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**COMMISSION IMPLEMENTING DECISION**

**of 25.8.2014**

**on the Annual Action Programme 2014 - Part 1 in favour of the ENI South countries to  
be financed from the general budget of the European Union**

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**on the Annual Action Programme 2014 - Part 1 in favour of the ENI South countries 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 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 ENI Regional South Strategy Paper (2014-2020) and Multinannual Indicative Programme (2014-2017)<sup>3</sup> which provide for the following priorities: building a partnership for liberty, democracy and security; building a partnership for inclusive and sustainable economic development; building a partnership with the people; support to regional and subregional institutional cooperation.
- (2) The objectives pursued by the Annual Action Programme to be financed under the European Neighbourhood Instrument<sup>4</sup> are to: reinforce Human Rights, Rule of Law and Democracy in Southern Mediterranean countries; develop a Euro-Mediterranean area of effective coordination and cooperation on justice, security and migration-related matters; foster policy dialogue and the exchanges of best practices on topics relevant for Euro-Mediterranean policy dialogue; establish an adequate regulatory framework for all transport modes; address common environmental challenges; promote knowledge, mutual respect and intercultural dialogue between the peoples of the Euro-Mediterranean; support the functioning of the Secretariat of the Union for the Mediterranean and finally, ensure a swift preparation of actions and projects.
- (3) The first action entitled “Strengthening democratic reforms in the Southern Mediterranean (South Programme II)” aims to assist Southern Mediterranean countries in reinforcing Human Rights, Rule of Law and Democracy in the framework of partners’ countries commitments under the European Neighbourhood Policy. This action will be implemented in indirect management with the Council of Europe.

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<sup>1</sup> OJ L 77, 15.3.2014, p. 95.

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

<sup>3</sup> C(2014) 5242 of 30.07.2014.

<sup>4</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, 15.03.2014, p. 27.

- (4) The second action entitled “Euromed Justice and Police IV” aims to contribute to the development of a Euro-Mediterranean area of effective and democratic justice and security systems by strengthening the rule of law and continuously progressing towards the alignment to international standards. Direct management is envisaged for this regional project (procurement).
- (5) The third action entitled “Euromed Migration IV” aims to implement a comprehensive and shared approach to strengthen effective dialogue and cooperation on migration, mobility and international protection issues. This action will be implemented in indirect management with International Centre for Migration Policy Development (ICMPD).
- (6) The fourth action entitled “Facility for Euromed Dialogue and exchange of best practises” aims to enhance regional sector cooperation based on EU rules and standards through policy dialogue and exchange of best practices with existing networks of stakeholders in the southern neighbourhood. Direct management is envisaged for this regional project (procurement and grants awarded through a call for proposals).
- (7) The fifth action entitled “Support to air and land transport in the neighbouring southern countries” aims to improve transport efficiency and effectiveness which would lead to economic and financial benefits for everybody. At the same time transport should become more sustainable. This does not only mean that the environmental and climate change impact needs to be reduced, it also means that transport operations in all sectors need to be safer which would concretely lead to less and less severe transport accidents and casualties. As such the programme should support the partner countries in the implementation of the relevant actions of the future RTAP. Direct management is envisaged for this regional project (procurement and grant directly awarded).
- (8) The sixth action entitled “GreenMed II: ENI South regional environment programme 2014-2015” aims to contribute to reduced marine pollution, sustainable use of scarce water resources, and protection of marine biodiversity in ENI South countries. The activities will be implemented through a combination of modalities: direct management (grants awarded after a call for proposals, grant directly awarded to the European Environment Agency, and procurement), and indirect management with the United Nations Environment Programme –Mediterranean Action Plan.
- (9) The seventh action entitled “Anna Lindh Foundation for inter-cultural dialogue Phase IV” aims to support intercultural dialogue between the peoples of the Euro-Mediterranean region. The EU conceives intercultural dialogue as an action within the civil society ultimately aimed at valuing diversity, promoting social participation in building open and plural societies and fostering human development and fundamental rights. This action will be implemented in direct management (grants directly awarded).
- (10) The eighth action entitled “EU support to the Secretariat of the Union for the Mediterranean in 2015” aims to support the UfM Secretariat in executing its mandate through an operating grant (direct management) with co-funding from the members of the UfM.
- (11) The ninth action entitled “Southern Neighbourhood global allocation for 2014-2015” aims at ensuring a swift preparation of actions and projects, while enabling the European Commission to act with flexibility by means of an instrument which is

capable of adapting itself to evolving circumstances and/or dealing with unforeseen situations. Direct management is envisaged for this regional project (procurement and grants through calls for proposals).

- (12) This Decision complies with the conditions laid down in Article 94 of Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union<sup>5</sup>.
- (13) The Commission may entrust budget-implementation tasks under indirect management to the entities identified in this Decision, subject to the conclusion of a delegation agreement. However, the Council of Europe, the ICMPD and UNEP-MAP are currently undergoing the ex ante assessment. In anticipation of the results of these reviews, the responsible authorising officer deems that, based on a preliminary evaluation and on the long-standing and problem-free cooperation with them, budget-implementation tasks can be entrusted to these entities.
- (14) It is appropriate to acknowledge that grants may be awarded without a call for proposals by the responsible authorising officer who ensures that the conditions for an exception to a call for proposals according to Article 190 of Commission Delegated Regulation (EU) No 1268/2012 are fulfilled. The reasons for and potential beneficiaries of such award should be identified, where known, in this Decision for reasons of transparency.
- (15) The maximum contribution of the European Union set by this Decision should cover any possible claims for 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<sup>6</sup>.
- (16) The Commission is required to define the term "non-substantial change" in the sense of Article 94(4) of Delegated Regulation (EU) No 1268/2012 to ensure that any such changes can be adopted by the authorising officer by delegation, or under his or her responsibility, by sub-delegation (hereinafter referred to as the 'responsible authorising officer').
- (17) The measures provided for in this Decision are in accordance with the opinion of the European Neighbourhood Instrument Committee set up by the basic act referred to in Recital 2,

HAS DECIDED AS FOLLOWS:

#### *Article 1*

#### **Adoption of the measure**

The following Annual Action Programme, constituted by the actions identified in the second paragraph and attached as annexes, is approved:

Annual Action Programme 2014 - Part 1 in favour of the ENI South countries to be financed from the general budget of the European Union.

The actions constituting this measure are:

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<sup>5</sup> OJ L 362, 31.12.2012, p. 1.

<sup>6</sup> OJ L 362, 31.12.2012, p. 1.

- Annex 1: Strengthening democratic reforms in the Southern Mediterranean (South Programme II);
- Annex 2: Euromed Justice and Police IV;
- Annex 3: Euromed Migration IV;
- Annex 4: Facility for Euromed dialogue and exchange of best practices;
- Annex 5: Support to air and land transport in the neighbouring southern countries;
- Annex 6: GreenMed II: ENI South regional environment programme 2014-2015;
- Annex 7: Anna Lindh Foundation for inter-cultural dialogue Phase IV;
- Annex 8: EU support to the Secretariat of the Union for the Mediterranean in 2015;
- Annex 9: Southern Neighbourhood global allocation for 2014-2015.

## *Article 2*

### **Financial contribution**

The maximum contribution of the European Union authorised by this Decision for the implementation of the Annual Action Programme is set at EUR 97,01 million to be financed from the following budget lines of the general budget of the European Union:

- budget line 21.03.01.01 for an amount of EUR 21 million from the general budget of the European Union for 2014;
- budget line 21.03.01.02 for an amount of
  - EUR 29,5 million from the general budget of the European Union for 2014;
  - EUR 19,3 million from the budget of the European Union for 2015;
- budget line 21.03.01.03 for an amount of EUR 10 million from the general budget of the European Union for 2014;
- budget line 21.03.03.03 for an amount of EUR 17,21 million from the budget of the European Union for 2014.

The implementation of this Decision is subject to the availability of the appropriations following the adoption of the general budget of the European Union of 2015 or as provided for in the system of provisional twelfths.

## *Article 3*

### **Implementation modalities**

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

Section 4 of the Annexes referred to in the second paragraph of Article 1 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 responsible authorising officer according to Article 190 of Delegated Regulation (EU) No 1268/2012. Where known at the moment of the adoption of this Decision, the reasons for this as well as the potential beneficiaries shall be identified in the attached Annexes.

The financial contribution referred to in Article 2 shall also cover any possible interests due for late payment.

*Article 4*

**Non-substantial changes**

Increases or decreases of up to EUR 10 million not exceeding 20 % of the contribution referred to in the first paragraph of Article 2, or cumulated changes to the allocations of specific actions not exceeding 20 % of that contribution shall not be considered substantial, provided that they do not significantly affect the nature and objectives of the actions. The use of contingencies shall be taken into account in the ceiling referred to in this Article.

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

Done at Brussels, 25.8.2014

*For the Commission*  
*Štefan FÜLE*  
*Member of the Commission*