



Brussels, 14.12.2023
C(2023) 9021 final

COMMISSION IMPLEMENTING DECISION

of 14.12.2023

on the financing of the annual action plan in favour of the Republic of Armenia for 2023

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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) 2018/1046¹ 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, 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, 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 annual action plan in favour of the Republic of Armenia for 2023, it is necessary to adopt an annual financing Decision, which constitutes the annual work programme, for 2023.
- (2) The envisaged assistance should comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU³.
- (3) The action plan provided for in this Decision should contribute to climate mainstreaming in line with the Commission Communication ‘The European Green Deal’⁴ and in the Interinstitutional Agreement of 16 December 2020 between the European Parliament, the Council of the European Union and the European Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management, as well as on new own resources, including a roadmap towards the introduction of new own resources⁵.
- (4) The Commission has adopted the Multiannual Indicative Programme for Armenia⁶ for the period 2021-2027, which sets out the following priorities: resilient, sustainable, knowledge-based and integrated economy; accountable institutions, rule of law and

¹ OJ L 193, 30.7.2018, p.1.

² OJ L 209, 14.6.2021, p.1.

³ 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.

⁴ COM(2019)640 final of 11 December 2019.

⁵ OJ L 433I, 22.12.2020, p. 28.

⁶ Commission implementing decision adopting a multiannual indicative programme for Armenia for the period 2021-2027 C(2021)9435 on 16.12.2021.

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 Neighbourhood geographic programme of Regulation (EU) 2021/947 should support strengthening Armenia's societal and economic resilience and advance the Government's reform processes and overall socio-economic development.
- (6) The action entitled 'State and Resilience Building Contract for the Republic of Armenia' aims to assist the Government in addressing the short, medium and longer-term socio-economic needs of the over 100,000 refugees from Nagorno-Karabakh, including purchases of food and energy. The action will contribute to the implementation of the assistance programmes adopted by the Government to support the displaced population whilst enabling their long-term socio-economic integration in Armenia.
- (7) The action entitled 'Reform and CEPA implementation Facility' will advance the implementation of the EU-Armenia Comprehensive and Enhanced Partnership Agreement (CEPA) while supporting the Government in the broader reform process.
- (8) The objective and design of the actions fulfil the criteria for Official Development Assistance (ODA) established by the OECD/DAC, as per the requirements of Article 3(4) of Regulation (EU) 2021/947, contributing to the sustainable development of partner countries and the implementation of the 2030 agenda by reinforcing reforms targeting the socio-economic development of Armenia. The countries benefiting from the action which are included in the list of ODA recipients, are identified in the respective action document.
- (9) Pursuant to Article 62(1), point (c) of the Financial Regulation, 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.
- (11) To that 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 Regulation⁷ and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of the Financial Regulation before a contribution agreement can be signed.
- (12) 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.
- (13) In order to allow for flexibility in the implementation of the action plan, it is appropriate to determine the changes which should not be considered substantial for the purposes of Article 110(5) of the Financial Regulation.
- (14) The action plan provided for in this Decision is in accordance with the opinion of the NDICI Neighbourhood Committee.

⁷ Except for the cases of Article 154(6) of Regulation (EU, Euratom) 2018/1046, where the Commission may decide not to require an ex-ante assessment.

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 2023, as set out in the annex, is adopted.

The action plan shall include the following actions:

- State and Resilience Building Contract for the Republic of Armenia set out in Annex I;
- Reform and CEPA implementation Facility set out in Annex II.

Article 2
Union Contribution

The maximum Union contribution for the implementation of the action plan for 2023 is set at EUR 18 000 000, and shall be financed from the appropriations entered in budget line 14.02.01.11 Eastern Partnership 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 4.3.2 of Annex 2.

Article 4
Flexibility clause

Increases⁸ or decreases of up to EUR 10 million and not exceeding 20% of the contribution set in Article 2, first paragraph, 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 for the purposes of Article 110(5) of Regulation (EU, Euratom) 2018/1046, provided that these changes do not significantly affect the nature and objectives of the actions.

⁸ These changes can come from external assigned revenue made available after the adoption of the financing Decision.

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.

Done at Brussels, 14.12.2023

For the Commission
Olivér VÁRHELYI
Member of the Commission