



Brussels, 17.12.2015
C(2015) 9138 final

COMMISSION IMPLEMENTING DECISION

of 17.12.2015

**on the Joint Operational Programme Poland-Belarus-Ukraine 2014-2020 for the ENI
Cross-Border Cooperation programme for the years 2014-2020 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) and 3(3) 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 Cross-Border Cooperation programming document³, which indicates the list of programmes, their geographical scope and budget and lists the ten Thematic Objectives to choose from.
- (2) The Commission has adopted the Commission Implementing Regulation (EU) No 897/2014 of 18 August 2014 laying down specific provisions for the implementation of cross-border cooperation programmes financed under Regulation (EU) No 232/2014 of the European Parliament and the Council establishing a European Neighbourhood Instrument⁴.
- (3) The objective pursued by the Joint Operational Programme Poland-Belarus-Ukraine 2014-2020 for the ENI Cross-Border Cooperation programme for the years 2014-2020 are to prevent the emergence of new dividing lines between EU and its neighbours and to help the regions to develop their economic, social and environmental potential. The programme focuses on the following four priorities for cooperation in the geographic area concerned: (i) Promotion of local culture and preservation of historical heritage, (ii) Improvement of accessibility to the regions, development of sustainable and climate-proof transport and communication networks and systems, (iii) Common challenges in the field of safety and security and (iv) Promotion of border management and border security, mobility and migration management.

¹ OJ L77, 15.3.2014, p. 95.

² OJ L 298, 26.10.2012, p. 1.

³ C(2014) 7172 final

⁴ OJ L244, 19.8.2014, p. 12.

- (4) It is necessary to adopt a financing decision, the detailed rules of which are set out in Article 94 of Commission Delegated Regulation (EU) No 1268/2012⁵.
- (5) 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.
- (6) 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.

HAS DECIDED AS FOLLOWS:

Article 1
Adoption of the programme

The Joint Operational Programme Poland-Belarus-Ukraine 2014-2020 for the ENI Cross-Border Cooperation for the years 2014-2020, as set out in Annex 1, is approved.

Article 2
Financial contribution

The maximum amount of the European Union contribution for the implementation of the Joint Operational Programme Poland-Belarus-Ukraine 2014-2020 for the ENI Cross-Border Cooperation programme for the years 2014-2020 referred to in Article 1 is set at EUR 183,078,184. This amount includes EUR 91,709,405 financed from budget line 21.03.03.01 and EUR 91,368,779 financed from budget line 21.03.03.02 of the general budget of the European Union.

The maximum European Union contribution for 2015 is set at EUR 27,430,320. This amount includes EUR 17,595,163 and EUR 9,835,157, respectively financed from the budget lines 21.03.03.01 and 21.03.03.02 of the general budget of the European Union. The annual breakdown of funds is included in Annex 2 to this decision.

The budgetary commitments shall be done on a yearly basis.

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

The implementation of this Decision is subject to the availability of the appropriations provided for in the draft budget for financial year 2016-2020 after the adoption of the budget for each financial year or as provided for in the system of provisional twelfths.

Article 3
Implementation modalities

This Joint Operational Programme shall be implemented under shared management.

The annex 1 to this Decision sets out the elements required by Article 94(2) of Delegated Regulation (EU) No 1268/2012.

⁵ Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (OJ L 362, 31.12.2012, p. 1).

Article 4
Non-substantial changes

The adjustments indicated in Article 6(1) of the Commission Implementing Regulation (EU) 897/2014 of the European Commission shall not be considered substantial, provided that they do not significantly affect the nature and objectives of the Joint Operational Programme Poland-Belarus-Ukraine 2014-2020 for the ENI Cross-Border Cooperation programme for the years 2014-2020 .

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

Done at Brussels, 17.12.2015

For the Commission
Johannes HAHN
Member of the Commission