

## COMMISSION DECISION

C (2008) 3891 of 29 July 2008

### on the ENPI Annual Action Programme 2008 in favour of Ukraine to be financed under Article 19 08 01 03 of the general budget of the European Communities

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<sup>1</sup>, and in particular Article 12 thereof,

Whereas:

- (1) The Commission has adopted the ENPI Ukraine Strategy Paper 2007-2013 for ENPI countries<sup>2</sup> and the respective Multiannual Indicative Programme for the period 2007-2010, which indicates as priorities: support for democratic development and good governance, support for regulatory reform and administrative capacity building and support for infrastructure development.
- (2) The objectives pursued by the Annual Action Programme are as follows :

#### **Promoting mutual trade by removing technical barriers to trade between Ukraine and the European Union:**

To contribute to economic reform and the gradual integration of Ukraine's economy into the Internal Market<sup>3</sup>.

To implement policy measures to remove technical barriers to trade between the EU and Ukraine. Such policy measures include the modernisation of the institutional framework for quality assurance.

#### **Twinning and ENP support technical assistance :**

To build the capacity of the Ukrainian ministries and agencies to enforce effectively the commitments set forth in the ENP Action Plan and any successor documents, the Enhanced Agreement, and their national reform programmes.

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

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

<sup>3</sup> NIP 2007-2010, Priority Area 2 "Support for regulatory reform and administrative capacity building", Sub-priority 1 "Trade facilitation and improving the investment climate".

**Support to the implementation of Ukraine's strategy in the area of energy efficiency and renewable sources of energy :**

To contribute to implementing the measures agreed in the Ukraine ENP Action Plan in the areas of Energy efficiency (EE) and Renewable energy sources (RES)<sup>4</sup>.

To support implementation of the priority measures to be agreed under the Energy MoU in the areas of energy efficiency and renewable energy.

To set up an institutional framework appropriate to sustain implementation of such measures in the long run.

- (3) This decision constitutes a financing decision within the meaning of Article 75 of Council Regulation (EC, Euratom) No 1605/2002<sup>5</sup>, Article 90 of Commission Regulation (EC, Euratom) No 2342/2002<sup>6</sup> and Article 15 of the Internal Rules<sup>7</sup>.
- (4) 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.
- (5) 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 actions “Promoting mutual trade by removing technical barriers to trade between Ukraine and the European Union”, “Twinning and ENP support technical assistance” and “Support to the implementation of Ukraine's strategy in the area of energy efficiency and renewable sources of energy”, which constitute the Annual Action Programme in favour of Ukraine, the text of which is set out in the Annex, are approved.

*Article 2*

The maximum contribution of the Community is set at EUR 138.600.000 to be financed from budget line 19 08.01.03 of the general budget of the European Communities for 2008.

*Article 3*

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

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<sup>4</sup> Sections 51 and 56 of the EU-Ukraine Action Plan of 21 February 2005.

<sup>5</sup> Council Regulation (EC, Euratom) N° 1605/2002 (JO L 248, 16.09.2002) as last amended by Council Regulation (EC, Euratom) N° 1995/2006 (JO L 390, 30.12.2006) and by Council Regulation (EC, Euratom) N° 1525/2007 of 17 December 2007 (JO L 343, 27.12.2007, p.9.).

<sup>6</sup> OJ L 357, 31.12.2002, p.1. Regulation last amended by Regulation (CE, Euratom) No 478/2007 (JO L 111, 28.04.2007, p.13).

<sup>7</sup> Commission Decision C(2008) 773 of 5 March 2008.

substantial provided that they do not significantly affect the nature and objectives of the Annual Action Programme.

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

Done at Brussels, [...]

*For the Commission*

[...]

*Member of the Commission*