



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 19/10/2009
C(2009) 7803

COMMISSION DECISION

of 19/10/2009

**on the Annual Action Programme 2009 in favour of Ukraine to be financed under
Article 19 08 01 03 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 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 its transport and environment sectors, to strengthen public administration institutions in Ukraine and to support them in implementing effectively the commitments set forth in the ENP Action Plan and any successor documents, the future Association Agreement, and their national reform programmes.
- (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 budget of the European Communities³ 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 budget of the European Communities⁴.
- (4) The present decision covers any possible interest due for late payment on the basis of articles 83 of the Council Regulation (EC, Euratom) No 1605/2002 and 106(5) of Commission Regulation (EC, Euratom) No 2342/2002.

¹ OJEU L 310, 9.11.2006, p. 1

² C(2007) 672

³ OJEU L 248 of 16.09.2002, p. 1

⁴ OJEU 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) Regulation (EC, Euratom) No 2342/2002 to ensure that any substantial change in this decision shall follow the same procedure as the initial decision.
- (6) 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 in favour of Ukraine, constituted by the actions "Support for the implementation of the Transport Strategy in Ukraine", "Support for the implementation of the Environmental strategy in Ukraine" and "Twinning and ENP support technical assistance", the text of which is set out in the attached Annexes, is approved.

Article 2

The maximum contribution of the Community is set at EUR 116 million to be financed from budget line 19 08 01 03 of the general budget of the European Communities for 2009.

This decision shall also cover any possible interest due for late payment.

Article 3

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

The authorising officer may introduce non substantial changes to the Annual Action Programme in accordance with the principles of sound financial management.

Done at Brussels, 19/10/2009

For the Commission
Benita FERRERO-WALDNER
Member of the Commission

ANNEXES

Annual Action Programme 2009 in favour of Ukraine

Annex 1: Action Fiche (Support for the implementation of the Transport Strategy in Ukraine)

Annex 2: Action Fiche (Support for the implementation of the Environmental strategy in Ukraine)

Annex 3: Action Fiche (Twinning and ENP support technical assistance)