COMMISSION IMPLEMENTING DECISION

of 15.5.2020

on the financing of the Annual Action Programme, part 1, in favour of Ukraine for 2020
to be financed under the general budget of the 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 action, and in particular Article 2(1) thereof,

Whereas:

(1) In order to ensure the implementation of the Annual Action Programme 2020, part 1, in favour of Ukraine for 2020, it is necessary to adopt a annual financing decision, which constitutes the annual work programme, for 2020. 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) The Commission has adopted the Single Support Framework for the period 2018-2020, which prioritises: (a) "strengthening institutions and good governance, including the rule of law and security"; (b) "economic development and market opportunities, including private sector development and improvement of the business climate"; (c) "connectivity, energy efficiency, environment and climate change"; and (d) "mobility and people-to-people contacts, including social inclusion".

(4) The objectives pursued by the Annual Action Programme, part 1, in favour of Ukraine for 2020 to be financed under the European Neighbourhood Instrument (ENI) are to support small and medium enterprises, agriculture and small farm

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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.
The programme
The Annual Action Programme, part 1, in favour of Ukraine for 2020, as set out in the Annexes, is adopted.

The Programme shall include the following actions:

– Annex 1: "EU4BUSINESS: Support to Small and Medium Enterprises (SMEs) in Ukraine";
– Annex 2: "EU support to agriculture and small farm development in Ukraine";
– Annex 3: "Technical Cooperation Facility 2020".

Article 2

Union contribution

The maximum contribution of the European Union for the implementation of the Programme for 2020 is set at EUR 105 000 000 and shall be financed from the appropriations entered in the following lines of the general budget of the Union:

- budget line 22 04 02 01: EUR 60 000 000;
- budget line 22 04 02 02: EUR 45 000 000.

The appropriations provided for in the 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 the Annexes 1, 2 and 3, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 5.3 of the Annexes 1, 2 and 3.

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.

\(^6\) These changes can come from external assigned revenue made available after the adoption of the financing decision.
Article 5

Grants

Grants may be awarded without a call for proposals pursuant to Article 195 of Regulation (EU, Euratom) 2018/1046 to the bodies referred to in point 5.3 of the Annex 3.

The eligibility of costs prior to the submission of grant applications and which is prior to the date of adoption of this Decision shall be authorised as of the date set out in the Annex 3.

Done at Brussels, 15.5.2020

For the Commission
Olivér VÁRHELYI
Member of the Commission

CERTIFIED COPY
For the Secretary-General,

Jordi AYET PUIGARNAU
Director of the Registry
EUROPEAN COMMISSION