



Brussels, 13.12.2022
C(2022) 9597 final

COMMISSION IMPLEMENTING DECISION

of 13.12.2022

**on the financing of the multiannual action plan in favour of the Republic of Armenia for
2022-2023**

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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 multiannual action plan in favour of the Republic of Armenia for 2022-2023, it is necessary to adopt a multiannual financing Decision, which constitutes the multiannual work programme, for 2022-2023. Article 110 of Regulation (EU, Euratom) 2018/1046 ('the Financial Regulation') establishes detailed rules on financing decisions.
- (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 actions 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 in favour of the Republic of 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.

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 11.12.2019

⁵ Commission implementing decision adopting a multiannual indicative programme for Armenia for the period 2021-2027 C(2021)9435 on 16.12.2021

- (5) The objectives pursued by the multiannual action plan to be financed under the Neighbourhood geographic programme of Regulation (EU) 2021/947 should support the Government of Armenia's 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 Support to Education in Armenia' aims to increase the competitiveness of the Armenian education system.
- (7) The action entitled 'Support to Justice Sector Reforms in Armenia: Phase II' aims to support Armenia's judicial and legal reform and anti-corruption process in line with the country's commitments under the Comprehensive and Enhanced Partnership Agreement.
- (8) The action entitled 'Sustainable energy, energy security and climate resilience in rural Armenia' aims to alleviate energy poverty, increase energy security and independence, as well as contribute to climate change mitigation and the preservation of natural resources and ecosystem services in Armenia.
- (9) Pursuant to Article 26(1) of Regulation (EU) 2021/947 and Article 62(1)(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. 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 multiannual financing decision, constituting the multiannual work programme for the implementation of the multiannual action plan in favour of the Republic of Armenia for 2022 and 2023, as set out in the Annexes, is adopted.

The action plan shall include the following actions:

- EU support to education in Armenia set out in Annex I;

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.

- Support to Justice Sector Reforms in Armenia: Phase II set out in Annex II;
- Sustainable energy, energy security and climate resilience in rural Armenia set out in Annex III.

Article 2
Union contribution

The maximum Union contribution for the implementation of the multiannual action plan for 2022-2023 is set at EUR 49 500 000, and shall be financed from the appropriations entered in budget line 14.020111 of the general budget of the Union.

- EUR 37 500 000 for the year 2022
- EUR 12 000 000 for the year 2023

The appropriations provided for in the first paragraph may also cover interest due for late payment.

The implementation of this Decision is subject to the availability of the appropriations provided for in the draft general budget of the Union for 2023 as adopted by the budgetary authority.

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 4.4.2 of Annex I and point 4.3.1 of Annex III.

Article 4
Flexibility clause

Increases⁷ or decreases of up to EUR 10 million and not exceeding 20% of the contribution set in the first paragraph of Article 2, considering each financial year separately, 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 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 acting in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 13.12.2022

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