



Brussels, 19.11.2019
C(2019) 8383 final

COMMISSION IMPLEMENTING DECISION

of 19.11.2019

on the Annual Action Programme 2019 in favour of Georgia

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012¹, and in particular Article 110 thereof.

Having regard to Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action², and in particular Article 2(1) thereof,

Whereas:

- (1) In order to ensure the implementation of the Annual Action Programme 2019 in favour of Georgia, it is necessary to adopt an annual financing decision, which constitutes the annual work programme for 2019. Article 110 of Regulation (EU, Euratom) 2018/1046 establishes detailed rules on financing decisions.
- (2) The envisaged assistance is deemed to follow the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU³.
- (3) The Commission has adopted the Single Support Framework (SSF) for EU support to the Republic of Georgia for the period 2017-2020⁴. In line with the SSF, this Implementing Decision falls under the priority sectors of economic development and market opportunities, and good governance and strengthening institutions.
- (4) The objectives pursued by the Annual Action Programme 2019 to be financed under the European Neighbourhood Instrument⁵ are: (1) strengthening the promotion of human rights in Georgia; (2) reinforcing integrated territorial development in Georgia; and (3) promoting rural development, protecting consumers and boosting export opportunities through improved food safety standards. The Annual Action Programme contains three actions.

¹ OJ L 193, 30.7.2018, p.1.

² OJ L77, 15.3.2014, p. 95.

³ www.sanctionsmap.eu Please note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy between the published legal acts and the updates on the website it is the OJ version that prevails.

⁴ C(2017) 8160 final

⁵ Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument (OJ L 77, 15.3.2014, p. 27).

- (5) The first action entitled “EU4 Human Rights in Georgia” aims at further improving human rights observance in Georgia and includes targeted assistance in priority areas with a particular focus on children rights, combatting violence against women and domestic violence and ensuring equality and inclusion of vulnerable persons and minority groups.
- (6) The second action entitled “EU4 Integrated Territorial Development” aims at promoting a more balanced territorial development and improving living standards and conditions of the population through an inclusive, smart and sustainable approach aiming at creating new centres of gravity apart from the capital city Tbilisi and Batumi.
- (7) The third action entitled “European Neighbourhood Programme for Rural Development in Georgia, phase IV (ENPARD IV Georgia)” aims at continuing the support to rural development and stepping up the support to food safety as well as to the compliance with sanitary and phytosanitary (SPS) measures in Georgia.
- (8) It is appropriate to authorise the award of grants without a call for proposals, pursuant to Article 195 of Regulation (EU, Euratom) 2018/1046 due to the crisis situation in Georgia’s breakaway region of Abkhazia.
- (9) Pursuant to Article 4(7) of Regulation (EU) No 236/2014, indirect management is to be used for the implementation of the programme.
- (10) The Commission is to ensure a level of protection of the financial interests of the Union with regards to entities and persons entrusted with the implementation of Union funds by indirect management as provided for in Article 154(3) of Regulation (EU, Euratom) 2018/1046.

To this end, such entities and persons are to be subject to an assessment of their systems and procedures in accordance with Article 154(4) of Regulation (EU, Euratom) 2018/1046 and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of Regulation (EU, Euratom) 2018/1046 before a contribution agreement can be signed.
- (11) It is necessary to allow for the payment of interest due for late payment on the basis of Article 116(5) of Regulation (EU, Euratom) 2018/1046.
- (12) In order to allow for flexibility in the implementation of the programme, it is appropriate to allow changes which should not be considered substantial for the purposes of Article 110(5) of Regulation (EU, Euratom) 2018/1046.
- (13) The actions provided for in this Decision are in accordance with the opinion of the European Neighbourhood Instrument Committee established under Article 15 of the financing instrument referred to in recital 4.

HAS DECIDED AS FOLLOWS:

Article 1
The Programme

The Annual Action Programme in favour of Georgia for 2019, as set out in the Annexes, is adopted.

The programme shall include the following actions:

- Annex 1: "EU4 Human Rights in Georgia"

- Annex 2: "EU4 Integrated Territorial Development"
- Annex 3: "European Neighbourhood Programme for Agriculture and Rural Development in Georgia, phase IV (ENPARD Georgia IV)"

Article 2
Union contribution

The maximum Union contribution for the implementation of the programme for 2019 is set at EUR 120 million and shall be financed from the appropriations entered in the following lines of the general budget of the Union:

- EUR 11 million from budget line 22 04 02 01;
- EUR 84 million from budget line 22 04 02 02;
- EUR 25 million from budget line 22 04 03 03.

The appropriations provided for in the first paragraph may also cover interest due for late payment.

Article 3
Methods of implementation and entrusted entities and persons

The implementation of the actions carried out by way of indirect management, as set out in the Annexes, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in points 5.3.2, 5.3.3 and 5.3.4 of Annex 1, in point 5.4.3 of Annex 2 and in point 5.4.2 of Annex 3.

Article 4
Flexibility clause

Increases⁶ or decreases of up to EUR 10 million not exceeding 20% of the contribution set in 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 110(5) of Regulation (EU, Euratom) 2018/1046, where these changes do not significantly affect the nature and objectives of the actions.

The authorising officer responsible may apply the changes referred to in the first paragraph. Those changes shall be applied in accordance with the principles of sound financial management and proportionality.

⁶ These changes can come from external assigned revenue made available after the adoption of the financing Decision.

Article 5
Grants

Grants may be awarded without a call for proposals pursuant to Article 195 of Regulation (EU, Euratom) 2018/1046 to the bodies referred to in point 5.4.1 of Annex 3.

Done at Brussels, 19.11.2019

For the Commission
Johannes HAHN
Member of the Commission