



EUROPEAN COMMISSION

Brussels, 21.9.2012
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COMMISSION IMPLEMENTING DECISION

of 21.9.2012

**on the ENPI East Regional Action Programme 2012 Part II in favour of ENP countries
and Russia 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 (EC) No 1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument (ENPI)¹, and in particular Article 12 thereof,

Whereas:

- (1) The Commission has adopted the ENPI East Regional Strategy Paper and Indicative Programme for the period 2010-2013², chapter 6 of which provides for the following priorities: democracy, good governance and stability; economic development; climate change, energy and environment; and advancing integration with the EU and promoting regional cooperation.
- (2) The objectives pursued by the Action Programme 2012 part II, as set out in the attached annexes, are to address challenges in the following areas: 1) to facilitate the movement of persons and goods across borders while at the same time maintaining secure borders, 2) to reduce processing time by customs services working at the Belarusian-Ukrainian border, 3) to support the preparation and visibility of country and multi-country programmes in the eastern neighbourhood, 4) to advance the implementation of the multilateral dimensions of the Eastern Partnership, the Black Sea Synergy and the Northern Dimension.
- (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 budget³ (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 Financial Regulation applicable to the general budget⁴ (hereafter 'the Implementing Rules').

¹ OJEU L 310, 9.11.2006, p. 1

² C(2010)1144

³ OJ L 248 of 16.09.2002, p. 1.

⁴ OJ L 357 of 31.12.2002, p.1.

- (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 Commission has ensured that the management systems set up by the entities to which the Commission will entrust implementation of EU funds for the actions set out in Annexes 1, 2 and 4 comply with the conditions for the delegation of tasks under joint management and indirect centralised management, as provided for in Articles 53(d) and 56(1) of the Financial Regulation and Articles 43 and 35 of its Implementing Rules with regard to actions implemented under joint management and indirect centralised management.
- (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

The Regional East Action Programme 2012 Part II in favour of eastern ENP countries and Russia, constituted by the actions "Provision of equipment and infrastructure for the Bagratashen-Sadakhlo border crossing point between Armenia and Georgia and enhancement of their capacities", "Support for the creation of an electronic system of pre-arrival information exchange between the customs authorities of the Republic of Belarus and Ukraine", "ENPI-East Global Allocation" and "Support for regional programmes (multilateral dimension of the Eastern Partnership, Black Sea Synergy and Northern Dimension)", the text of which is set out in the attached Annexes, is approved.

Article 2

The maximum contribution of the European Union to this Action Programme is set at EUR 23,249,500 million to be financed from budget line 19 08 01 03 of the general budget of the European Union for 2012.

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

Article 3

The management systems set up by the entities to which the Commission will entrust implementation of EU funds for the actions set out in Annexes 1, 2 and 4 comply with the conditions for the delegation of tasks under joint management and indirect centralised management. The financial implementation of tasks related to these actions can thus be entrusted to these entities.

Article 4

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 this Action Programme. 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 Regional Action Programme in accordance with the principles of sound financial management.

Done at Brussels, 21.9.2012

For the Commission
Štefan FÜLE
Member of the Commission

ANNEXES
ENPI East Regional Action Programme 2012 part II

Annex 1: Provision of equipment and infrastructure for the Bagratashen-Sadakhlo border crossing point between Armenia and Georgia and enhancement of their capacities

Annex 2: Support for the creation of an electronic system of pre-arrival information exchange between the customs authorities of the Republic of Belarus and Ukraine

Annex 3: ENPI-East Global Allocation

Annex 4: Support for regional programmes (multilateral dimension of the Eastern Partnership, Black Sea Synergy and Northern Dimension)