



Brussels, 16.12.2021
C(2021) 9730 final

COMMISSION IMPLEMENTING DECISION

of 16.12.2021

on the financing of the annual action plan in favour of Albania for 2021

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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,

Having regard to Regulation (EU) 2021/1529 of the European Parliament and of the Council of 15 September 2021 establishing the Instrument for Pre-Accession Assistance (IPA III)², and in particular Article 9(1) thereof,

Whereas:

- (1) In order to ensure the implementation of the annual action plan in favour of Albania for 2021, it is necessary to adopt an annual financing decision, which constitutes the annual work programme, for 2021. Article 110 of Regulation (EU, Euratom) 2018/1046 establishes detailed rules on financing decisions.
- (2) The envisaged assistance is to comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU³.
- (3) The actions provided for in this Decision contribute to climate and biodiversity mainstreaming in line with the European Green Deal⁴ and the inter-institutional agreement.
- (4) The Commission has adopted an IPA III Programming Framework⁵ for the period 2021 – 2027, which identifies five thematic windows for the delivery of the specific objectives and thematic priorities of Regulation (EU) 2021/1529.

¹ OJ L 193, 30.7.2018, p.1.

² OJ L 330, 20.09.2021.

³ 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.

⁴ COM(2019) 640 final

⁵ Commission Decision C(2021)8914 of 10.12.2021 on the Instrument for Pre-Accession Assistance (IPA III) Programming Framework for the period 2021-2027

- (5) The objectives pursued by the annual action plan are to support the Republic of Albania in adopting and implementing the political, institutional, legal, administrative, social and economic reforms required to comply with Union values and to align progressively to Union rules, standards, policies and practices with a view to Union membership.
- (6) The objective of the action entitled EU for Justice is to to strengthen the rule of law and increase trust in the justice system;
- (7) The objective of the action entitled EU for Property Rights Phase II is to strengthen the protection of the right to physical property and capacity to guarantee in practice the right to ownership;
- (8) The objective of the action entitled EU for Nature is to protect and conserve the territory and biodiversity;
- (9) The objective of the action entitled EU for Circular Economy and Green Growth is to improve the protection of the environment and developing circular economy and sustainable green growth;
- (10) The objective of the action entitled EU for Innovation Phase II is to increase the competitiveness and post-COVID socio-economic recovery through improvement of the business environment, innovation ecosystem and investment climate.
- (11) The Commission should acknowledge and accept contributions from other donors pursuant to Article 21(2) of Regulation (EU, Euratom) 2018/1046, subject to the signature of the relevant agreement. Where such contributions are not denominated in euro, a reasonable estimate of conversion should be made.
- (12) Pursuant to Article 9(1) of Regulation (EU) 2021/1529, indirect management is to be used for the implementation of the action plan.

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.

- (13) 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.
- (14) 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.
- (15) In order to allow for flexibility in the implementation of the action plan, it is appropriate to allow changes which should not be considered substantial for the purposes of Article 110(5) of Regulation (EU, Euratom) 2018/1046.
- (16) The action plan provided for in this Decision is in accordance with the opinion of the IPA III Committee set up by Article 17 of Regulation (EU) 2021/1529.

HAS DECIDED AS FOLLOWS:

Article 1
The action plan

The annual financing decision, constituting the annual work programme for the implementation of the Annual Action Plan in favour of Albania for 2021, as set out in the Annexes, is adopted.

The action plan shall include the following actions:

- EU for Justice, as set out in Annex I;
- EU for Property Rights Phase II, as set out in Annex II;
- EU for Nature, as set out in Annex III,
- EU for Circular Economy and Green Growth, as set out in Annex IV
- EU for Innovation Phase II, as set out in Annex V.

Article 2
Union contribution

The maximum Union contribution for the implementation of the action plan for 2021 referred to in Article 1 is set at EUR 64 900 000 and shall be financed from the appropriations entered in the following lines of the general budget of the Union:

- (a) budget line 15.020101.01: EUR 18 000 000
- (b) budget line 15.020201.02: EUR 46 900 000;

The appropriations provided for in the first paragraph may also cover interest due for late payment.

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 Annexes, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 4.3.4 of the Annexes III, IV and V.

Article 4
Flexibility clause

Increases⁶ or decreases of up to EUR 10 million not exceeding 20% of the contribution set in Article 2, first paragraph, or cumulated reassignments of funds between actions contained in an action plan not exceeding 20% of that contribution, as well as extensions of the implementation and execution period shall not be considered substantial for the purposes of Article 110(5) of Regulation (EU, Euratom) 2018/1046, provided that they do not significantly affect the nature and objectives of the actions.

The authorising officer responsible may apply the changes referred to in the first paragraph. Those changes shall be applied in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 16.12.2021

For the Commission
Olivér VÁRHELYI
Member of the Commission

⁶ These changes can come from external assigned revenue made available after the adoption of the financing Decision.