



EUROPEAN  
COMMISSION

Brussels, 8.12.2016  
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**COMMISSION IMPLEMENTING DECISION**

**of 8.12.2016**

**modifying Decision C(2008) 3806 final of 29/07/2008 as amended by Decision C(2015)9183 final of 18/12/2015 on the joint operational programme "Romania-Ukraine-Republic of Moldova 2007-2013" for the ENPI Cross-Border Cooperation 2007-2013 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 Commission Regulation (EC) No 951/2007 of 9 August 2007 laying down implementing rules for cross-border cooperation programmes financed under Regulation (EC) No 1638/2006 of the European Parliament and of the Council laying down general provisions establishing a European Neighbourhood and Partnership Instrument<sup>1</sup>, and in particular to Article 43(3) thereof,

Whereas:

- (1) The Commission has adopted on 29 July 2008 the Decision C(2008)3806 final approving the joint operational programme "Romania-Ukraine-Republic of Moldova 2007-2013" for the ENPI Cross-Border Co-operation 2007-2013, with a Union contribution of EUR 126 718 066, having the objective of improving the economic, social and environmental situation in the programme area, in the context of safe and secure borders, through increased contact of partners on both sides of the borders.
- (2) Provision is made in Article 43(3) of the Commission Regulation (EC) No 951/2007 of 9 August 2007 for the extension of the execution period of the joint operational programmes in case of unforeseen and duly justified needs or circumstances after request of the Joint Monitoring Committee.
- (3) The Commission has adopted on 18 December 2015 the modifying Decision C(2015)9183 final extending the execution period of the joint operational programme to 31 December 2018 and enabling the extension of the implementation phase of projects to 21 December 2016.
- (4) Provision is made in Article 83 of the Commission Regulation (EU) No 897/2014 of 19 August 2014 for Commission Regulation (EC) No 951/2007 to continue to apply for legal acts and commitments implementing the budget years preceding 2014.
- (5) Some of the projects funded under the joint operational programme are large scale infrastructure projects that have suffered considerable delays due to the current situation in Ukraine. There is a risk that these projects are not completed within the current implementation phase; and the extension of the implementation phase of those projects should be possible whenever it proves necessary.

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<sup>1</sup> OJ L 210, 10.08.2007, page 10. This Regulation has been last amended by Commission Implementing Regulation (EU) No 1343/2014 of 17 December 2014 (OJ L 363, 18.12.2014, page 75).

- (6) On 21 October 2016 the Joint Monitoring Committee has therefore requested the Commission to further extend the execution period of the concerned programme with a view to allow the extension of infrastructure projects where proven necessary.
- (7) The Commission recognises the unforeseen and duly justified needs or circumstances of the programme demanding an additional extension of the execution period of the Programme. Therefore it is necessary to further extend the implementation phase in order to:
- foresee the extension of the implementation period of the technical assistance component to 30 June 2019;
  - provide the possibility to extend the implementation period of individual projects to 31 December 2017 on the basis of duly justified needs or circumstances of the programme.

HAS DECIDED AS FOLLOWS:

*Sole Article*

1. The execution period of the joint operational programme "Romania-Ukraine-Republic of Moldova 2007-2013" for the ENPI Cross-Border Cooperation 2007-2013 is extended to 31 December 2019.
2. For the technical assistance component, the implementation phase shall be extended to 30 June 2019.
3. The implementation phase for projects may be extended to 31 December 2017, on the basis of reasoned requests submitted by the Joint Monitoring Committee to the European Commission for prior approval.
4. Chapter 8.3 of the Annex to Commission Decision C(2008)3806 final of 29 July 2008 approving the joint operational programme "Romania-Ukraine-Republic of Moldova 2007-2013" for the ENPI Cross-Border Co-operation 2007-2013 is adapted accordingly.

Done at Brussels, 8.12.2016

*For the Commission  
Johannes HAHN  
Member of the Commission*