



EUROPEAN COMMISSION

Brussels, 13/07/2011  
DEVCO/A1/2011/366663  
C (2011) 4967

**COMMISSION IMPLEMENTING DECISION**

**of 13/07/2011**

**on the Annual Action Programme 2011 part 1 in favour of Ukraine to be financed under  
Article 19 08 01 03 of the general budget of the European Union**

## COMMISSION IMPLEMENTING DECISION

of XXX

**on the Annual Action Programme 2011 part 1 in favour of Ukraine to be financed under Article 19 08 01 03 of 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 (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)<sup>1</sup>, and in particular Article 12 thereof,

Whereas:

- (1) The Commission has adopted the ENPI Strategy Paper 2007-2013<sup>2</sup> for Ukraine and the Multiannual National Indicative Programme for the period 2011-2013<sup>3</sup>, point 4 of which provides for the following priorities: good governance and the rule of law; facilitating the entry into force of the EU-Ukraine Association Agreement (including the establishment of a Deep and Comprehensive Free Trade Area); and sustainable development.
- (2) The objectives pursued by the Annual Action Programme 2011, as set out in the attached annex, are to effectively raise Ukrainian institutions' capacities in the preparation and implementation of the EU-Ukraine Association Agreement, including the Deep and Comprehensive Free Trade Area and visa liberalisation dialogue, as well as in meeting the objectives of the EU-Ukraine Association Agenda.
- (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<sup>4</sup> (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 budget<sup>5</sup> (hereafter 'the Implementing Rules').
- (4) 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.

---

<sup>1</sup> OJEU L 310, 9.11.2006, p. 1

<sup>2</sup> C(2007)672

<sup>3</sup> C(2010)1144

<sup>4</sup> OJ L 248 of 16.09.2002, p. 1.

<sup>5</sup> OJ 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) of the Implementing Rules 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 2011 part 1 in favour of Ukraine, constituted by the action "Framework Programme in support of EU-Ukraine agreements", the text of which is set out in the attached Annex, is approved.

### *Article 2*

The maximum contribution of the European Union to the Annual Action Programme is set at EUR 30 million to be financed from budget line 19 08 01 03 of the general budget of the European Union for 2011.

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

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

Done at Brussels, 13/07/2011

*For the Commission*  
*Štefan Füle*  
*Member of the Commission*

**ANNEX**

**Framework Programme in support of EU-Ukraine agreements**