



Brussels, 2.8.2013  
C(2013) 5197 final

**COMMISSION IMPLEMENTING DECISION**

**of 2.8.2013**

**on the Annual Action Programme 2013 in favour of Azerbaijan to be financed from the  
general budget of the European Union**

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### on the Annual Action Programme 2013 in favour of Azerbaijan to be financed from the general budget of the European Union

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument (ENPI)<sup>1</sup>, and in particular Article 12 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 1605/2002<sup>2</sup> (hereinafter referred to as 'the Financial Regulation'), and in particular Article 84 thereof,

Whereas:

- (1) The Commission has adopted the ENPI Strategy Paper 2007-2013<sup>3</sup> for Azerbaijan and the Multiannual National Indicative Programme for the period 2011-2013<sup>4</sup>, point 4 of which provides for the following priorities: democratic structures and good governance; socio-economic reform and sustainable development, trade and investment, regulatory approximation and reform; and implementation of the partnership and cooperation agreement and the European neighbourhood policy action plan, including in the area of energy security, mobility and security.
- (2) The objectives pursued by the Annual Action Programme are to strengthen the institutional capacity of selected public administration institutions in Azerbaijan, and to contribute to the diversification of the economy and sustainable regional development in Azerbaijan, while reducing socio-economic disparities between regions.
- (3) This Decision complies with the conditions laid down in Article 94 of 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<sup>5</sup> (hereinafter referred to as 'the Rules of Application').
- (4) This Decision constitutes the work programme within the meaning of Article 128(1) of the Financial Regulation and Article 188 of the Rules of Application.
- (5) This decision should allow for the award of grants in the form of lump sums and/or unit costs and/or flat-rate financing for the reasons and amounts set out in the Annex 1 on the basis of Article 124 of the Financial Regulation and Article 182 of the Rules of Application.

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<sup>1</sup> OJEU L 310, 9.11.2006, p. 1

<sup>2</sup> OJ L 298, 26.10.2012, p. 1.

<sup>3</sup> C(2007)672

<sup>4</sup> C(2010)1144

- (6) It is appropriate to acknowledge that grants may be awarded without a call for proposals by the responsible authorising officer who ensures that the conditions for an exception to a call for proposals according to Article 190 of the Rules of Application are fulfilled. Where the reasons for and potential beneficiaries of such award are known at the moment of the adoption of this Decision, they should be identified therein for reasons of transparency.
- (7) The maximum contribution of the European Union set by this Decision should cover any possible claims for interest due for late payment on the basis of Article 92 of the Financial Regulation and Article 111(4) of the Rules of Application.
- (8) The Commission is required to define the term "non-substantial change" in the sense of Article 94(4) of the Rules of Application to ensure that any such changes can be adopted by the authorising officer by delegation, or under his or her responsibility, by sub-delegation (hereinafter referred to as the 'responsible authorising officer').
- (9) The measures provided for in this Decision are in accordance with the opinion of the ENPI Committee set up under Article 26 of Regulation (EC) No 1638/2006,

HAS DECIDED AS FOLLOWS:

#### *Article 1*

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

The Annual Action Programme 2013 in favour of Azerbaijan, constituted by the actions identified in the second paragraph, is approved.

The actions, the description of which is set out in the attached Annexes 1 to 2, respectively, shall be:

- Framework programme in support of EU-Azerbaijan Agreements;
- Support to Regional and Rural Development in Azerbaijan (SRRD).

#### *Article 2*

##### **Financial contribution**

The maximum contribution of the European Union authorised by this Decision for the implementation of this programme is set at EUR 25 million to be financed from budget line 19 08 01 03 of the general budget of the European Union for 2013.

#### *Article 3*

##### **Implementation modalities**

Section 4 of the Annexes referred to in the second paragraph of Article 1 sets out the elements required by Article 94(2) of the Rules of Application.

Grants may be awarded without a call for proposals by the responsible authorising officer according to Article 190 of the Rules of Application. Where known at the moment of the adoption of this Decision, the reasons for this as well as the potential beneficiaries shall be identified in the attached Annexes.

The financial contribution referred to in Article 2 shall also cover any possible interests due for late payment.

*Article 4*

**Grants in the form of lump sums and/or unit costs and/or flat-rate financing**

The Commission authorises the use of lump sums and/or unit costs and/or flat-rate financing exceeding EUR 60.000 per beneficiary, in accordance with the conditions set out in the Annex 1.

*Article 5*

**Non-substantial changes**

Increases or cumulated changes to the allocations of specific actions not exceeding 20 % of the contribution referred to in Article 2 shall not be considered substantial, provided that they do not significantly affect the nature and objectives of the actions.

The responsible authorising officer may adopt these non-substantial changes in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 2.8.2013

*For the Commission  
Cecilia MALMSTRÖM  
Member of the Commission*

## ANNEXES

Annex 1: Framework programme in support of EU-Azerbaijan Agreements

Annex 2: Support to Regional and Rural Development in Azerbaijan (SRRD)