



Brussels, 26.7.2021
C(2021) 5635 final

COMMISSION IMPLEMENTING DECISION

of 26.7.2021

**amending Commission Implementing Decision C(2017) 8199 of 30.11.2017 on adopting
the Annual Action Programme for Bosnia and Herzegovina for the year 2017**

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amending Commission Implementing Decision C(2017) 8199 of 30.11.2017 on adopting the Annual Action Programme for Bosnia and Herzegovina for the year 2017

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012¹, and in particular Article 110 thereof,

Whereas:

- (1) By its Decision C(2017)8199 of 30.11.2017, the Commission adopted the Annual Action Programme for Bosnia and Herzegovina for the year 2017 including six actions.
- (2) The inflow of refugees, asylum seekers and migrants in Bosnia and Herzegovina has continually increased since spring 2018. This situation could not have been foreseen at the time of adoption of the Annual Action Programme for Bosnia and Herzegovina 2017. There is therefore an imperative need to ensure support for the reception centres that provide for the basic food and shelter needs of Persons of Concern (PoCs), including water sanitation and hygiene, and facilitate access to protection services and provide transportation to school for migrant and refugee children.

For this purpose, it is necessary to urgently modify, on an exceptional basis, the actions “EU support to effective justice” and “EUR for human rights and anti-discrimination” reallocating EUR 2,65 million to action “EU support to home affairs to combat illegal acts”.
- (3) Moreover, it is necessary to allow for implementation through indirect management with entrusted entities. This is the most effective solution to ensure continuity of activities, which are currently implemented by the International Organisation for Migration (IOM) and other pillar-assessed entities (UNHCR, UNICEF and UNFPA), under a multi partner contribution agreement. These organisations have already been implementing EU assistance to Bosnia and Herzegovina for migration management and have therefore the best expertise, while their teams are already deployed on the ground and are ready to continue providing their services.
- (4) Indirect management is to be used for the implementation of the programme.

¹ OJ L 193, 30.7.2018, p.1.

- (5) The Commission is to ensure a level of protection of the financial interests of the Union with regards to entities and persons entrusted with the implementation of Union funds by indirect management as provided for in Article 154(3) of Regulation (EU, Euratom) 2018/1046.

To this end, such entities and persons are to be subject to an assessment of their systems and procedures in accordance with Article 154(4) of Regulation (EU, Euratom) 2018/1046 and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of Regulation (EU, Euratom) 2018/1046 before a contribution agreement can be signed.

- (6) It is necessary to allow for the payment of interest due for late payment on the basis of Article 116(5) of Regulation (EU, Euratom) 2018/1046.
- (7) Therefore, Decision C(2017)8199 should be amended accordingly.
- (8) The envisaged assistance is deemed to follow the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU².
- (9) The European Parliament and the Member States through the IPA III Committee should be informed of this Decision as soon the IPA III Committee is established.

HAS DECIDED AS FOLLOWS:

Sole Article

Commission Implementing Decision C(2017) 8199 of 30.11.2017 is amended as follows:

- (1) Article 3 is replaced by the following article:

“Article 3

Methods of implementation and entrusted entities or persons

The implementation of the actions carried out by way of indirect management, as set out in the Annex, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point (3)(b) of Action 3 of the Annex.”

- (2) The Annex is replaced by the Annex to this Decision.

Done at Brussels, 26.7.2021

For the Commission

Olivér VÁRHELYI

Member of the Commission

² www.sanctionsmap.eu Please note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy between the published legal acts and the updates on the website it is the OJ version that prevails.