



Brussels, **XXX**  
[...] (2018) **XXX** draft

**COMMISSION IMPLEMENTING DECISION**

of **XXX**

**on the annual action programme 2018 in favour of the Republic of Moldova**

# COMMISSION IMPLEMENTING DECISION

of **XXX**

## on the annual action programme 2018 in favour of the Republic of Moldova

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU, Euratom) 1046/2018 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 966/2012<sup>1</sup>, 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 for the implementation of the Union's instruments for financing external action<sup>2</sup>, and in particular Article 2(1) and thereof,

Whereas:

- (1) In order to ensure the implementation of the annual action programme in favour of the Republic of Moldova it is necessary to adopt an annual financing decision, this constitutes the annual work programme, for 2018. Article 110 of Regulation (EU) 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 TFEU<sup>3</sup>.
- (3) The Commission has adopted the Single Support Framework (SSF) for EU support to the Republic of Moldova for the period 2017-2020<sup>4</sup>, which sets out the following priorities: reinforcing economic development and market opportunities, strengthening institutions and good governance as well as providing complementary support to on capacity development and institution building.
- (4) The objectives pursued by the annual action programme to be financed under the European Neighbourhood Instrument<sup>5</sup> are to (i) strengthen the economic, territorial and social cohesion in the Republic of Moldova through facilitating inclusive, sustainable and integrated local socio-economic growth and improving the standards of living of the citizens in the focal regions; (ii) contribute to the facilitation of the settlement of the Transnistrian conflict by increasing confidence between Chisinau and Tiraspol through

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<sup>1</sup> OJ L 193, 30.7.2018, p.1.

<sup>2</sup> OJ L 77, 15.3.2014, p. 95.

<sup>3</sup> [www.sanctionsmap.eu](http://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.

<sup>4</sup> C(2017)6091

<sup>5</sup> 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).

joint initiatives involving local authorities, civil society organisations and other stakeholders from both sides of the river; (iii) contribute to the prevention and fight against corruption; (iv) support the implementation of the EU-Moldova Association Agreement. The Annual Action Programme 2018 contains four actions.

- (5) The first action entitled “Inclusive economic empowerment of focal regions of the Republic of Moldova” aims to contribute to the following priority area "Economic development and market opportunities, including sustainable and inclusive economic growth". The action will be implemented under indirect management and direct management through service contracts.
- (6) The second action entitled "EU Support to Confidence Building (CBM) Measures V (2019-2022)" aims to contribute to the following priority area: "Strengthening institutions and good governance, including the Rule of Law and Security". The action will be implemented under indirect management modality.
- (7) The third action entitled “Strengthen the rule of law and anti-corruption mechanisms in the Republic of Moldova” aims to contribute to the priority area on Strengthening institutions and good governance, including the Rule of Law and Security. The action will be implemented under indirect management and direct management through service contracts.
- (8) The fourth action entitled “Support for the Implementation of the EU-Moldova Association Agreement” aims to support gender equality and the participation of the Republic of Moldova in EU programmes. The action will be implemented under direct management through grants, service contracts and under indirect management.
- (9) It is appropriate to authorise the award of grants without a call for proposals, pursuant to Article 195 of Regulation (EU) 2018/1046 to the Republic of Moldova to facilitate the country's participation in EU programmes. Indeed in line with Article 195 (f), it is the Republic of Moldova which has the relevant administrative powers and technical competence necessary for the achievement of the objectives and related activities indicated in paragraph 5.3.1.1 of Annex 4.
- (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) 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 Regulation (EU, Euratom) 2018/1046. To this end, such entities and persons have been subject to an assessment of their systems and procedures in accordance with Article 154(4) of the Financial Regulation and appropriate supervisory measures are in place in accordance with Article 154(5) of the Financial Regulation.
- (12) It is necessary to allow for the payment of interest due for late payment on the basis of Article 116(5) of Regulation (EU) 2018/1046.
- (13) 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 2018 in favour of the Republic of Moldova, as set out in the Annexes, is adopted.

The programme shall include the following actions:

Annex 1: Inclusive economic empowerment of focal regions of the Republic of Moldova

Annex 2: EU Support to Confidence Building (CBM) Measures V (2019-2022)

Annex 3: Strengthen the rule of law and anti-corruption mechanisms in the Republic of Moldova

Annex 4: Support for the Implementation of the EU-Moldova Association Agreement

*Article 2*  
***Union contribution***

The maximum contribution of the European Union for the implementation of the programme referred to in Article 1 is set at EUR 50.75 million and shall be financed from the general budget of the Union for 2018 for an amount of:

- budget line 22 04 02 01: EUR 8,000,000.00
- budget line 22 04 02 02: EUR 36,146,431
- budget line 22.04.02.03: EUR 6,603,569.00

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 5.3.2 of the Annex 1, 5.3.1 and 5.3.2 of the Annex 2, 5.3.1 of the Annex 3, 5.3.1.4 of the Annex 4.

*Article 4*  
***Flexibility clause***

Increases<sup>6</sup> 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) 2018/1046, where these changes do not significantly affect the nature and objectives of the actions.

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<sup>6</sup> These changes can come from external assigned revenue made available after the adoption of the financing decision.

Done at Brussels,

*For the Commission*  
*Johannes HAHN*  
*Member of the Commission*