

**COMMISSION DECISION
C(2009) 3540 of 13/05/2009**

approving Part One of the 2009 Action Programme in favour of the Mediterranean region to be financed under Article 19 08 01 01 of the general budget of the European Communities

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1638/2006 of the European Parliament and of the Council of 24 October 2006¹, and in particular Article 12 thereof,

Whereas:

- (1) Under the European Neighbourhood Policy² the Commission has adopted the Regional Strategy Paper (2007-2013) and the Regional Indicative Programme (2007-2013) for the Euro-Mediterranean Partnership³, which give priority to support for economic reform in the region.
- (2) Part One of the 2009 Action Programme covers the "Support to FEMIP" programme.
- (3) This 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 budget of the European Communities⁴ and of Article 90 of Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002⁵.
- (4) This decision covers all potential requests for the payment of default interest on late payments based on Article 83 of Council Regulation (EC, Euratom) No 1605/2002 and Article 106(5) of Commission Regulation (EC, Euratom) No 2342/2002.
- (5) The term "substantial change" should be defined within the meaning of Article 90(4) of Regulation (EC, Euratom) No 2342/2002 for the application of this decision in order to ensure that all substantial changes made to the decision are adopted by means of the same procedure as the one followed to adopt the initial decision.

¹ OJ L 310, 9.11.2007.

² Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Syria, the Palestinian Territories and Tunisia.

³ C(2007) 672.

⁴ OJ L 248, 16.9.2002, p. 1. Regulation as last amended by Regulation (EC, Euratom) No 1995/2006 (OJ L 390, 30.12.2006, p. 1).

⁵ OJ L 357, 31.12.2002, p. 1. Regulation as last amended by Regulation (EC, Euratom) No 478/2007 (OJ L 111, 28.4.2007, p. 13).

- (6) The Commission guarantees that the management system set up by the entities to which the Commission will entrust implementation of Community funds for the "Support to FEMIP" programme complies with the conditions for the delegation of those tasks under indirect centralised management, as provided for in Articles 56(1) of Council Regulation (EC, Euratom) No 1605/2002 and Article 35 of Commission Regulation (EC, Euratom) No 2342/2002.
- (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

Part One of the 2009 Action Programme for the Southern Mediterranean region under the European Neighbourhood Policy, consisting of the "Support to FEMIP" programme, the text of which is annexed to this decision, is hereby approved.

Article 2

The maximum contribution of the Community to Part One of the Action Programme is set at EUR 32 000 000 to be financed from budget line 19.08 01 01 of the general budget of the European Communities for 2009.

This decision covers all potential default interest.

Article 3

Within the overall indicative budget for all the specific actions, cumulated changes not exceeding 20% of the maximum contribution of the Community are not considered to be substantial provided that they do not significantly affect the nature and objectives of the Action Programme.

The authorising officer may adopt such non-substantial changes to the Action Programme in accordance with the principles of sound financial management.

Article 4

The management system set up by the entities to which the Commission will entrust implementation of Community funds for the "Support to FEMIP" programme complies with the conditions for the delegation of tasks under indirect centralised management, as indicated in the table attached in the Appendix to the action fiche concerned. The financial implementation tasks associated with the programme can therefore be entrusted to the entities concerned.

Article 5

Implementation of Part One of the 2009 Annual Action Programme is conditional on the adoption of the 2009 budget by the budgetary authority.

Done at Brussels,

For the Commission
Benita FERRERO-WALDNER
Member of the Commission

ANNEX

Support to FEMIP