

COMMISSION DECISION

of 09.12.2008

approving the 2008 annual action programme and the 2009 action programme (part I) for Morocco to be financed under Article 19 08 01 of the general budget of the European Communities

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument,¹ and in particular Article 12 thereof,

Whereas:

- (1) The Commission has adopted the strategy paper for Morocco and the multiannual indicative programme for the period 2007-10,² points 3.1, 3.2 and 3.4 of which specify support for the social sectors, governance and human rights, development of the private sector and support for energy sector reform as priorities.
- (2) The aims of the action programme for 2008 and the action programme for 2009 (part I) are to support the introduction of the EU/Morocco neighbourhood action plan, inter alia through twinning schemes, to assist in the implementation of the recommendations of the Justice and Reconciliation Commission (IER) on History and Memory, to back energy sector reforms, to continue support for health system reforms, and to back reforms in the area of investment and export promotion.
- (3) This decision constitutes a financing decision within the meaning of Article 75 of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities³ and of Article 90 of Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002.⁴

¹ OJ L 310, 9.11.2006, p. 1.

² C(2006) 672.

³ OJ L 248, 16.9.2002, p. 1. Regulation last amended by Commission Regulation (EC, Euratom) No 1995/2006 (OJ L 390, 30.12.2006, p. 1).

⁴ OJ L 357, 31.12.2002, p. 1. Regulation last amended by Regulation (EC, Euratom) No 478/2007 (OJ L 111, 28.4.2007, p. 13).

- (4) This decision covers all potential requests for the payment of default interest on late payments based on Article 83 of Council Regulation (EC, Euratom) No 1605/2002 and Article 106(5) of Commission Regulation (EC, Euratom) No 2342/2002.
- (5) The term "substantial change" should be defined within the meaning of Article 90(4) of Regulation (EC, Euratom) No 2342/2002 for the application of this decision in order to ensure that all substantial changes made to the decision are adopted by means of the same procedure as the one followed to adopt the decision being modified.
- (6) The measures provided for in this decision are in accordance with the opinion of the ENPI Committee set up under Article 26 of Regulation (EC) No 1638/2006.
- (7) The Commission's contribution, which is to be financed from budget line 19 08 01 01 of the 2009 general budget of the European Communities, is subject to the suspension clause relating to the adoption of the 2009 budget by the budgetary authority and the availability of the corresponding funds,

HAS DECIDED AS FOLLOWS:

Article 1

The annual action programme for Morocco consisting of the Action plan support programme (P3A III), the Programme of support for the recommendations of the Justice and Reconciliation Commission (IER) on History and Memory, the Programme of support for reform of the energy sector, the Programme of sectoral support for reform of the health system and the Investment and export promotion programme, the text of which is set out in the Annex, is hereby approved.

Article 2

The maximum contribution of the Community to the annual action programme is set at EUR 228.66 million to be financed from budget line 19 08 01 01 of the general budget of the European Communities for 2008 and EUR 22 million to be financed from line 19 08 01 01 of the general budget of the European Communities for 2009.

This decision covers all potential default interest.

Article 3

Within the overall indicative budget of all the specific actions, cumulated changes not exceeding 20% of the maximum contribution of the Community, are not considered to be substantial provided that they do not significantly affect the nature and objectives of the 2008 annual action programme and the 2009 action programme (part I).

The authorising officer may adopt such non-substantial changes to the annual action programme in accordance with the principles of sound financial management.

Article 4

The implementation of the sectoral support programme for the health system reform, which is subject to the commitment of EUR 22 million, is conditional on the adoption of the 2009 budget by the budgetary authority and the availability of the corresponding funds.

Done at Brussels, [...]

For the Commission

Member of the Commission