



Brussels, 28.7.2022
C(2022) 5549 final

COMMISSION IMPLEMENTING DECISION

of 28.7.2022

on the financing of the annual action plan in favour of the Republic of Armenia for 2021

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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) 2021/947² of the European Parliament and of the Council of 9 June 2021 establishing the Neighbourhood, Development and International Cooperation Instrument - Global Europe and amending and repealing Decision No 466/2014/EU and repealing Regulation (EU) 2017/1601 and Council Regulation (EC, Euratom) No 480/2009, and in particular Article 23(2) thereof,

Whereas:

- (1) In order to ensure the implementation of the financing of the annual action plan in favour of Armenia for 2021, it is necessary to adopt annual financing Decision, which constitutes the annual work programme, for 2021. Article 110 of Regulation (EU, Euratom) 2018/1046 ('the Financial Regulation') establishes detailed rules on financing Decisions.
- (2) The envisaged assistance is to comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU³.
- (3) The action provided for in this Decision contribute to climate mainstreaming in line with the European Green Deal⁴ and the inter-institutional agreement.
- (4) The Commission has adopted the Multiannual Indicative Programme for Armenia⁵ for the period 2021-2027, which sets out the following priorities: resilient, sustainable, knowledge-based and integrated economy; accountable institutions, rule of law and security; environmental and climate resilience; resilient digital transformation; and resilient, gender equal, fair and inclusive society.
- (5) The objectives pursued by the annual action plan to be financed under the geographic programme of the Regulation (EU) 2021/947 are to support the Government of

¹ Official Journal of the European Union L 193, 30.7.2018, p.1.

² Official Journal of the European Union L 209, 14.6.2021, p.1.

³ Please note that the sanctions map (www.sanctionsmap.eu) 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 COM(2019) 640 final.

⁵ C(2021)9435.

Armenia reform efforts towards inclusive, accountable and effective service delivery in the field of rule of law, security and migration as well as Armenia's inclusive, resilient and sustainable socio-economic recovery and growth in the COVID-19 pandemic and post-hostilities period.

- (6) The action entitled "EU for resilient and accountable institutions– police and migration reform and human rights protection in Armenia" aims at ensuring more effective and accountable service delivery that is based on the principles of good governance and respect of rule of law in the areas of police, migration management and human rights.
- (7) The action entitled "EU Resilience Facility for Armenia" aims at supporting green, inclusive, resilient and sustainable socio-economic recovery and growth in the post-pandemic and post-hostilities period, in line with the EU-Armenia Comprehensive and Enhanced Partnership Agreement (CEPA) provisions and the Economic and Investment Plan flagship initiatives for Armenia.
- (8) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (9) Pursuant to Article 26(1) of Regulation (EU) 2021/947, indirect management is to be used for the implementation of the action plan.
- (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 the Financial Regulation. 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 the Financial Regulation⁶ and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) thereof 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 the Financial Regulation.
- (12) In order to allow for flexibility in the implementation of the action plan, it is appropriate to allow changes which should not be considered substantial for the purposes of Article 110(5) of the Financial Regulation.
- (13) The action plan provided for in this Decision is in accordance with the opinion of the Committee established under Article 45 of Regulation (EU) 2021/947.

HAS DECIDED AS FOLLOWS:

Article 1
The action plan

The annual financing Decision, constituting the annual work programme for the implementation of the Annual Action Plan in favour of the Republic of Armenia for 2021, as set out in the Annexes, is adopted.

The action plan shall include the following actions:

⁶ Except for the cases referred to in Article 154(6) of the Financial Regulation, where the Commission may decide, not to require an ex-ante assessment.

- Annex I: EU for resilient and accountable institutions– police and migration reform and human rights protection in Armenia.
- Annex II: EU Resilience Facility for Armenia.

Article 2
Union contribution

The maximum Union contribution for the implementation of the action plan for 2021 is set at EUR 33 000 000, and shall be financed from the appropriations entered in the budget line 14.020111 of the general budget of the Union.

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, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 4.3.1 of the Annex I and point 4.3.2 of Annex II.

Article 4
Flexibility clause

Increases or decreases of up to EUR 10 million and not exceeding 20% of the contribution set in the first paragraph of Article 2, or cumulated changes⁷ 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 the Financial Regulation provided that 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 in accordance with the conditions set out in the Annex. Grants may be awarded to the bodies referred to in point 4.3.1 of the Annex II.

Done at Brussels, 28.7.2022

For the Commission
Olivér VÁRHELYI
Member of the Commission

⁷ These changes can come from external assigned revenue made available after the adoption of the financing Decision.