



Brussels, 20.10.2016
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COMMISSION IMPLEMENTING DECISION

of 20.10.2016

**on the ENI East Regional Action Programme 2016 Part II, 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 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 action¹, and in particular Article 2(1) and 3(3) 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 1605/2002², and in particular Article 84(2) thereof,

Whereas:

- (1) The Commission has adopted the ENI East Regional Strategy Paper and Multiannual Indicative Programme³ for the period 2014-2020, which provides for the following priority: Eastern Partnership including Flagship Initiatives.
- (2) The objectives pursued by the Annual Regional Action Programme Part II, to be financed under the European Neighbourhood Instrument⁴ are to further enhance integrated border management between the Republic of Moldova⁵ and Ukraine by encouraging joint border control at border crossing points and information sharing between agencies from both countries.
- (3) The action entitled "Eastern Partnership Integrated Border Management Flagship Initiative will enhance integrated border management through joint border control and exchange of information along the Moldovan-Ukraine border" comprises of 4 components: (1) equipment for supporting joint control at Kuchurhan-Pervomaisk border crossing point; (2) equipment necessary for the upgrade of the border crossing point Reni-Giurgiulesti, on the Ukrainian side, refurbishment works of the buildings as well as repair of the road connecting the two borders; (3) furniture and equipment for the proper functioning of bilateral contact point; (4) equipment for making operational an automated information exchange between Moldova and Ukraine. These components are complemented with specific trainings where relevant. The action will be implemented under indirect management with the International Organization for Migration (IOM).

¹ OJ L77, 15.3.2014, p. 95.

² OJ L 298, 26.10.2012, p. 1.

³ Decision C(2014)5200 of 28.7.2014.

⁴ OJ L77, 15.3.2014, p. 27.

⁵ Hereinafter referred to as Moldova.

- (4) 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 1268/2012⁶.
- (5) The Commission should entrust budget-implementation tasks under indirect management to the entity specified in 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 this entity guarantees a level of protection of the financial interests of the Union equivalent to that required when the Commission manages Union funds. The International Organization for Migration (IOM) complies 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.
- (6) 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.
- (7) Pursuant to Article 94(4) of 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.
- (8) The measure provided for in this Decision is in accordance with the opinion of the European Neighbourhood Instrument Committee set up by Article 15 of the ENI Regulation,

HAS DECIDED AS FOLLOWS:

Article 1
Adoption of the programme

The ENI East Regional Action Programme 2016 Part II, as set out in the Annex, is approved.

The programme shall include the following action:

- Eastern Partnership Integrated Border Management Flagship Initiative: enhanced integrated border management through joint border control and exchange of information along the Moldovan-Ukraine border.

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 4 750 000 and shall be financed from budget line 22 04 02 01 of the general budget of the European Union for 2016.

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

⁶ 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).

Article 3
Implementation Modalities

Budget-implementation tasks under indirect management may be entrusted to the entity identified in this Decision, subject to the conclusion of the relevant agreement.

The section “Implementation” of the Annex to this Decision sets out the elements required by Article 94(2) 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 (except contribution for a Support Measure), 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, 20.10.2016

For the Commission
Johannes HAHN
Member of the Commission