



EUROPEAN COMMISSION

Brussels, 29.07.2010
C(2010) 5091

COMMISSION DECISION

of 29.07.2010

**on the Annual Action Programme 2010 - part 1 in favour of Ukraine to be financed
under Article 19 08 01 03 of 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 Strategy Paper 2007-2013 for Ukraine and the Multiannual Indicative Programme for the period 2007-2010², which indicates as priorities support for democratic development and good governance, support for regulatory reform and administrative capacity building, support for infrastructure development.
- (2) The objectives pursued by the Annual Action Programme are to support Ukraine in the implementation of reforms in the justice sector, to sustain the efforts towards regional and local development, to strengthen public administration institutions and to support them in implementing effectively the commitments set forth in the Association Agenda, the future Association Agreement, and their national reform programmes, and to complement support given in the frame of energy efficiency and environmental sustainability.
- (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').
- (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.

¹ OJEU L 310, 9.11.2006, p. 1

² C(2007) 672

³ OJ L 248 of 16.09.2002 p. 1.

⁴ OJ L 357 of 31.12.2002, p.1.

- (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 system set up by the entities to which the Commission will entrust implementation of EU funds for the action "Support to the Joint Cooperation Initiative in Crimea", component 2, complies with the conditions for the delegation of tasks under indirect centralised management, as provided for in Articles 56(1) of the Financial Regulation and article 35 of its Implementing Rules with regard to the actions implemented under 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 Annual Action Programme 2010 – part I in favour of Ukraine, constituted by the actions "Support to the Justice Sector Policy Reforms in Ukraine", "Support to the Joint Cooperation Initiative in Crimea", "Community Based Approach phase II", "Twinning and ENP Support Technical assistance" and "EU 2010 Contribution to the Eastern Europe Energy Efficiency and Environment Partnership Fund", 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 2010 – part I is set at €60 million to be financed from budget line 19 08 01 03 of the general budget of the European Union for 2010.

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

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. 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 in accordance with the principles of sound financial management.

Article 4

The management system set up by the entity to which the Commission will entrust implementation of EU funds for the action "Support to the Joint Cooperation Initiative in Crimea", component 2, complies with the conditions for the delegation of tasks under indirect centralised management, as indicated in the table attached as Appendix to the concerned action fiche. The financial implementation of tasks related to this action can thus be entrusted to this entity.

Done at Brussels, 29.07.2010

For the Commission
Štefan Füle
Member of the Commission

ANNEXES
Annual Action Programme 2010 – part I for Ukraine

Annex 1: Action Fiche "Support to the Justice Sector Policy Reforms in Ukraine"

Annex 2: Action Fiche "Support to the Joint Cooperation Initiative in Crimea" plus Appendix to the Action Fiche regarding the verification of the conditions for indirect centralised management (art 56, financial regulation)

Annex 3: Action Fiche "Community Based Approach, Phase II"

Annex 4: Action Fiche "Twinning and ENP Technical Assistance Support"

Annex 5: Action Fiche "EU 2010 Contribution to the Eastern Europe Energy Efficiency and Environment Partnership Fund"