

- (10) Pursuant to Article 4(7) of Regulation (EU) No 236/2014, indirect management is to be used for the implementation of the programme.
- (11) Entities entrusted with the implementation of Union funds by indirect management shall ensure a level of protection of the financial interests of the Union as referred to in Article 154(3) of Regulation (EU, Euratom) 2018/1046.
- (12) To this end, such entities have been subject to an assessment of their systems and procedures in accordance with Article 154(4) of Regulation (EU, Euratom) 2018/1046.
- (13) 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.
- (14) 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.
- (15) 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.

HAS DECIDED AS FOLLOWS:

Article 1
The programme

The Annual Action Programme in favour of ENI South countries Part I for 2019, as set out in the Annexes, is adopted.

The programme shall include the following actions:

- (a) Annex I: Promoting the Energy Transition in the Southern Neighbourhood;
- (b) Annex II: 2019 Security Package;
- (c) Annex III: Euromed Migration V.

Article 2
Union Contribution

The maximum Union contribution for the implementation of the programme for 2019 is set at EUR 35 million, and shall be financed from the appropriations entered in the following lines of the general budget of the Union:

- (d) Annex I - budget line 22.040102 for an amount of EUR 12 million;
- (e) Annex II - budget line 22.040103 for an amount of EUR 18 million;
- (f) Annex III - budget line 22.040101 for an amount of EUR 5 million.

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 Annexes II and III, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in points 5.3.1 of the Annexes II and III.

Article 4
Flexibility clause

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 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.

Article 6
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 5.3.1 of Annex I.

Done at Brussels, 30.7.2019

For the Commission
Johannes HAHN
Member of the Commission