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EUROPEAN COMMISSION

Brussels, 16.12.2009
C(2009) 9529 final

COMMISSION DECISION
of

of 16.12.2009

**on the special measure for "Support to Georgia's IDPs Action Plan: 2009 – Part III" 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 Treaties on the European Union and on the Functioning of the European Union,

Having regard to the European Parliament and Council Regulation (EC) No 1638/2006 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 Country Strategy Paper for Georgia² and the Multiannual Indicative Programme for the period 2007-2010 which indicates as priorities: support for democratic development, rule of law and governance, support for economic development and implementation of the European Neighbourhood Policy (ENP) Action Plan, support for poverty reduction and social reforms and support for peaceful settlement of Georgia's internal conflicts.
- (2) The conflict between Georgia and Russia in the summer of 2008 has given rise to a new wave of internally-displaced persons (IDPs), and has caused material damage and disruption to the Georgian economy.
- (3) The extraordinary European Council of September 1st 2008 announced EU's willingness to support the reconstruction effort in Georgia.
- (4) To that purpose the Commission is in the process of identifying a series of support measures under various instruments, the proposed intervention being part of that package.
- (5) While in line with the orientation of the above-mentioned Country Strategy Paper and Indicative Programme, this measure is an addition to the assistance available to Georgia in the framework of the programming documents, and complements two similar, but separate measures totalling €1.5 million, Support to Georgia's IDPs Action Plan: 2008 – Part I and Part II.

¹ OJ L 310, 9.11.2006, p.1

² C(2007) 672

- (6) 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').
- (7) 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.
- (8) 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.
- (9) 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 ADOPTED THIS DECISION:

Article 1

The action "Support Georgia's IDPs Action Plan: 2009 – Part III", for which the text is set out in the attached Annex, is approved.

Article 2

The maximum contribution of the European Union to the action is set at €3.5 million to be financed from budget line 19 08 01 03 of the general budget of the European Union for 2009. This contribution is subject to availability of funds, this being dependent on the approval of a request for a reinforcement of the budget line by an amount of €16 million. The final value of the action will be dependent on the final amount of this reinforcement.

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 Action. This may include an increase of the maximum contribution of the European Union up to 20%.

³ OJEU L 248 of 16.09.2002, p. 1

⁴ OJEU L 357 of 31.12 2002, p.1

The delegated authorising officer may amend the present Decision to introduce non substantial changes to the Action in accordance with the principles of sound financial management.

This Decision is addressed to the delegated authorising officer.

Done at Brussels, 16.12.2009

For the Commission
Benita FERRERO-WALDNER
Member of the Commission

ANNEX

Support to Georgia's IDPs Action Plan: 2009 – Part III