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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 10 June 2009
C(2009)4395

COMMISSION DECISION

of 10 June 2009

**adopting the annual work programme for Community actions within the framework of
the European Refugee Fund for the year 2009**

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THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Decision No 573/2007/EC of the European Parliament and of the Council of 23 May 2007 establishing the European Refugee Fund for the period 2008 to 2013 as part of the General programme "Solidarity and Management of Migration Flows"¹, and in particular Article 4 thereof,

Whereas:

- (1) In accordance with Article 4 of Decision No 573/2007/EC of the European Parliament and of the Council of 23 May 2007, at the Commission's initiative, up to 10 % of the Fund's available resources may be used to finance transnational actions or actions of interest to the Community as a whole concerning asylum policy, separate from the action implemented by the Member States ;
- (2) In accordance with Article 110 of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities² No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities, as last amended by Council Regulation No 1525/2007 of 17 December 2007³ and of Article 166 of Commission Regulation (EC, Euratom) No 2342/2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities⁴, as last amended by Commission Regulation No 478/2007 of 23 April 2007⁵, grants shall be subject to an annual programme ;
- (3) It is appropriate that the Work Programme for 2009 sets out specific priorities and a framework for the specific actions under Article 4 of Decision No 573/2007/EC of the European Parliament and of the Council;
- (4) It is appropriate to define the term "substantial change" within the meaning of Article 90(4) Regulation (EC, Euratom) No 2342/2002 for the application of this decision.
- (5) The actions provided for in this decision are in accordance with the opinion of the common Committee 'Solidarity and Management of Migration Flows' established by Article 56(1) of Decision No 574/2007/EC of the European Parliament and of the Council;

¹ OJ L 144, 6.6.2007, p. 1.

² OJ L 248, 16.09.2002, p. 1.

³ OJ L 343, 27.12.2007, p. 9

⁴ OJ L, 357, 31.12.2002, p. 1

⁵ OJ L 111, 28.04.2007, p. 13

- (6) This decision should constitute a financing decision within the meaning of Article 75 of Council Regulation (EC, Euratom) No 1605/2002 and of Article 90 of Commission Regulation (EC, Euratom) No 2342/2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002;

HAS DECIDED AS FOLLOWS:

Article 1

The annual work programme for grants and contracts for Community actions within the framework of the European Refugee Fund for 2009 shall be as set out in the Annex.

Article 2

This Decision serves as a financing decision for 2009 for the 18.03.03 European Refugee Fund budget line as far as Community actions are concerned for an amount of EUR 9.876.666,67. This decision shall also cover any possible interest due for late payment.

Article 3

Within the maximum indicative budget of all actions set out in the Annex, 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 objective of the work programme. The Authorising Officer by delegation may adopt such changes in accordance with the principles of sound financial management.

Done at Brussels, 10 June 2009

For the Commission
Jacques BARROT
Vice-President

ANNEX

2009 annual work programme for grants and contracts for Community actions within the framework of the European Refugee Fund