



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 14.2.2008
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COMMISSION DECISION

**NON-AUTOMATIC CARRYOVER OF
NON-DIFFERENTIATED APPROPRIATIONS
FROM 2007 TO 2008**

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**NON-AUTOMATIC CARRYOVER OF
DIFFERENTIATED APPROPRIATIONS
FROM 2007 TO 2008**

COMMISSION DECISION

**COMMITMENT APPROPRIATIONS TO BE MADE
AVAILABLE AGAIN IN 2008**

COMMISSION DECISION

NON-AUTOMATIC CARRYOVER OF NON-DIFFERENTIATED APPROPRIATIONS FROM 2007 TO 2008

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to Article 9, points 1 to 4 of the Financial Regulation of 25 June 2002 applicable to the general budget of the European Communities¹, Council Regulation No 1605/2002,² as last amended by Financial Regulation of 13 December 2006 applicable to the general budget of the European Communities³, Council Regulation No 1995/2006 (JO L390 30.12.L2006)

HAS DECIDED AS FOLLOWS:

Sole Article

1. The following appropriations from Section III (Commission) of the 2007 budget are hereby carried over to 2008 for the reasons set out in the annex.

€ 879,770 for non-differentiated appropriations.

2. The Council and Parliament shall be informed of this decision.

Done at Brussels, 14 February 2008

For the Commission
Dalia Grybauskaitė
Member of the Commission

¹ OJ L 248, 16.09.2002, p.1

² Regulation of 25.06.2002; these provisions are set out on the following pages.

³ OJ L 390, 30.12.2006, p.1

ANNEX

Extract from the Financial Regulation

Article 9

- (1) Appropriations which have not been used at the end of the financial year for which they were entered shall be cancelled. However, they may be carried over to the following financial year only, by a decision taken by the institution concerned by 15 February at the latest, in accordance with paragraphs 2 and 3 or be carried over automatically in accordance with paragraph 4.
- (2) Commitment appropriations and non-differentiated appropriations not yet committed at the close of the financial year may be carried over in respect of:
 - (a) amounts corresponding to commitment appropriations for which most of the preparatory stages of the commitment procedure have been completed by 31 December. These amounts may then be committed up to 31 March of the following year;
 - (b) amounts which are necessary when the legislative authority has adopted a basic act in the final quarter of the financial year and the Commission has been unable to commit the appropriations provided for this purpose by 31 December.
- (3) Payment appropriations may be carried over in respect of amounts needed to cover existing commitments or commitments linked to commitment appropriations carried over, when the appropriations provided for the relevant lines in the budget for the following financial year do not cover requirements. The institution concerned shall first use the appropriations authorised for the current financial year and shall not use the appropriations carried over until the former are exhausted.
- (4) Non-differentiated appropriations corresponding to obligations duly contracted at the close of the financial year shall be carried over automatically to the following financial year only.
- (5) The institution concerned shall inform the European Parliament and the Council (hereinafter ‘the budgetary authority’) by 15 March at the latest of the carry-over decision it has taken and shall state, for each budget line, how the criteria in paragraphs 2 and 3 have been applied to each carry-over.
- (6) Appropriations placed in reserve and appropriations for staff expenditure may not be carried over.

CARRYOVER OF NON-DIFFERENTIATED APPROPRIATIONS

No.	2007 Budget	Heading	2008 Budget	Ref. Fin. Reg.	Amount to be carried over
1	05 01 04 04	European Agricultural Fund for Rural Development (EAFRD) – Non-operational technical assistance	05 01 04 04	article 9 § 2a	470.370,00
		HEADING 2 - TOTAL			470.370,00
2	04 01 02 11	Other management expenditure	04 01 02 11	article 9 § 2a	350.000,00
3	31 01 02 11	Other management expenditure	31 01 02 11	article 9 § 2a	59.400,00
		HEADING 5 - TOTAL			409.400,00
		GRAND TOTAL			879.770,00

CARRYOVER OF NON-DIFFERENTIATED APPROPRIATIONS

Grounds

1. 05 01 04 04 European Agricultural Fund for Rural Development (EAFRD) - Non-operational technical assistance

Appropriation authorised 2007:	5.280.000,00 €
Commitments at 31.12.2007:	4.375.625,88 €
Amount not used at 31.12.2007:	904.374,12 €
Carryover:	470.370,00 €

The request for the carryover of commitment appropriations relates to the contract “European Evaluation Network for Rural Development — AGRI-2007-G4-8”. The authorising officer by subdelegation submitted the award proposal to DG AGRI’s Procurement Committee and the preparatory working party initially accepted it on 26.11.2007. The Procurement Committee’s request for further information was completed and sent to the Committee chairman on 10.12.2007. The contract is on the agenda of the first meeting of the Procurement Committee in early January 2008. The contractor is European Economic Interest Grouping: EEOG EurEval.

2. 04 01 02 11 Other management expenditure

Appropriation authorised 2007:	8.632.954,00 €
Commitments at 31.12.2007:	7.971.255,09 €
Amount not used at 31.12.2007:	661.698,91 €
Carryover:	350.000,00 €

This carryover is for two pilot studies requested by the European Parliament on the:

- (1) Relative impact of mechanical stresses, work organisation factors and physiological factors in the development of musculoskeletal disorders of the upper limbs and neck;
- (2) Impact on health and safety at work conditions of the technical innovation in IT equipment.

The Commission’s desire to respond as effectively as possible to the European Parliament’s expectations led to exchanges until the end of June 2007.

The transfer needed to provide appropriations for DG EMPL was presented to the budgetary authority in late June. The appropriations were actually made available to DG EMPL in late July 2007.

The Commission immediately launched calls for tender VT/2007/0116 and VT/2007/0117, which, however, were not fully completed by 31/12/2007.

However, after the various stages of the procedure and the translation of the specifications, the contract notices were published in the Official Journal on 17 and 21/11/2007 with time limits of 28 and 31/12/2007 for the submission of tenders.

The tenders for study 1 were opened on 14/01/2008 and evaluated on 15/01/2008 and at least one tender is acceptable.

The tenders for study 2 were opened on 10/01/2008 and evaluated on 15 and 16/01/2008 and at least one tender is acceptable.

The commitments for these two studies can therefore be concluded by 31 March 2008.

3. 31 01 02 11 Other management expenditure

Appropriation authorised 2007:	5.813.909,58 €
Commitments at 31.12.2007:	5.645.909,00 €
Amount not used at 31.12.2007:	168.000,58 €
Carryover:	59.400,00 €

To complete the technical documentation of its continually evolving applications, DGT wanted to draw up a specific contract based on a DIGIT framework contract for the recruitment of a “writer”. Since July 2007 the DGT has taken the steps necessary to draw up this contract. Unfortunately, the cascade had to be applied twice and was unsuccessful as the candidates accepted by DGT were finally allocated to other customers at the last moment and without advance warning. The other candidates proposed by the contractors did not have the skills needed to carry out the tasks required.

Finally, in agreement with DIGIT, DGT opted for the recruitment of a Senior Analyst Programmer with specific expertise in drafting technical operating documents and deploying information systems. The cascade had to be applied again, but it did lead to the selection of a service provider. Unfortunately, commitment could not take place before 31 December 2007 because of the delay incurred in the first stage of selection.

However, the preparatory stages for signing the contract were completed by 31.12.2007 in accordance with Article 9(2)(a) of the Financial Regulation and Article 6 of the implementing rules.

COMMISSION DECISION

NON-AUTOMATIC CARRYOVER OF DIFFERENTIATED APPROPRIATIONS FROM 2007 TO 2008

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to Article 9, points 1 to 4 of the Financial Regulation of 25 June 2002 applicable to the general budget of the European Communities⁴, Council Regulation No 1605/2002,⁵ as last amended by Financial Regulation of 13 December 2006 applicable to the general budget of the European Communities⁶, Council Regulation No 1995/2006 (JO L390 30.12.L2006).

HAS DECIDED AS FOLLOWS:

Sole Article

1. The following appropriations from Section III (Commission) of the 2007 budget are hereby carried over to 2008 for the reasons set out in the annex.

€ **1,597,427,702.16** in commitment appropriations
€ **174,921,376.10** in payment appropriations

2. The Council and Parliament shall be informed of this decision.

Done at Brussels, 14 February 2008

For the Commission
Dalia Grybauskaitė
Member of the Commission

⁴ OJ L 248, 16.09.2002, p.1

⁵ Regulation of 25.06.2002; these provisions are set out on the following pages.

⁶ OJ L 390, 30.12.2006, p.1

ANNEX

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Article 9

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 - (a) amounts corresponding to commitment appropriations for which most of the preparatory stages of the commitment procedure have been completed by 31 December. These amounts may then be committed up to 31 March of the following year;
 - (b) amounts which are necessary when the legislative authority has adopted a basic act in the final quarter of the financial year and the Commission has been unable to commit the appropriations provided for this purpose by 31 December.
- (3) Payment appropriations may be carried over in respect of amounts needed to cover existing commitments or commitments linked to commitment appropriations carried over, when the appropriations provided for the relevant lines in the budget for the following financial year do not cover requirements. The institution concerned shall first use the appropriations authorised for the current financial year and shall not use the appropriations carried over until the former are exhausted.
- (4) Non-differentiated appropriations corresponding to obligations duly contracted at the close of the financial year shall be carried over automatically to the following financial year only.
- (5) The institution concerned shall inform the European Parliament and the Council (hereinafter ‘the budgetary authority’) by 15 March at the latest of the carry-over decision it has taken and shall state, for each budget line, how the criteria in paragraphs 2 and 3 have been applied to each carry-over.
- (6) Appropriations placed in reserve and appropriations for staff expenditure may not be carried over.

CARRYOVER OF COMMITMENT APPROPRIATIONS

No.	2007 Budget	Heading	2008 Budget	Ref. Fin. Reg.	Amount to be carried over
1	02 03 01	Operation and development of the internal market, particularly in the fields of notification, certification and sectoral approximation	02 03 01	article 9 § 2a	200.000,00
2	04 03 07	Analysis of and studies on the social situation, demographics and the family	04 03 07	article 9 § 2a	43.000,00
3	06 02 04 01	Internal market and optimisation of transport systems	06 02 04 01	article 9 § 2a	454.116,00
		HEADING 1a - TOTAL			697.116,00
4	04 02 17	European Social Fund (ESF) - Convergence	04 02 17	article 9 § 2a	13.163.237,00
5	13 03 19	European Regional Development Fund (ERDF) - European Territorial Cooperation	13 03 19	article 9 § 2a	95.533.659,00
6	13 05 03 01	Cross-border cooperation (CBC) - Contribution from Heading 1-b	13 05 03 01	article 9 § 2a	21.532.686,00
		HEADING 1b - TOTAL			130.229.582,00
7	05 04 05 01	Rural development programmes	05 04 05 01	article 9 § 2a	1.360.517.165,00
8	11 02 01 01	Intervention in fishery products - New measures	11 02 01 01	article 9 § 2a	699.716,16
9	11 03 01	International fisheries agreements	11 03 01	article 9 § 2a	1.500.000,00
		HEADING 2 - TOTAL			1.362.716.881,16
10	18 02 04	Schengen information system (SIS II)	18 02 04 01	article 9 § 2a	1.555.036,00
		HEADING 3a - TOTAL			1.555.036,00
11	05 05 02	Instrument for Pre-accession Assistance for Rural Development (IPARD)	05 05 02	article 9 § 2a	48.300.000,00
12	13 05 03 02	Cross-border cooperation (CBC) - Contribution from Heading 4	13 05 03 02	article 9 § 2a	16.718.081,00
13	19 03 02	Non-proliferation and disarmament	19 03 02	article 9 § 2b	1.745.893,00
14	21 05 01 03	Other aspects of human and social development	21 05 01 03	article 9 § 2a	15.000.000,00
15	21 05 01 04	Gender equality	21 05 01 04	article 9 § 2a	6.808.900,00
16	22 02 04 02	Cross-border Cooperation (CBC) with Member States	22 02 04 02	article 9 § 2a	1.656.213,00

17	22 02 07 01	Regional and horizontal programmes	22 02 07 01	article 9 § 2a	10.500.000,00
18	22 02 07 01	Regional and horizontal programmes	22 02 07 01	article 9 § 2a	1.500.000,00
		HEADING 4 - TOTAL			102.229.087,00
		GRAND TOTAL			1.597.427.702,16

CARRYOVER OF COMMITMENT APPROPRIATIONS

Grounds

1. 02 03 01 Operation and development of the internal market, particularly in the fields of notification, certification and sectoral approximation

Appropriation authorised 2007:	16.085.000,00 €
Commitments at 31.12.2007:	15.474.374,05 €
Amount not used at 31.12.2007:	610.625,95 €
Carryover:	200.000,00 €

The carryover of €200 000 is for the “Analysis of the policy for SMEs in the South-East European countries”. The Organisation for Economic Cooperation and Development (OECD) receives an ad hoc grant, but the commitments could not be signed by 31/12/2007 because of the time taken by procedures.

2. 04 03 07 Analysis of and studies on the social situation, demographics and the family

Appropriation authorised 2007:	3.600.000,00 €
Commitments at 31.12.2007:	3.381.326,42 €
Amount not used at 31.12.2007:	218.673,58 €
Carryover:	43.000,00 €

The launching of negotiated call for tender VT/2007/118 had to be postponed because of a change in the timetable for the Commission to adopt the documents (a memorandum and a decision setting up a group of international experts).

The procedure for evaluation and for the selection of the contractor could not be completed until 20 December.

There was therefore insufficient time to draw up the commitment and send the contract for signature before the end of the budgetary year.

3. 06 02 04 01 Internal market and optimisation of transport systems

Appropriation authorised 2007:	7.706.800,00 €
Commitments at 31.12.2007:	7.252.683,76 €
Amount not used at 31.12.2007:	454.116,24 €
Carryover:	454.116,00 €

This carryover of commitment appropriations relates to a grant to be paid to DATEX (communication protocol between road traffic management centres). This is a monopoly grant that required long discussions with the tenderers and the final version of the proposal was available in December. However, the phase of negotiations with the tenderers was not completed in time to finalise the commitment by 31/12/2007. The grant to be provided is €454 116.

Virtually all the administrative steps have been finalised. This project is therefore ready for the launching of the budgetary commitment procedure and the signature of the contract.

4. 04 02 17 European Social Fund (ESF) - Convergence

Appropriation authorised 2007:	6.773.365.198,00 €
Commitments at 31.12.2007:	6.759.975.961,00 €
Amount not used at 31.12.2007:	13.389.237,00 €
Carryover:	13.163.237,00 €

Of the 117 European Social Fund programmes for the period 2007-2013, only one could not be adopted in time for the commitment of the first tranche in 2007.

This is the Operational Plan for Martinique (2007FR051PO001) for which the interdepartmental consultation closed in December 2007 and which is scheduled to be adopted in early 2008.

5. 13 03 19 European Regional Development Fund (ERDF) - European Territorial Cooperation

Appropriation authorised 2007:	1.028.694.305,00 €
Commitments at 31.12.2007:	884.635.554,00 €
Amount not used at 31.12.2007:	144.058.751,00 €
Carryover:	95.533.659,00 €

12 Territorial Operational Programmes have not been fully prepared for their adoption in 2007. Given that for 9 out of 12 programmes the inter-service consultations have been finalised before the end of year, the carryover of 2007 commitment appropriations for these programmes is requested.

6. 13 05 03 01 Cross-border cooperation (CBC) - Contribution from Heading 1-b

Appropriation authorised 2007:	26.565.453,00 €
Commitments at 31.12.2007:	1.817.626,00 €
Amount not used at 31.12.2007:	24.747.827,00 €
Carryover:	21.532.686,00 €

10 Instrument for Pre-Accession Assistance (IPA) CBC Operational Programmes have not been fully prepared for their adoption in 2007. Given that for 6 out of 10 programmes the inter-service consultations have been finalised before the end of year, the carryover of 2007 commitment appropriations for these programmes is requested.

7. 05 04 05 01 Rural development programmes

Appropriation authorised 2007:	12.343.028.111,00 €
Commitments at 31.12.2007:	9.513.362.081,00 €
Amount not used at 31.12.2007:	2.829.666.030,00 €
Carryover:	1.360.517.165,00 €

In 2007 the Commission approved 54 of the 94 rural development programmes planned; € 2 829 666 030 in commitment appropriations for the programmes which were not approved was not used. This was due either to late presentation of the programmes or to difficulties in negotiations between the authorities in the Member States and the various Commission departments. Of the 40 programmes which were not approved, 25 meet the conditions for carrying over appropriations and 15 will have to be re-programmed. On 19-12-2007 the Rural Development Committee gave a favourable opinion on 16 of the 25 programmes which had their appropriations carried over and the second interservice consultation was finalised before the Committee (Abruzzo, Marche, Castilla y Leon, Cataluña, Galicia, Pais Vasco, National Network Deutschland, Madeira, Aland, Latvia National, Lazio, Trento, Malta National, Bulgaria National, Corse, Guyane). The second interservice consultation for the other 9 programmes was finalised by 31-12-2007 (Guadeloupe, Danmark National, Molise, Puglia, Sicilia, Valle d'Aosta, Basilicata, Scotland, Wales).

8. 11 02 01 01 Intervention in fishery products - New measures

Appropriation authorised 2007:	15.500.000,00 €
Commitments at 31.12.2007:	10.625.640,93 €
Amount not used at 31.12.2007:	4.874.359,07 €
Carryover:	699.716,16 €

The financing decision related to the payment of the expenditure incurred by Member States under the Common Organisation of the Markets was adopted in November 2007 (C(2007)5451). The requests for reimbursement from Member States were received in late 2007, and the corresponding amounts were committed, except for three Member States where information necessary to make the commitment was missing (proof of payment and the exact identity of the responsible national agency):

- Ireland: its declarations of expenditure amounting to € 388.975,11 were submitted, only missing the notification of the Competent Authority due to management changes in Ministries. After the change in management, the new Competent Authority has declared that it will provide the missing notification promptly.

- Poland: the declaration of expenditure amounts to € 91.200,00, and a similar situation to that in Ireland occurred with the notification of the Competent Authority, which is expected to be promptly resolved.
- UK: the declaration of expenditure totals € 2 19.541,05. The information on the Competent Authority and a few missing invoices are expected to be submitted to the Commission in a short period of time.

The missing documents relate only to notification of the Competent Authorities, and in one case to a proof of payment.

9. 11 03 01 International fisheries agreements

Appropriation authorised 2007:	163.258.144,00 €
Commitments at 31.12.2007:	120.184.065,25 €
Amount not used at 31.12.2007:	43.074.078,75 €
Carryover:	1.500.000,00 €

A financing decision amounting to €1 500 000 (the estimated value of the catches) to cover the compensation due to the Seychelles authorities for additional catches was adopted in 2007. The Seychelles authorities and the Member States had failed to agree on the precise quantities. The commitment can be finalised as soon as the Seychelles authorities' final response is received. A reply is imminent and DG FISH will be able to carry out the commitment by 31 March 2008.

10. 18 02 04 Schengen information system (SIS II)

Appropriation authorised 2007:	15.000.000,00 €
Commitments at 31.12.2007:	10.513.781,94 €
Amount not used at 31.12.2007:	4.486.218,06 €
Carryover:	1.555.036,00 €

The carryover relates to an individual commitment of €1 555 036. It concerns a negotiated procedure with the French authorities for the second preparatory stage for the operational management of the Strasbourg site where the SIS II system is to be housed.

All the preparatory stages for this commitment were completed by the end of 2007, including the favourable opinion of the Advisory Committee on Procurement and Contracts within DG JLS. However, it was not possible for the commitment to be made and for the two parties to sign the contract before the end of December 2007. It is proposed that this commitment now be made on the basis of a carryover.

11. 05 05 02 Instrument for Pre-accession Assistance for Rural Development (IPARD)

Appropriation authorised 2007:	48.300.000,00 €
Commitments at 31.12.2007:	0,00 €
Amount not used at 31.12.2007:	48.300.000,00 €
Carryover:	48.300.000,00 €

Line 05 05 02 of the 2007 budget contained the commitment appropriations needed to finance the first tranche of the IPARD programmes in the three candidate countries: Turkey (€20 700 000), FYROM (€2 100 000) and Croatia (€25 500 000). The interservice consultation on the three programmes was completed successfully and the Rural Development Committee delivered a favourable opinion on 19 December 2007. However, the fact that the Commission had to give its final approval by means of a written procedure meant that the programmes could not be adopted and the appropriations could not be committed by the end of 2007. The failure to commit the appropriations by the end of 2007 is due mainly to the fact that a new instrument (IPARD) was being established and to the difficulties inherent in the establishment of new programmes by the candidate countries which, with the exception of Croatia, lacked any experience in this field.

DG AGRI is ready for the initiation of the written procedure immediately after the carry-over is decided. This gives the assurance that the commitments will be made by 31 March.

12. 13 05 03 02 Cross-border cooperation (CBC) - Contribution from Heading 4

Appropriation authorised 2007:	18.535.707,00 €
Commitments at 31.12.2007:	1.817.626,00 €
Amount not used at 31.12.2007:	16.718.081,00 €
Carryover:	16.718.081,00 €

10 Instrument for Pre-Accession Assistance (IPA) CBC Operational Programmes have not been fully prepared for their adoption in 2007. For 6 out of 10 programmes the inter-service consultations were finalised before the end of the year.

All 6 IPA-CBC programmes had to pass via the IPA Management Committee to obtain the positive opinion of the Member States, which, coupled with the late submission by the participating countries (no programmes were received by the deadline of 31 May 2007) meant that decisions could not be taken in 2007.

For all 6 cases, the decision dossiers are ready, including the necessary translations, and therefore DG REGIO envisages no difficulties in having these programmes approved by end-March.

13. 19 03 02 Non-proliferation and disarmament

Appropriation authorised 2007:	9.088.893,34 €
Commitments at 31.12.2007:	7.343.000,00 €
Amount not used at 31.12.2007:	1.745.893,34 €
Carryover:	1.745.893,00 €

Joint Action 2007/753/CFSP 'on support for International Atomic Energy Agency (IAEA) monitoring and verification activities in the Democratic People's Republic of Korea in the framework of the implementation of the EU Strategy against the Proliferation of Weapons of Mass Destruction' was adopted by Council only on 19/11/2007, during the final quarter of the financial year. The financing decision was then adopted by the Commission on 30/11/2007 (DL/2007/3558). In the meantime, DG RELEX prepared the draft Contribution Agreement CFSP/2007/026/IAEA DPRK with the firm objective of committing the funds and signing the Agreement by 31/12/2007. These funds amount to € 1,780,000. The purpose of this Agreement is a contribution for the implementation, through the International Atomic Energy Agency (IAEA) of the Joint Action 2007/753/CFSP. During a final negotiation meeting on 13/12/2007, the IAEA unexpectedly objected to the clause specifying the 'on the spot checks by the European Communities' in the General Conditions of the Agreement. For the Commission services, the issue raised by the IAEA is horizontal in nature and requires additional time for consultation with various Commission services, notably DG BUDG, DG AIDCO and the Legal Service. However, the implementation of Joint Action 2007/753/CFSP was already announced by the Council and the IAEA confirmed that the contribution by the Community is urgently needed in order to carry out very sensitive activities in a difficult and changing political context. Under these circumstances and considering that most of the preparatory stages of the commitment procedure have been completed by 31 December 2007 including the advanced stage of preparation of the contribution agreement, a carry over to 2008 of € 1,745,893 of commitment appropriations is requested on budget line 1903.02 in accordance with Article 9.2b of the Financial Regulations (FR) and Article 6.4 of the Implementation Rules. The remaining part amounting to € 34,104 will be committed from assigned revenue.

14. 21 05 01 03 Other aspects of human and social development

Appropriation authorised 2007:	19.845.000,00 €
Commitments at 31.12.2007:	4.600.000,00 €
Amount not used at 31.12.2007:	15.245.000,00 €
Carryover:	15.000.000,00 €

The amount to be carried over concerns 3 global commitments regarding some actions of the 2007 Annual Action Programme adopted by the Commission on 4 December 2007 (E/2007/2686) for the Thematic Programme Investing in People: call for proposals for the promotion of rights and needs of children – € 3.4 million; call for proposals for culture – € 4.3 million and action in favour of social cohesion, employment and decent work – € 7.3 million.

These projects went to the Comitology procedure and the Commission financing decisions were adopted:

- the procedures concerning the preparation of the guidelines for the 2 calls for proposals were finalised in December, following their adoption by the Quality Support Group on 25 October 2007

- the preparation of the specific actions with the International Labour Organisation (ILO) is almost finalised and individual contracts should be signed in the first semester of 2008.

In compliance with DG AIDCO's financial circuits, almost all stages have been processed. Unfortunately the final validation could not be completed by year-end and hence a carry-over is necessary.

Accordingly, the call for proposals for the promotion of rights and needs of children is ready to be launched (the call for proposals for culture has already been launched) and the specific actions are ready to be contracted in the first semester of 2008.

15. 21 05 01 04 Gender equality

Appropriation authorised 2007:	13.452.900,00 €
Commitments at 31.12.2007:	6.591.100,00 €
Amount not used at 31.12.2007:	6.861.800,00 €
Carryover:	6.808.900,00 €

The amount to be carried over concerns 1 global commitment of the 2007 Annual Action Programme, adopted by the Commission on 4 December 2007 (E/2007/2686), for the Thematic Programme Investing in People: call for gender equality – € 6.8 million.

The procedures concerning the preparation of the guidelines for the gender call were finalised in December, following their adoption by the Quality Standard Group (QSG) of October 25 2007.

In compliance with DG AIDCO's financial circuits, almost all stages have been processed. Unfortunately the final validation could not be completed by year-end and hence a carry-over is necessary.

Accordingly, the call will be launched at the beginning of 2008.

16. 22 02 04 02 Cross-border Cooperation (CBC) with Member States

Appropriation authorised 2007:	1.656.213,00 €
Commitments at 31.12.2007:	0,00 €
Amount not used at 31.12.2007:	1.656.213,00 €
Carryover:	1.656.213,00 €

The funding on this budget line relates to cross-border cooperation programmes between Instrument for Pre-Accession Assistance (IPA) beneficiary countries and Member States. According to Article 98 of Commission Regulation 718/2007, such programmes will ultimately be implemented through shared management and DG REGIO becomes the DG with ultimate responsibility for both ERDF and IPA contributions. There were 8 programmes ready for shared management approach in 2007, the funds for which were transferred to chapter 13.05. The funding left on this budget line in 2007 relates to two programmes which were not ready for shared implementation but will be implemented under a transitional arrangement according to Article 99 of the same regulation. The funding for these programmes therefore remains under the responsibility of DG ELARG. The programmes concerned are FYROM-Greece and Albania-Greece.

The CIS was completed in 2007 but the proposal could not be presented to the IPA Committee before the end of the year because of the delay by the Greek authorities in providing the Commission with the Strategic Environmental Assessment. The inter-service consultations concerning these programmes (IPA funds only) were concluded on 21 December 2007. The programmes should be submitted for opinion to the IPA Committee on 8 February 2008 with the aim of adopting the financing decisions and making the commitments before 31 March 2008.

17. 22 02 07 01 Regional and horizontal programmes

Appropriation authorised 2007:	120.040.000,00 €
Commitments at 31.12.2007:	108.040.000,00 €
Amount not used at 31.12.2007:	12.000.000,00 €
Carryover:	10.500.000,00 €

Due to a significant under-utilisation of administrative credits in 22 01 04 01 (€ 10 million) and of operational credits for Interim Civilian Administrations (€ 6.91 million) in 2007 it was decided to use part of these credits (€ 10.5 million) for the Support for Improvement of Governance and Management (SIGMA) programme under 22 02 07 01. The availability of these credits only became apparent in the second half of the year at which time DG ELARG submitted transfer requests to DG BUDG. DG ELARG also prepared a financing proposal in

October 2007 for the amount envisaged and launched an inter-service consultation (ref. D4/202949) which was closed on 29 October 2007. However, due to the fact that administrative credits were being used for an operational programme, a budgetary authority transfer (DEC 53/07) was necessary which was approved end of December 2007. This means that the financing proposal went to the IPA Committee for information but could not be adopted in 2007. The proposal by written procedure has been already launched on 14 December and adopted on the 18/01/08. Hence the Commission's Decision will be adopted by the Commission and the commitments made before the 31st March 2008.

The funding in 22 02 07 01 for 2008 has already been provisionally allocated to other programmes and is therefore not available for this SIGMA programme. The 2007 funding decision is considered essential in order to increase and broaden SIGMA assistance on public governance for the enlargement countries in a timely manner in accordance with the Commission's enlargement strategy 2007-2008.

18. 22 02 07 01 Regional and horizontal programmes

Appropriation authorised 2007:	120.040.000,00 €
Commitments at 31.12.2007:	108.040.000,00 €
Amount not used at 31.12.2007:	12.000.000,00 €
Carryover:	1.500.000,00 €

When originally launching the regional programme for Albania and the former Yugoslav Republic of Macedonia on the participation in the European Fund for Southeast Europe (EPSE) in July 2007 (ref. D3/202170), it was indicated that more funds (up to an additional € 2 million) would be added to the programme if and when they came available during the course of the rest of the year. In fact, it became apparent to those concerned only at the end of November, that there would be around € 1.5 million left available on the relevant budget line (22 02 07 01). It was therefore at this time decided to increase the EFSE programme as foreseen. A further inter-service consultation (ref. D3/203836) was launched on 12 December and closed on 18 December with agreement by all DGs concerned.

The funding in 22 02 07 01 for 2008 has already been provisionally allocated to other programmes and is therefore not available for this additional funding of the participation in EFSE.

EFSE has been set up as a public and private partnership aiming at attracting private investors to promote micro-lending in the Western Balkans. Donors' contributions play the role of a risk cushion and help leverage private funding in the proportion of 1 to 7.

That means that any additional EU contribution has a significant leverage effect and this € 1.5 million supplement will allow € 10.5 million of private funding towards Albania and the Former Yugoslav Republic of Macedonia, which are in lack of financing. For this reason, the additional funding is considered essential.

CARRYOVER OF PAYMENT APPROPRIATIONS

No.	2007 Budget	Heading	2008 Budget	Amount to be carried over
1	06 05 05	Nuclear safety - Transitory measures (decommissioning)	06 05 05	50.000.000,00
		HEADING 1a – TOTAL		50.000.000,00
2	05 08 02	Surveys on the structure of agricultural holdings	05 08 02	1.650.000,00
3	11 02 01 01	Intervention in fishery products - New measures	11 02 01 01	699.716,16
4	11 03 01	International fisheries agreements	11 03 01	3.778.400,00
		HEADING 2 – TOTAL		6.128.116,16
5	18 02 06	External Borders Fund	18 02 06	30.000.000,00
6	18 03 03	European Refugee Fund	18 03 03	12.000.000,00
7	18 03 12	Preparatory action: Migration management - Solidarity in action	18 03 12	6.000.000,00
8	18 05 08	Prevention, preparedness and consequence management of Terrorism	18 05 08	3.400.000,00
9	18 05 09	Prevention of and fight against Crime	18 05 09	20.390.000,00
10	18 06 06	Criminal justice	18 06 06	10.000.000,00
		HEADING 3a – TOTAL		81.790.000,00
11	16 03 06	Pilot project on pilot information networks (PINs)	16 03 06	1.850.000,00
12	15 06 07	Pilot project - European political foundations	15 06 07	400.000,00
		HEADING 3b - TOTAL		2.250.000,00
13	05 05 01 02	The SAPARD pre-accession instrument - Completion of the pre-accession assistance related to eight applicant countries	05 05 01 02	34.753.259,94
		HEADING 4 – TOTAL		34.753.259,94
		GRAND TOTAL		174.921.376,10

CARRYOVER OF PAYMENT APPROPRIATIONS

Grounds

1. 06 05 05 Nuclear safety - Transitory measures (decommissioning)

Appropriation authorised 2007:	110.000.000,00 €
Payments at 31.12.2007:	37.854.902,55 €
Amount not used at 31.12.2007:	72.145.097,45 €
Carryover:	50.000.000,00 €

Following its examination of the commitments made with the beneficiaries (European Bank for Reconstruction and Development, Lithuanian Ministry of the Economy) in 2007 and the commitments outstanding from previous years, DG TREN may need €200 000 000 in payment appropriations. The implementation of ongoing projects has progressed considerably in 2008.

Moreover, commitments made and still to be paid under this budget line come to around €377 700 000;

As a result of this situation, the initial allocation of €150 000 000 for 2008 should be increased to cover the expenditure likely to be incurred for these projects.

The carryover of €50 000 000 should help cover the payment appropriations required in 2008.

2. 05 08 02 Surveys on the structure of agricultural holdings

Appropriation authorised 2007:	16.700.000,00 €
Payments at 31.12.2007:	14.847.968,93 €
Amount not used at 31.12.2007:	1.852.031,07 €
Carryover:	1.650.000,00 €

The main reason why the 2007 payment appropriations have not been used in full is that each Member State is required to furnish, in addition to survey data, an audit report drawn up by an external audit department to check that the grant is no higher than the actual costs.

Some Member States have encountered difficulties in having this report drawn up in the time limit allowed and, as a result, those payments which could not be made in 2007 will have to be met in 2008. Four cases are still open and the current situation is as follows:

- for Belgium, the financial statement on the costs of the 2005 survey was submitted in December 2007 and no payments could be made;
- for Germany and Portugal, Eurostat's financial unit is now carrying out the ex-ante verification of the supporting documents for the costs incurred;
- for the Netherlands, the financial report and the audit report have not yet been sent.

The final amount to be paid to these four countries totals €1.65 million and will have to be carried over as the appropriations entered in the 2008 budget are lower than in previous years and will not cover this additional requirement.

3. 11 02 01 01 Intervention in fishery products - New measures

Appropriation authorised 2007:	15.500.000,00 €
Payments at 31.12.2007:	10.142.284,27 €
Amount not used at 31.12.2007:	5.357.715,73 €
Carryover:	699.716,16 €

The amount corresponds to the amount of the commitment appropriations for which a carry over has been requested: the financing decision related to the payment of expenditure incurred by Member States under the Common Organisation of Markets was adopted in November 2007. Commitments and payments were made for all but three member states (Ireland, Poland and the UK). In these three cases the necessary information to make the commitment, and hence the payment, was missing (notification of the competent authorities and proof of payment).

4. 11 03 01 International fisheries agreements

Appropriation authorised 2007:	163.258.144,00 €
Payments at 31.12.2007:	153.792.871,48 €
Amount not used at 31.12.2007:	9.465.272,52 €
Carryover:	3.778.400,00 €

Seychelles (€1 500 000): This amount corresponds to the commitment appropriations for which a carryover request has also been made.

Kiribati: €478 400 should have been paid in 2007. The fisheries protocol annexed to Regulation (EC) No 893/2007 of 23 July 2007 covers the period from 16/09/2006 to 15/09/2012. The authorities of the Republic of Kiribati have not yet notified the Council of the completion of the ratification procedures necessary for its entry into force under Article 13 of the protocol to the agreement; until they do, no payment can be made.

Mozambique: €1 800 000 should have been paid in 2007. The fisheries protocol relating to Council Regulation (EC) No 1446/2007 of 22 November 2007 on the conclusion of the Fisheries Partnership Agreement between the European Community and the Republic of Mozambique covers the period from 01/01/2007 to 31/12/2011. The authorities of the Republic of Mozambique have not yet confirmed the number of the bank account on which the transactions are to be carried out.

These carryovers are necessary as it is planned to use all the payment appropriations entered in the budget line in 2008.

5. 18 02 06 External Borders Fund

Appropriation authorised 2007:	30.234.453,55 €
Payments at 31.12.2007:	0,00 €
Amount not used at 31.12.2007:	30.234.453,55 €
Carryover:	30.000.000,00 €

Because of the delay in adopting the new legal base for the External Borders Fund, no prefinancing was possible in 2007.

As the payment appropriations allocated for 2008 will cover the prefinancing of the commitments for 2008 only, the 2007 payment appropriations of €30 million have to be carried over to allow departments to prefinance the 2007 projects as well.

6. 18 03 03 European Refugee Fund

Appropriation authorised 2007:	60.130.000,00 €
Payments at 31.12.2007:	47.697.762,99 €
Amount not used at 31.12.2007:	12.432.237,01 €
Carryover:	12.000.000,00 €

In 2008 the plan is to prefinance the Member States' annual programmes for 2008 (€33.3 million), prefinance Community actions from 2007 (€1.9 million), provide the second prefinancing for the Member States' annual programmes for 2007 (€20 million), provide the second prefinancing for the Member States' annual programmes for 2006 (€7 million) and close projects for 2004 and 2005 (€10 million).

The €60 million allocated for 2008 will not cover the €72 million in payment appropriations set out above. It is therefore proposed that €12 million of the 2007 payment appropriations should be carried over so that all the forecast payments may be made.

7. 18 03 12 Preparatory action: Migration management - Solidarity in action

Appropriation authorised 2007:	6.275.000,00 €
Payments at 31.12.2007:	0,00 €
Amount not used at 31.12.2007:	6.275.000,00 €
Carryover:	6.000.000,00 €

Because the time required by the procedures to launch this new preparatory action in 2007, the signature of the grant agreements and the prefinancing which will automatically result will not take place until 2008.

The €1 million in payment appropriations allocated for 2008 will not cover these prefinancing operations. It is therefore proposed that €6 million of the 2007 payment appropriations should be carried over to allow departments to prefinance all the projects from 2007.

8. 18 05 08 Prevention, preparedness and consequence management of Terrorism

Appropriation authorised 2007:	6.400.000,00 €
Payments at 31.12.2007:	0,00 €
Amount not used at 31.12.2007:	6.400.000,00 €
Carryover:	3.400.000,00 €

The calls for proposals for the specific programme Prevention, preparedness and consequence management of Terrorism were not issued until after the new legal base was adopted in February 2007. Because of the time needed for the procedures, no prefinancing was possible in 2007.

As the payment appropriations allocated for 2008 cannot cover any expenditure other than the prefinancing of the commitments for 2008, some of the 2007 payment appropriations will have to be carried over to allow departments to prefinance the 2007 projects as well.

9. 18 05 09 Prevention of and fight against Crime

Appropriation authorised 2007:	22.156.000,00 €
Payments at 31.12.2007:	263.705,92 €
Amount not used at 31.12.2007:	21.892.294,08 €
Carryover:	20.390.000,00 €

The calls for proposals for the specific programme Prevention of and fight against Crime were not issued until after the new legal base was adopted in February 2007. Because of the time needed for the procedures, virtually no prefinancing was possible in 2007.

As the payment appropriations allocated for 2008 cannot cover any expenditure other than the prefinancing of the commitments for 2008, the 2007 payment appropriations will have to be carried over to allow departments to prefinance the 2007 projects as well.

10. 18 06 06 Criminal justice

Appropriation authorised 2007:	14.600.000,00 €
Payments at 31.12.2007:	329.640,00 €
Amount not used at 31.12.2007:	14.270.360,00 €
Carryover:	10.000.000,00 €

The calls for proposals for the specific programme Criminal justice were not issued until after the new legal base was adopted in February 2007. Because of the time needed for the procedures, virtually no prefinancing was possible in 2007.

As the payment appropriations allocated for 2008 cannot cover any expenditure other than the prefinancing of the commitments for 2008, some of the 2007 payment appropriations will have to be carried over to allow departments to prefinance the 2007 projects as well.

11. 16 03 06 Pilot project on pilot information networks (PINs)

Appropriation authorised 2007:	2.250.000,00 €
Payments at 31.12.2007:	3.000,00 €
Amount not used at 31.12.2007:	2.247.000,00 €
Carryover:	1.850.000,00 €

During the 2007 budget procedure, budget line 16 03 06 was entered in Title 16 for this pilot project for one year at the initiative of the European Parliament.

The budget remarks for this line read as follows: The objective of this pilot project is to create communities of European parliamentarians (including at national and regional level), journalists and other opinion-formers to share information and knowledge about the European Union. To the fullest extent possible the aim of the pilot project is to use the Internet and on-line tools to allow 'ideas networks' to form and to grow organically. The project will build upon ideas set out in the Commission's White Paper on a European Communication Policy (COM(2006)35 final), but its focus will be on assisting the formation of organic ideas / information networks,

rather than through more 'traditional' structures such as information points in European Commission buildings in the Member States.

In 2007 this line was allocated:

- €5 000 000 in commitment appropriations which were not fully committed until the end of 2007 as implementation of this pilot project was complex;
- €3 000 000 in payment appropriations which could not be used in view of the circumstances. Payments of €3 350 000 are planned for 2008 under the contracts concluded.

During the 2008 budget procedure, it was decided to continue the experiment for a second year. In 2008 line 16 03 06 was allocated:

- €1 500 000 in commitment appropriations and
- €1 500 000 in payment appropriations.

The 2008 payment appropriations will not cover the contractual commitments made in 2007 (total requirements minus 2008 payment appropriations equals the carryover necessary:

- €3 350 000 — €1 500 000 = €1 850 000).

DG COMM would therefore request the carryover of payment appropriations totalling €1 850 000 from 2007 to 2008 to meet its contractual obligations on line 16 03 06.

12. 15 06 07 Pilot project - European political foundations

Appropriation authorised 2007:	400.000,00 €
Payments at 31.12.2007:	0,00 €
Amount not used at 31.12.2007:	400.000,00 €
Carryover:	400.000,00 €

The budget line concerns pilot actions to support political foundations at European level. Most of such political foundations were under construction in 2007 and were formally established only during the 2nd semester of 2007. Reflecting this situation the deadline for grant applications was set to the end of September 2007. This led to the selections of beneficiaries in November 2007 and the grant agreements were signed in December 2007. No pre-financing payment could be done in December 2007.

The Call for proposals foresees a first pre-financing of 40% of the contract, a second pre-financing of 40% based on an interim report and a final payment after the final report. This request concerns the payment appropriations necessary for the second pre-financing payments, which will be done during the year 2008.

13. 05 05 01 02 The SAPARD pre-accession instrument - Completion of the pre-accession assistance related to eight applicant countries

Appropriation authorised 2007:	50.000.000,00 €
Payments at 31.12.2007:	15.246.740,06 €
Amount not used at 31.12.2007:	34.753.259,94 €
Carryover:	34.753.259,94 €

Line 05 05 01 02 of the 2007 budget contained the payment appropriations needed to pay the final balance of the Special Pre-Accession Programmes for Agriculture and Rural Development (SAPARD) in Lithuania, Latvia, Estonia, Poland, Hungary, Slovakia and Slovenia.

Payment of the balance is conditional on approval of the final report. For Estonia, Hungary, Slovenia and Slovakia, the reports have been approved and the final balance paid. The first version of the reports for Lithuania and Latvia did not meet the conditions for approval. The final versions were recently received and are now being evaluated by the Commission. In these two cases, the payment appropriations concerned were transferred to other lines before the end of the year as the time needed to receive the new report could be foreseen. However, as regards Poland's report, the Polish authorities were unable to respond in time to the Commission's comments. The final version is expected for January.

No appropriation is available in line 05 05 01 02 for 2008 as the budget contains a token entry. The carryover of €34 753 259.94 in payment appropriations is therefore requested to meet the payment of the final balance for Poland's programme.

COMMISSION DECISION

COMMITMENT APPROPRIATIONS TO BE MADE AVAILABLE AGAIN IN 2008

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to Article 157 of the Financial Regulation of 25 June 2002 applicable to the general budget of the European Communities,⁷ Council Regulation No 1605/2002⁸ as last amended by Financial Regulation of 13 December 2006 applicable to the general budget of the European Communities⁹, Council Regulation No 1995/2006 (JO L390 30.12.L2006).

HAS DECIDED AS FOLLOWS:

Sole Article

1. **€ 1,864,865.82** from Section III (Commission) of the 2007 budget shall be made available again in 2008 for the reasons set out in the annex.
2. The Council and Parliament shall be informed of this decision.

Done at Brussels, 14 February 2008

For the Commission
Dalia Grybauskaitė
Member of the Commission

⁷ OJ L 248, 16.09.2002, p.1

⁸ Regulation of 25.06.2002; these provisions are set out on the following pages.

⁹ OJ L 390, 30.12.2006, p.1

ANNEX

Extract from the Financial Regulation

Article 157

The Commission shall automatically decommit appropriations that have been committed as provided for in the regulations referred to in Article 155.

The decommitted appropriations may be made available again in the event of a manifest error attributable solely to the Commission.

To this end, the Commission shall examine decommitments made during the previous financial year and decide, by 15 February of the current year, on the basis of requirements, whether it is necessary to make the corresponding appropriations available again.

COMMITMENT APPROPRIATIONS TO BE MADE AVAILABLE AGAIN

No.	2007 Budget	Heading	2008 Budget	Amount made available again
1	04 02 09	Completion of previous Community initiative programmes (prior to 2000)	04 02 07	1.836.665,00
2	13 03 06	Completion of Urban (2000 to 2006)	13 03 06	28.190,82
		HEADING 1b – TOTAL		1.864.865,82
		GRAND TOTAL		1.864.865,82

COMMITMENT APPROPRIATIONS TO BE MADE AVAILABLE AGAIN

Grounds

1. 04 02 07 Completion of previous Community initiative programmes (prior to 2000)

Decommitments in 2007:	7.179.060,78 €
Amount made available again:	1.836.665,00 €

As part of the closure of the 1994-99 programming period and following the Italian authorities' request for the balance in March 2003 (file PO 9400321 4), the unit concerned made a number of decommitments.

Because of an error in the calculation, all outstanding commitments were decommitted, without leaving a contingency reserve.

A check of suspended payments undergoing administrative and legal procedures reveals that an additional payment of €1 836 665 is required; that this must be made to the Italian authorities as soon as possible.

2. 13 03 06 Completion of Urban (2000 to 2006)

Decommitments in 2007:	28.190,82 €
Amount made available again:	28.190,82 €

Due to a manifest error made by the Commission services, the amount of € 28,190.82 shall be made available again to the URBAN programme 2000DEI6OPC109 Mannheim/Ludwigshafen. The Commission has failed to inform in due time the Member State of N+2 risk as required by Art.3 1.2 of Reg. 1260/1999 and the referenced amount had to be decommitted (June 2007, FED208626). The opinion of the Legal Service is provided in document ref. JUR(2006)1 5586 of 31 August 2006.