



Brussels, 22.7.2015
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COMMISSION IMPLEMENTING DECISION

of 22.7.2015

**on the ENI East Regional Action Programme 2015 Part 2 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 Articles 2(1) and 3(3) 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 European Neighbourhood Instrument (ENI) East Regional Strategy Paper 2014- 2020 and Multiannual Indicative Programme 2014-2017³, which provide for the following priorities: Eastern Partnership including Flagship Initiatives; regional cooperation frameworks; energy and transport initiatives involving the wider region and horizontal and sectoral support.
- (2) The objectives pursued by the Annual Action Programme to be financed under the European Neighbourhood Instrument⁴ are: (1) Municipal Development (2) European Union Water Initiative Plus for Eastern Partnership, (3) Eastern Neighbourhood Civil Society Facility Regional Actions 2015 (4) European Union Border Assistance Mission to the Republic of Moldova and Ukraine (EUBAM 11).
- (3) The first action entitled "Regional Programme in the Neighbourhood in support of the Eastern Partnership Flagship Initiative on Municipal Development" will assist local authorities in the Eastern Partnership countries to address local sustainable development as well as good governance challenges through economic development, energy efficiency and security of energy supply. This programme contributes to the objectives that are stated in the Eastern Partnership Municipal Flagship and the European Charter of Local Self-Government that has been endorsed by the six partner countries. The action will be implemented under direct management through procurement of services, grant contracts and an administrative arrangement with the Joint Research Centre.

¹ OJ L77, 15.3.2014, p. 95.

² OJ L 298, 26.10.2012, p. 1.

³ Decision C(2014)5200, 28.07.2014.

⁴ Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument, OJ L77, 15.3.2014, p.27.

- (4) The second action entitled "European Union Water Initiative Plus for Eastern Partnership (EUWI+ 4EaP)" will support the improvement of water management resources, in particular of trans-boundary rivers. The Action will support the approximation towards EU acquis in the field of water management as identified by the EU Water Framework Directive and the implementation of River Basins Management Plans in selected rivers of the region. The action will be implemented under direct management through grant contracts.
- (5) The third action entitled "Eastern Neighbourhood Civil Society Facility Regional Actions 2015" aims to contribute to an improvement of the environment in which civil society organisations operate, to strengthen civil society organisations capacities to promote reform and increase public accountability, as well as increase interaction between civil society organisations and authorities at the national level and local level. The action will be implemented under direct management through procurement of services and grant contract.
- (6) The fourth action "European Union Border Assistance Mission to the Republic of Moldova and Ukraine (EUBAM 11)" refers to the 11th phase of this Mission which should start its implementation after the expiration of the previous one at the end of 2015. It will give particular emphasis to further work on promoting border and customs cooperation between the Republic of Moldova and Ukraine, stronger involvement of EUBAM in Confidence Building Measures, enhancement of border monitoring activities on the Transnistrian segment, monitoring of the implementation of the Deep and Comprehensive Free Trade Area (DCFTA), including facilitation of the external trade from Ukraine and Republic of Moldova and verification of normative and legislative initiatives impacting on the Transnistrian region. The action will be implemented under indirect management by the International Organisation for Migration.
- (7) 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.
- (8) 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 the Annexes 1, 2 and 3.
- (9) 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 guarantees a level of protection of the financial interests of the Union equivalent to that required when the Commission manages Union funds. This entity 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.
- (10) 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

⁵ 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).

accordance with Article 190 of Commission Delegated Regulation (EU) No 1268/2012 are fulfilled.

- (11) 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.
- (12) Pursuant to Article 94(4) of Commission 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.
- (13) The measures provided for in this Decision are in accordance with the opinion of the European Neighbourhood Instrument Committee set up by Article 15 of the financing instrument referred to in recital 2.

HAS DECIDED AS FOLLOWS:

Article 1
Adoption of the programme

The ENI East Regional Action Programme 2015 Part 2, as set out in the annexes, is approved.

The programme shall include the following actions:

- Annex 1: Regional Programme in the Neighbourhood in support of the Eastern Partnership Flagship Initiative on Municipal Development;
- Annex 2: European Union Water Initiative Plus for Eastern Partnership (EUWI+ 4 EaP);
- Annex 3: Neighbourhood Civil Society Facility Regional Actions 2015;
- Annex 4: European Union Border Assistance Mission to the Republic of Moldova and Ukraine (EUBAM 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 64.5 million and shall be financed for an amount of EUR 27.5 million from the general budget of the European Union for 2015:

- budget line 21 03 02 01 for an amount of EUR 5 million;
- budget line 21 03 02 02 for an amount of EUR 14.5 million;
- budget line 21 03 02 03 for an amount of EUR 8 million.

and for an amount of EUR 37.0 million from the general budget of the European Union for 2016 provided the adoption of the budget 2016

- budget line 22 04 02 02 for an amount of EUR 29 million;
- budget line 22 04 02 03 for an amount of EUR 8 million.

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 4, 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 Commission 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 Commission 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 Commission 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, 22.7.2015

For the Commission
Johannes HAHN
Member of the Commission