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EUROPEAN COMMISSION

Brussels, 28.7.2010
C(2010) 5048 final

COMMISSION DECISION

of 28.7.2010

**on the Annual Action Programme 2010 in favour of Azerbaijan to be financed under
Article 19 08 01 03 of 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 (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)¹, and in particular Article 12 thereof,

Whereas:

- (1) The Commission has adopted the ENPI Strategy Paper 2007-2013 for Azerbaijan and the Multiannual National Indicative Programme for the period 2007-2010², which indicates as priorities: support for democratic development and good governance; support for socio-economic reform (with emphasis on regulatory approximation with the EU acquis), fight against poverty and administrative capacity building; and support for legislative and economic reforms in the transport, energy and environment sectors.
- (2) The objectives pursued by the Annual Action Programme 2010, as set out in the attached annex, are to support the Azerbaijani administration and relevant institutions to enforce effectively the commitments set forth in the European Neighbourhood Policy (ENP) Action Plan and their national reform programmes as well as potential action related to the Eastern Partnership.
- (3) The present decision constitutes a financing decision within the meaning of Article 75 of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget³ (hereafter 'the Financial Regulation') and Article 90 of Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of the Financial Regulation applicable to the general budget⁴ (hereafter 'the Implementing Rules').
- (4) The maximum contribution of the European Union set by the present decision should cover any possible claims for interest due for late payment on the basis of articles 83 of the Financial Regulation and 106(5) of its Implementing Rules.

¹ OJEU L 310, 9.11.2006, p. 1

² C(2007) 672

³ OJ L 248 of 16.09.2002 p. 1.

⁴ OJ L 357 of 31.12 2002, p.1.

- (5) The Commission is required to define the term “substantial change” in the meaning of Article 90 (4) of the Implementing Rules to ensure that any substantial change in this decision shall follow the same procedure as the initial decision.
- (6) 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

The Annual Action Programme 2010, constituted by the action "Twinning/Technical Assistance Facility in support of the EU-Azerbaijan European Neighbourhood Policy Action Plan implementation", the text of which is set out in the attached Annexes, is approved.

Article 2

The maximum contribution of the European Union to the Annual Action Programme is set at EUR 7 million to be financed from budget line 19 08 01 03 of the general budget of the European Union for 2010.

This maximum contribution shall also cover any possible interests due for late payment.

Article 3

Cumulated changes of the allocations to the specific actions not exceeding 20% of the maximum contribution of the European Union shall not be considered substantial, provided that they do not significantly affect the nature and objectives of the Annual Action Programme. This may include an increase of the maximum contribution of the European Union up to 20%.

The relevant authorising officer may amend the present Decision to introduce non substantial changes to the Annual Action Programme in accordance with the principles of sound financial management.

Done at Brussels, 28.7.2010

For the Commission
Štefan FÜLE
Member of the Commission

ANNEX

Twinning/Technical Assistance Facility in support of the EU-Azerbaijan European Neighbourhood Policy Action Plan implementation