



Brussels, 30.7.2019
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COMMISSION IMPLEMENTING DECISION

of 30.7.2019

**on the Neighbourhood Investment Platform (NIP), part of the European Neighbourhood
Wide Action Programme 2019**

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THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 ⁽¹⁾, and in particular Article 110 thereof,

Having regard to Regulation No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common implementing rules and procedures for the implementation of the Union's instruments for financing external action ⁽²⁾ and in particular Article 2(1) thereof,

Whereas:

- (1) In order to ensure the implementation of the Neighbourhood Investment Platform (NIP), part of the European Neighbourhood Wide Action Programme for 2019, it is necessary to adopt an annual financing Decision, which constitutes the annual work programme, for 2019. Article 110 of Regulation (EU, Euratom) 2018/1046 establishes detailed rules on financing decisions.
- (2) The envisaged assistance is deemed to follow the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU ⁽³⁾.
- (3) The Commission has adopted the '*European Neighbourhood – wide measures*' under the '*ENI - Strategic Priorities and Multi-annual Indicative Programme 2018-2020*' document ⁽⁴⁾ and the Multiannual Indicative Programme (2014-2017) which indicates as priority 1 "Building a partnership for sustainable and inclusive economic development and integration" that includes support to investment and social and private sector development and makes reference to the Neighbourhood Investment Platform (NIP).
- (4) The objectives pursued by the European Neighbourhood wide measures programme to be financed under the European Neighbourhood Instrument ⁽⁵⁾ through the NIP are to facilitate additional investments in infrastructure in transport, energy, environment, with a particular

¹ OJ L 193, 30.7.2018, p.1.

² OJ L 77, 15.3.2014, p. 95

³ www.sanctionsmap.eu Please note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy between the published legal acts and the updates on the website, it is the OJ version that prevails.

⁴ C(2018) 2994, Commission Implementing Decision on adopting Strategic Priorities and a Multi-annual Indicative Programme 2018-2020 for European Neighbourhood-wide measures

⁵ Regulation of the European Parliament and of the Council establishing a European Neighbourhood Instrument, OJ L 77, 15.3.2014, p. 27.

focus on climate change mitigation and adaptation, and to support social and private sector development in the European Neighbourhood Partner Countries.

- (5) The NIP aims within the framework of the objectives of the European Neighbourhood Policy (ENP), which are to contribute to achieving the Sustainable Development Goals of the 2030 Agenda, in particular poverty eradication, as well as commitments under the ENP Review. It also contributes to sustainable job creation and to addressing specific socioeconomic root causes of migration, including irregular migration, and contributes to the sustainable reintegration of migrants returning to their countries of origin, and strengthening transit and host communities. The NIP will prioritise projects that significantly contribute to achieving the Union's policy objectives in the region, as described inter alia in Union Council Conclusions, Union Agreements, and frameworks for bilateral engagement such as Partnership Priorities or equivalent documents like Association Agendas (or equivalent documents like Partnership Priorities) as well as the European Neighbourhood Instrument (ENI) regional and bilateral strategy papers for the Neighbourhood. In the East sub-region, priorities will also take into account policy objectives set in the 2017 Brussels Eastern Partnership Summit declaration and the "20 deliverables for 2020", and subsequently set by Eastern Partnership platforms and panels, the Eastern Partnership transport network and the Energy Community. In the South region sectorial co-operation initiatives, strategies and plans supported by the Union for the Mediterranean will also be taken into account.
- (6) Pursuant to Article 4(7) of Regulation (EU) No 236/2014, indirect management is to be used for the implementation of the programme under the Neighbourhood Investment Platform.
- (7) The Commission is to ensure a level of protection of the financial interests of the Union with regards to entities and persons entrusted with the implementation of Union funds by indirect management as provided for in Article 154(3) of Regulation (EU, Euratom) 2018/1046.
- (8) To this end, such entities and persons are to be subject to an assessment of their systems and procedures in accordance with Article 154(4) of Regulation (EU, Euratom) 2018/1046 and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of Regulation (EU, Euratom) 2018/1046 before a contribution agreement can be signed.
- (9) It is necessary to allow for the payment of interest due for late payment on the basis of Article 116(5) of Regulation (EU, Euratom) 2018/1046.
- (10) In order to allow for flexibility in the implementation of the programme, it is appropriate to allow changes which should not be considered substantial for the purposes of Article 110(5) of Regulation (EU, Euratom) 2018/1046.
- (11) The measures provided for in this Decision are in accordance with the opinion of the European Neighbourhood Instrument Committee established under Article 15 of the financing instrument referred to in recital 4.

HAS DECIDED AS FOLLOWS:

Article 1
The programme

The 2019 Annual Action Programme on the Neighbourhood Investment Platform (NIP), as set out in Annex 1, is adopted.

The programme shall include the following action:

- Annex 1 – Action document for the contribution from the 2019 general budget of the European Union to the Neighbourhood Investment Platform (NIP).

Article 2
Union contribution

The maximum Union contribution for the implementation of the 2019 Annual Action Programme on the NIP is set at EUR 419 497 000, and shall be financed from the appropriations entered in the following lines of the general budget of the Union:

- EUR 253 097 000 from budget line 22.040102;
- EUR 7 000 000 from budget line 22.040104;
- EUR 159 400 000 from budget line 22.040202.

The appropriations provided for in first paragraph may also cover interest due for late payment.

Article 3
Methods of implementation and entrusted entities or persons

The implementation of the actions carried out by way of indirect management, as set out in Annex 1, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in sections 5.3.2 and 5.3.3 of Annex 1.

Article 4
Flexibility clause

Increases ⁽⁶⁾ or decreases of up to EUR 10 million not exceeding 20% of the contribution set in 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 110(5) of Regulation (EU, Euratom) 2018/1046, where these changes do not significantly affect the nature and objectives of the actions.

The authorising officer responsible may apply the changes referred to in the first paragraph. Those changes shall be applied in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 30.7.2019

For the Commission
Johannes HAHN
Member of the Commission

⁶ These changes can come from external assigned revenue made available after the adoption of the financing Decision