COMMISSION IMPLEMENTING DECISION


on the Individual measure in favour of Afghanistan and Tajikistan for Cross Border Cooperation Afghanistan-Tajikistan to be financed from the general budget of the European Union
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THE EUROPEAN COMMISSION,

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

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 action¹, and in particular Article 2(1) thereof,

Having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002², and in particular Article 84(2) thereof,

Whereas:

(1) The Commission has adopted the Regional Strategy Paper for Asia³ and the Multiannual Regional Indicative Programme for Asia for the period 2014-2020⁴, which provides for the following priority: provide support to reintegrate or integrate uprooted people, including support to local communities and resettlement areas.

(2) The Commission has adopted the Multiannual Indicative Programmes for Afghanistan and Tajikistan for the period 2014-2020 for the following priority: to improve the sustainability and increase the wealth of the rural populations, by enhancing the social and economic development of rural communities and reducing hunger and vulnerability. In addition, an incentive programme has been established for Afghanistan.

(3) The objective pursued by the measure to be financed under the Development Cooperation Instrument⁵ is to catalyse regional economic development and integration in the border regions of Afghanistan and Tajikistan.

(4) Action entitled "The Cross border cooperation with Afghanistan and Tajikistan" will facilitate an enabling physical and institutional environment for, trade, production and local business development in the targeted areas through a project approach with an international NGO and Member State Agency.

(5) It is necessary to adopt a financing decision the detailed rules on which are set out in Article 94 of Commission Delegated Regulation (EU) No 1268/2012⁶.

¹ OJ L 77, 15.03.2014, p. 95
³ Decision C(2014)9382
⁴ Decision C(2014)6112
It is necessary to adopt a work programme for grants the detailed rules on which are set out in Article 128(1) of Regulation (EU, Euratom) No 966/2012 and in Article 188(1) of Delegated Regulation (EU) No 1268/2012. The work programme is constituted by the Annex 1 (section 5.3.1).

The Commission should entrust budget-implementation tasks under indirect management to the entities specified in this Decision, subject to the conclusion of a delegation agreement. In accordance with Article 60(1) and (2) of Regulation (EU, Euratom) No 966/2012, the authorising officer responsible needs to ensure that these entities guarantee a level of protection of the financial interests of the Union equivalent to that required when the Commission manages Union funds. These entities comply with the conditions of points (a) to (d) of the first subparagraph of Article 60(2) of Regulation (EU, Euratom) No 966/2012 and the supervisory and support measures are in place as necessary.

The authorising officer responsible should be able to award grants without a call for proposals provided that the conditions for an exception to a call for proposals in accordance with Article 190 of Delegated Regulation (EU) No 1268/2012 are fulfilled because the action has specific characteristics requiring a specific type of beneficiary for its technical competence, specialisation and administrative power.

It is necessary to allow the payment of interest due for late payment on the basis of Article 92 of Regulation (EU, Euratom) No 966/2012 and Article 111(4) of Delegated Regulation (EU) No 1268/2012.

Pursuant to Article 94(4) of Delegated Regulation (EU) No 1268/2012, the Commission should define changes to this Decision which are not substantial in order to ensure that any such changes can be adopted by the authorising officer responsible.

The measure provided for in this Decision are in accordance with the opinion of the Development Cooperation Instrument Committee set up by Article 19 of the financing instrument referred to in Recital 3.

HAS DECIDED AS FOLLOWS:

**Article 1**

Adoption of the measure

The "Cross Border Cooperation Afghanistan-Tajikistan", as set out in the Annex, is approved. The measure shall include the following action: Annex Cross Border Cooperation Afghanistan-Tajikistan

**Article 2**

Financial contribution

The maximum contribution of the European Union for the implementation of the measure referred to in Article 1 is set at EUR 16,000,000 and shall be financed for an amount of EUR 6,000,000 from budget line 21.020300 and EUR 10,000,000 from budget line 21.020500 of the general budget of the European Union for financial year 2016.

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

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**Article 3**

**Implementation modalities**

Budget-implementation tasks under indirect management may be entrusted to the entity identified in the attached Annex, subject to the conclusion of the relevant agreement.

The section “Implementation Issues” of the Annex to this Decision sets out the elements required by Article 94(2) of Delegated Regulation (EU) No 1268/2012.

Grants may be awarded without a call for proposals by the authorising officer responsible in accordance with Article 190 of Delegated Regulation (EU) No 1268/2012.

**Article 4**

**Non-substantial changes**

Increases or decreases of up to EUR 10 million not exceeding 20 % of the contribution set by 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 94(4) of Delegated Regulation (EU) No 1268/2012, provided that they do not significantly affect the nature and objectives of the actions.

The authorising officer responsible may adopt the non-substantial changes in accordance with the principles of sound financial management and proportionality.


*For the Commission*

*Neven MIMICA*

*Member of the Commission*