



EUROPEAN COMMISSION

Brussels, 23.8.2012
C(2012) 5946 final

COMMISSION IMPLEMENTING DECISION

of 23.8.2012

**on the Annual Action Programme 2012 – Part 1 - 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 2007-2013² for Azerbaijan and the Multiannual National Indicative Programme for the period 2011-2013³, point 4 of which provides for the following priorities: democratic structures and good governance; socio-economic reform and sustainable development, trade and investment, regulatory approximation and reform; and implementation of the partnership and cooperation agreement and the European neighbourhood policy action plan, including in the area of energy security, mobility and security.
- (2) The objectives pursued by the Annual Action Programme 2012 – Part 1, as set out in the attached annexe, are to strengthen the institutions involved in the implementation of the current and new agreements between the European Union and Azerbaijan.
- (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 budget⁴ (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 budget⁵ (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 C(2010)1144

⁴ OJ L 248 of 16.09.2002, p. 1.

⁵ 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 Commission has ensured that the management systems set up by the entities to which the Commission will entrust implementation of EU funds for the action set out in Annex 1 comply with the conditions for the delegation of tasks under joint management, as provided for in Article 53(d) of the Financial Regulation and Article 43 of its Implementing Rules with regard to actions implemented under joint management.
- (7) 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 2012 – Part 1 in favour of Azerbaijan, constituted by the action "Framework programme in support of EU-Azerbaijan Agreements" the text of which is set out in the attached Annexe, is approved.

Article 2

The maximum contribution of the European Union to the Annual Action Programme is set at EUR 19.5 million to be financed from budget line 19 08 01 03 of the general budget of the European Union for 2012.

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 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.

Article 4

The management systems set up by the entities to which the Commission will entrust implementation of EU funds for the action set out in Annex 1 comply with the conditions for the delegation of tasks under joint management. The financial implementation of tasks related to this action can thus be entrusted to these entities.

Done at Brussels, 23.8.2012

For the Commission
Algirdas ŠEMETA
Member of the Commission

ANNEXE
Annual Action Programme 2012 – Part 1 for Azerbaijan

Framework programme in support of EU-Azerbaijan Agreements