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**COMMISSION IMPLEMENTING DECISION**

**of 24.11.2016**

**on the Annual Action Programme 2016 in favour of the Republic of Moldova to be  
financed from the general budget of the European Union**

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### on the Annual Action Programme 2016 in favour of the Republic of Moldova to be financed from the general budget of the European Union

THE EUROPEAN COMMISSION,

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

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>1</sup>, and in particular Article 2(1) thereof,

Having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002<sup>2</sup>, and in particular Article 84(2) thereof,

Whereas:

- (1) The Commission has adopted the Single Strategic Framework (SSF) for EU support to the Republic of Moldova for the period 2014-2017. In line with the SSF, this Implementing Decision falls under the focal sector of agriculture and rural development. It also contains support for capacity development and institution building as foreseen in the SSF.
- (2) The objectives pursued by the Annual Action Programme 2016 to be financed under the European Neighbourhood Instrument<sup>3</sup> are to contribute to the improvement of quality of rural life for sustainable development of the Republic of Moldova as well as to increase the capacities of the Government of the Republic of Moldova and other key national institutions in implementing the EU-Republic of Moldova Association Agenda. The Annual Action Programme 2016 contains two actions.
- (3) The action entitled “Development of Rural Areas in the Republic of Moldova” aims to contribute to the following priority areas: (1) strengthening capacity building of government institutions in charge of designing and implementing the agriculture and rural development policy and implementing food safety and food safety standards to progressively align with and implement EU policy and standards; (2) provision of investment support for micro, small and medium sized enterprises (MSMEs), including enterprises headed by women, in order to enhance their economic development potential, diversification of income sources for sustainable livelihoods as well as the improvement of the country’s rural business environment; (3) integration to domestic and global value chains to capitalise on AA/DCFTA; (4) modernisation of rural areas; (5) improving water and wastewater rural infrastructure and services for better use of water resources in a changing climate, as well as improving basic service

<sup>1</sup> OJ L77, 15.3.2014, p. 95.

<sup>2</sup> OJ L 298, 26.10.2012, p. 1.

<sup>3</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).

delivery in rural areas; and (6) improving energy efficiency in the regions of Moldova. The action will be implemented under direct management through grants, service and supply contracts, and under indirect management with Deutsche Gesellschaft für Technische Zusammenarbeit (GIZ) and Austrian Development Agency (ADA).

- (4) The action entitled “Technical Cooperation Facility 2016” aims to contribute to the following areas: (1) to strengthen the policy dialogue for the implementation process of the Association Agreement; (2) to support the implementation of the Association Agreement; (3) to strengthen project preparation competences of national authorities ensuring complementarity between the implementation of the AA and external assistance. The action will be implemented under direct management through grants and service contracts.
- (5) It is necessary to adopt a financing decision, the detailed rules of which are set out in Article 94 of Commission Delegated Regulation (EU) No 1268/2012<sup>4</sup>.
- (6) It is necessary to adopt a work programme for grants, the detailed rules on which are set out in Article 128(1) of Regulation (EU, Euratom) No 966/2012 and in Article 188(1) of Delegated Regulation (EU) No 1268/2012. The work programme is constituted by the Annex 1 (sections 5.3.1, 5.3.2 and 5.3.3) and Annex 2 (section 5.3.1).
- (7) The Commission should entrust budget-implementation tasks under indirect management to the entities specified in this Decision, subject to the conclusion of a delegation agreement. In accordance with Article 60(1) and (2) of Regulation (EU, Euratom) No 966/2012, the authorising officer responsible needs to ensure that these entities guarantee a level of protection of the financial interests of the Union equivalent to that required when the Commission manages Union funds. These entities comply with the conditions of points (a) to (d) of the first subparagraph of Article 60(2) of Regulation (EU, Euratom) No 966/2012 and the supervisory and support measures are in place as necessary.
- (8) The authorising officer responsible should be able to award grants without a call for proposals provided that the conditions for an exception to a call for proposals in accordance with Article 190 of Delegated Regulation (EU) No 1268/2012 are fulfilled.
- (9) It is necessary to allow the payment of interest due for late payment on the basis of Article 92 of Regulation (EU, Euratom) No 966/2012 and Article 111(4) of Delegated Regulation (EU) No 1268/2012.
- (10) Pursuant to Article 94(4) of Commission Delegated Regulation (EU) No 1268/2012, the Commission should define changes to this Decision which are not substantial in order to ensure that any such changes can be adopted by the authorising officer responsible.
- (11) The measure provided for in this Decision are in accordance with the opinion of the European Neighbourhood Instrument Committee set up by Article 15 of the ENI Regulation.

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<sup>4</sup> Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (OJ L 362, 31.12.2012, p. 1).

HAS DECIDED AS FOLLOWS:

*Article 1*  
*Adoption of the programme*

The Annual Action Programme 2016 in favour of the Republic of Moldova, as set out in the Annexes, is approved.

The programme shall include the following actions:

Annex 1: Development of Rural Areas in the Republic of Moldova;

Annex 2: Technical Cooperation Facility 2016

*Article 2*  
*Financial Contribution*

The maximum contribution of the European Union for the implementation of the programme referred to in Article 1 is set at EUR 89 million and shall be financed from budget line 22 04 02 02 of the general budget of the Union for 2016.

The financial contribution provided for in the first paragraph may also cover interest due for late payment

*Article 3*  
*Implementation Modalities*

Budget-implementation tasks under indirect management may be entrusted to the entities identified in the attached Annex 1, subject to the conclusion of the relevant agreements.

The section “Implementation” of the Annexes to this Decision sets out the elements required by Article 94(2) of Delegated Regulation (EU) No 1268/2012.

Grants may be awarded without a call for proposals by the authorising officer responsible in accordance with Article 190 of Delegated Regulation (EU) No 1268/2012..

*Article 4*  
*Non-substantial changes*

Increases or decreases of up to EUR 10 million not exceeding 20 % of the contribution set by 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 94(4) of Delegated Regulation (EU) No 1268/2012, provided that they do not significantly affect the nature and objectives of the actions.

The authorising officer responsible may adopt such non-substantial changes in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 24.11.2016

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