



Brussels, 16.10.2018
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COMMISSION IMPLEMENTING DECISION

of 16.10.2018

on adopting an Action Programme for the Turkish Cypriot community for the year 2018

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THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 389/2006 of 27 February 2006 establishing an instrument of financial support for encouraging the economic development of the Turkish Cypriot community¹, and in particular Article 3 thereof,

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 and repealing Regulation (EU, Euratom) No 966/2012², and in particular Article 110 thereof,

Whereas:

- (1) Following the accession of Cyprus, the application of the acquis is suspended pursuant to Article 1(1) of Protocol No 10 to the Act of Accession 2003 in the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control (hereinafter referred to as ‘the areas’).
- (2) Pursuant to Article 3(1) of Protocol No 10, nothing in the Protocol precludes measures with a view to promoting the economic development of the areas.
- (3) Council Regulation (EC) No 389/2006 lays down the rules and conditions for the granting of assistance to facilitate the reunification of Cyprus by encouraging the economic development of the Turkish Cypriot community with particular emphasis on the economic integration of the island, on improving contacts between the two communities and with the EU, and on preparation for the acquis.
- (4) In order to ensure the implementation of the programme it is necessary to adopt a financing decision for 2018. Article 110 of Regulation (EU, Euratom) 2018/1046 establishes detailed rules on financing decisions.
- (5) The envisaged assistance to the Turkish Cypriot community is deemed to strictly follow the conditions and procedures set out by the restrictive measures concerning the said areas.
- (6) The objectives pursued by the Action Programme for the Turkish Cypriot community for the year 2018 are: development of local infrastructure and environment protection; animal disease crisis preparedness and improvement of food safety standards; support to education and labour market through curriculum development and access to science; creation of a more conducive entrepreneurship ecosystem and innovation in business; reinforced confidence between Greek Cypriot and Turkish Cypriot communities

¹ OJ L 65, 7.3.2006, p. 5.

² OJ L 191, 30.7.2018, p. 1.

through a pilot bi-communal scholarship scheme and provision of a dedicated funding to the bi-communal Technical Committees, the Cultural Heritage programme and the Committee of Missing Persons; provision of information about the EU; and support to needs aiming at facilitating the settlement process.

- (7) All individual legal commitments for this Action Programme shall be concluded no later than three years following the date of budgetary commitment according to Article 5(1) of Regulation (EC) No 389/2006.
- (8) In order to ensure the implementation of this Action Programme, it is necessary to adopt an annual financing decision, which constitutes the annual work programme, for 2018. Article 110 of Regulation (EU, Euratom) 2018/1046 establishes detailed rules on financing decisions.
- (9) The Commission should entrust budget-implementation tasks under indirect management to the entities specified in the Annex to this Decision, subject to the conclusion of contribution agreements. 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. 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) 2018/1046³ and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) before a contribution agreement can be signed.
- (10) UNDP complies with the conditions set out in points (a) to (d) of Article 154(4) of Regulation (EU, Euratom) 2018/1046 and the supervisory and support measures are in place as necessary.
- (11) Northern Ireland Co-Operation Overseas LTD (NI-CO) is currently undergoing the assessment provided for in Article 154(3) of Regulation (EU, Euratom) 2018/1046. In anticipation of the results of this review, the authorising officer responsible deems that, based on the entity's positive assessment prior to the entry into force of Regulation (EU, Euratom) 2018/1046 and on the long-standing and problem-free cooperation with it, budget-implementation tasks can be entrusted to NI-CO.
- (12) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants
- (13) 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.
- (14) 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.
- (15) The measures provided for by this Decision are in accordance with the opinion of the IPA II Committee referred to in Article 13(2) of the Regulation (EU) No 231/2014⁴,

³ Except for the cases of Article 154(6) of Regulation (EU, Euratom) 2018/1046, where the Commission may decide, not to require an ex-ante assessment.

⁴ OJ L 77, 15.3.2014, p. 11-26.

HAS DECIDED AS FOLLOWS:

Article 1
Adoption of the programme

The annual programme for the implementation of the Turkish Cypriot community assistance for 2018, as set out in the Annex, is adopted.

The annual programme constitutes a financing decision within the meaning of Article 110 of Regulation (EU, Euratom) No 2018/1046.

Article 2
Union contribution

The maximum Union contribution for the implementation of the programme for the year of budget implementation is set at EUR 34 473 000 and shall be financed from the appropriations entered in the following line of the general budget of the Union for 2018:

Budget line 13 07 01: EUR 34 473 000

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

Article 3
Methods of implementation

This programme shall be implemented through direct and indirect management.

The budget implementation tasks related to the actions carried out by way of indirect management, as set out in the Annex, may be entrusted to the entities referred to in point 1.4 of that Annex subject to the conclusion of the relevant agreements.

The elements required by Article 110(2) of Regulation (EU, Euratom) 2018/1046 are set out in the Annex to this Decision.

Grants may be awarded without a call for proposals by the authorising officer responsible in accordance with Article 195 of Regulation (EU, Euratom) 2018/1046..

Article 4
Non-substantial changes

Cumulated changes to the allocations to specific actions not exceeding 15% of the maximum contribution set in Article 2 of this Decision shall not be considered to be substantial within the meaning of Article 110(5) of Regulation (EU, Euratom) 2018/1046, where those changes do not significantly affect the nature of the actions and the objective of the work programme.

Extensions of the implementation and closure period shall not be considered to be substantial within the meaning of Article 110(5) of Regulation (EU, Euratom) 2018/1046, provided that they do not significantly affect the nature and objectives of the actions.

The responsible authorising officer may apply the changes referred to in the first, second and third paragraph in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 16.10.2018

Valdis DOMBROVSKIS

For the Commission

Vice-President