



Brussels, 23.11.2016  
C(2016) 7556 final

**COMMISSION IMPLEMENTING DECISION**

**of 23.11.2016**

**on the Annual Action Programme 2016 in favour of Georgia to be financed from the  
general budget of the European Union**

## COMMISSION IMPLEMENTING DECISION

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### on the Annual Action Programme 2016 in favour of Georgia 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 of the European Parliament and of the Council (EU) No 236/2014 of 11 March 2014 establishing common implementing rules and procedures for the implementation of the Union's instruments for financing external action<sup>1</sup>, and in particular Article 2 (1) 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 Single Support Framework (SSF) for EU support to Georgia (2014-2017)<sup>3</sup>. In line with the SSF, this Implementing Decision falls under the focal sectors of public administration reform as well as agriculture and rural development. It also contains support for capacity development and institution building and in favour of civil society as foreseen in the SSF.
- (2) The objectives pursued by the Annual Action Programme to be financed under the European Neighbourhood Instrument are: 1) to assist the Government of Georgia in eradicating poverty, by promoting sustainable and inclusive growth; 2) to support Georgia in the implementation of contractual relations between Georgia and the EU.
- (3) To facilitate the implementation of the incentive-based approach of the European Neighbourhood Instrument, the Annual Action Programme 2016 is partially funded through the umbrella programme mechanism, on the basis of progress towards deep and sustainable democracy and implementation of agreed reform objectives contributing to the attainment of that goal.
- (4) The action entitled “European Neighbourhood Programme for Agriculture and Rural Development in Georgia, phase III (ENPARD Georgia III)” is designed to promote inclusive and sustainable growth and development, creating employment and livelihoods for the poor and excluded. Special measures will help build the resilience of vulnerable people in remote regions, and to promote the economic and social empowerment of rural women. The 3rd phase of the programme will promote the diversification of rural economic opportunities and improved competitiveness of agriculture in view of the DCFTA. The action will be implemented under direct management through budget support, grants and service contracts, and under indirect

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<sup>1</sup> OJ L77, 15.03.2014, p. 95.

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

<sup>3</sup> C(2014) 8302, 31.10.2014.

management with Food and Agriculture Organisation of the United Nations (FAO) and the United Nations Development Programme (UNDP).

- (5) The action entitled “Technical Cooperation Facility II” aims to assist Georgia to fulfil its obligations stemming from the EU-Georgia agreements through supporting public institutions in implementing the Association Agreement, Deep and Comprehensive Free Trade Agreement as well as the Visa Liberalisation Action Plan and the Readmission Agreement. The action will be implemented under direct management through grants and service contracts and under indirect management with International Centre for Migration Policy Development (ICMPD) and International Organisation for Migration (IOM).
- (6) 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 1268/2012<sup>4</sup>.
- (7) It is necessary to adopt a work programme for grants the detailed rules on which are set out in Article 128(1) of Regulation (EU, Euratom) No 966/2012 and in Article 188(1) of Delegated Regulation (EU) No 1268/2012. The work programme is constituted by Annex 1 (section 5.4.1.) and Annex 2 (sections 5.4.1; 5.4.2; 5.4.3; 5.4.4).
- (8) The Commission should entrust budget-implementation tasks under indirect management to the entities specified in this Decision, subject to the conclusion of delegation agreements. In accordance with Article 60(1) and (2) of Regulation (EU, Euratom) No 966/2012, the authorising officer responsible needs to ensure that these entities guarantee a level of protection of the financial interests of the Union equivalent to that required when the Commission manages Union funds. FAO, UNDP, ICMPD and IOM comply 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.
- (9) The authorising officer responsible should be able to award grants without a call for proposals provided that the conditions for an exception to a call for proposals in accordance with Article 190 of Delegated Regulation (EU) No 1268/2012 are fulfilled.
- (10) 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.
- (11) 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.
- (12) The measures provided for in this Decision are in accordance with the opinion of European Neighbourhood Instrument Committee set up by Article 15 of the ENI Regulation,

HAS DECIDED AS FOLLOWS:

#### *Article 1*

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

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<sup>4</sup> 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 (OJ L 362, 31.12.2012, p. 1).

The Annual Action Programme 2016 in favour of Georgia, as set out in the Annexes, is approved.

The programme shall include the following actions:

- Annex 1: “European Neighbourhood Programme for Agriculture and Rural Development in Georgia, phase III (ENPARD Georgia III)”;
- Annex 2: “Technical Cooperation Facility II”.

## *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 109.5 million and shall be financed from:

- budget line 22 04 02 02: EUR 85 000 000;
- budget line 22 04 02 03: EUR 4 000 000;
- budget line 22 04 03 03: EUR 20 500 000;

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.

## *Article 3*

### **Implementation modalities**

Budget-implementation tasks under indirect management may be entrusted to the entities identified in the attached Annexes 1 and 2, subject to the conclusion of the relevant agreements.

The section “Implementation” of the Annexes to this Decision 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 authorising officer responsible in accordance with Article 190 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, 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, 23.11.2016

*For the Commission*  
*Johannes HAHN*  
*Member of the Commission*