



Brussels, 5.12.2012
C(2012) 8770 final

COMMISSION IMPLEMENTING DECISION

of 5.12.2012

**on the Annual Action Programme 2012 (part II) in favour of the ENP South region to be
financed from 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 the Regulation (EC) n°1638/2006 of the European Parliament and of the Council of 24 October 2006¹ laying down general provisions establishing a European Neighbourhood and Partnership Instrument (ENPI), and in particular Article 12 thereof,

Whereas:

- (1) The Commission has adopted, under the European Neighbourhood Policy², the Regional Strategy Document (2007-2013)³ and the Regional Indicative Programme 2011-2013⁴ for the Euro-Mediterranean Partnership, which provide the following priorities: supporting common regional institutions, confidence building measures and media development, promoting regional economic integration, investment and regulatory convergence, sustainable development and social inclusion and cultural dialogue.
- (2) The objectives pursued by the Annual Action Programme 2012 (part II) in favour of the ENP South region are to boost the private sector in order to contribute to sustainable and inclusive growth and employment generation and to support the efforts of the ENP South countries to build-up deep-rooted democracy and to contribute to sustainable economic, social and human development, through through regional cooperation in the fields of media and culture.
- (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 budget⁵ (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

¹ OJ L 310, 9.11.2006, p. 1-14.

² This action programme concerns the following Mediterranean partners: Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, the Occupied Palestinian Territory, Syria and Tunisia. The co-operation with Syria is temporarily suspended until further notice from the European Commission.

³ C(2007)672, 27.02.2007.

⁴ C(2010)9365, 22.12.2010.

⁵ OJ L 248, 16.09.2002, p. 1-48.

Financial Regulation applicable to the general budget⁶ (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.
- (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.
- (7) Subject to the adoption of the 2013 budget by the budgetary authority, an indicative amount of EUR 7 million will be added to finance programme 'Media and culture for development in the Southern Mediterranean' in Annex 2, to be financed from the budget line 19 08 01 01 of the general budget of the EU for 2013.
- (8) In accordance with Article 53d of the Financial Regulation, evidence has been obtained that the international organisations to be entrusted with the implementation of the European Union budget by joint management, apply standards which offer guarantees equivalent to internationally accepted standards in their accounting, audit, internal control and procurement procedures by the authorising officer by delegation.
- (9) 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 II) in favour of the ENP South region, constituted by the actions "Private sector development in the Southern Mediterranean" and "Media and culture for development in the Southern Mediterranean" 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 2012 (part II) in favour of the ENP South region is set at EUR 22 million to be financed from budget line 19 08 01 01 for 2012, plus further EUR 7 million to be financed from the same budget line of the European Union, conditional upon the adoption of the 2013 budget by the Budgetary Authority and the availability of the corresponding funds.

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

⁶ OJ L 357, 31.12.2002, p. 1-71.

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 2012 (part II) in favour of the ENP South region. 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 2012 (part II) in favour of the ENP South region in accordance with the principles of sound financial management.

Article 4

The implementation of the programme depending on the commitment of EUR 7 million from the 2013 budget is conditional upon the adoption of the 2013 budget by the Budgetary Authority and the availability of the corresponding funds.

Done at Brussels, 5.12.2012

For the Commission
Štefan FÜLE
Member of the Commission

ANNEXES

Annex 1: action fiche Private sector development in the Southern Mediterranean

Annex 2: action fiche Media and culture for development in the Southern Mediterranean