



Brussels, 4.8.2008
C(2008) 3821 final

COMMISSION DECISION

of 4.8.2008

**on the ENP Regional East Action Programme 2008 in favour of ENP countries and
Russia to be financed under budget line 19.08.0103 of the general budget of the
European Communities**

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THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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 Instrument¹ and in particular Article 12 thereof,

Whereas:

- (1) The Regulation sets up the criteria for the implementation of a programme of assistance to the ENP partner States and Russia,
- (2) In accordance with Article 6 (1) (a) (i) of the Regulation, Community assistance shall be implemented through country or multi-country programmes which deal with assistance to one partner country or address regional and sub-regional cooperation between two or more partner countries,
- (3) In accordance with Article 2.2 (q) of the Regulation, Community assistance shall be used to ensure efficient and secure border management,
- (4) The Commission has adopted the ENP Regional Programme Strategy Paper 2007-2013 for ENPI countries² and the respective Multiannual Indicative Programme for the period 2007-2010³,
- (5) The objective pursued by the Annual Action Programme is to provide assistance towards the common ENP and Common Space objectives where there is a clear advantage in such regional-level assistance,
- (6) This decision constitutes a financing decision within the meaning of Article 75 of Council Regulation (EC, Euratom) No 1605/2002⁴, Article 90 of Commission Regulation (EC, Euratom) No 2342/2002⁵ and Article 15 of the Internal Rules⁶,
- (7) The crisis situation in Transnistria justifies the award of a grant without a call for proposals (with regard to the Border Management project) in accordance with Article 110 of the Financial Regulation and Article 168(2) of its Implementing Rules. Financing of an action in full may be permitted pursuant to Article 169 of the Financial Regulation and Article 253(1)(b) and (d) of the Implementing Rules,

¹ OJ L 310, 9.11.2006, p. 1

² C(2007) 672

³ C(2007) 672

⁴ Council Regulation (EC, Euratom) N° 1605/2002 (OJ L 248, 16.09.2002) as last amended by Council Regulation (EC, Euratom) N° 1995/2006 (OJ L 390, 30.12.2006) and by Council Regulation (EC, Euratom) N° 1525/2007 of 17 December 2007 (OJ L 343, 27.12.2007, p.9).

⁵ OJ L 357, 31.12.2002, p.1. Regulation as last amended by Regulation (EC, Euratom) No 478/2007 (OJ L 111, 28.04.2007, p.13).

⁶ C (2007) 513 of February 21, 2007.

- (8) It is appropriate to define the term “substantial change” in the meaning of Article 90 (4) Regulation (EC, Euratom) No 2342/2002 for the application of this 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 DECIDED AS FOLLOWS:

Article 1

The ENP East Regional Action Programme 2008 and the relevant expenditure of funds up to € 38 million, referring to the financial year 2008, under the budget article 19.08.0103 and attached as annex to the present decision, are hereby approved.

Article 2

Within the maximum indicative budget of all the specific actions, cumulated changes not exceeding 20% of the maximum contribution of the Community are not considered to be substantial provided that they do not significantly affect the nature and objectives of the ENP East Regional Action Programme 2008.

The authorising officer may adopt such changes in accordance with the principles of sound financial management.

Done at Brussels, 4.8.2008

For the Commission
Benita FERRERO-WALDNER
Member of the Commission