



Brussels, 9.11.2022
C(2022) 8066 final

COMMISSION IMPLEMENTING DECISION

of 9.11.2022

**on the financing of the multi-country annual action plan in favour of the Western
Balkans and Türkiye for 2022**

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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 multi-country annual action plan in favour of the Western Balkans and Türkiye for 2022, it is necessary to adopt an annual financing Decision, which constitutes the annual work programme, for 2022. Article 110 of Regulation (EU, Euratom) 2018/1046 ('the Financial Regulation') establishes detailed rules on financing decisions.
- (2) The envisaged assistance should comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU³.
- (3) The Commission has adopted a Pre-Accession Assistance ('IPA III') Programming Framework⁴ 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.
- (4) The objectives pursued by the annual action plan is to provide assistance for actions addressing issues of regional nature, or when a regional approach will allow for greater efficiency in two of the thematic windows in line with the IPA III Programming Framework: (1) Rule of law, fundamental rights and democracy; and (2) Good governance, EU *acquis* alignment, good neighbourly relations and strategic communication.

¹ OJ L 193, 30.7.2018, p.1.

² OJ L 330, 20.9.2021, p.1.

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 Commission Implementing 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 objective of the action 1 entitled, “*EU-Council of Europe Horizontal Facility for Western Balkans and Türkiye – Phase III*” is to improve the capacities of Western Balkans and Türkiye to uphold the rule of law and ensure protection of fundamental rights and freedom of expression. The objective of the action 2 entitled, “*EU support to statistics in the Western Balkans and Türkiye*” is to improve the capacity of the National Statistical Institutes in the Western Balkans and Türkiye to provide high quality data for evidence-based policy making and monitoring and to underpin policies with relevant high-quality statistical data. The objective of the action 3 entitled “*EU4Youth: European Week of Sport in the Western Balkans*” is to improve regional cooperation and good neighbourly relations through the mobilisation of youth and civil society by supporting the implementation of the #BeActive campaign of the European Week of Sport initiative in the Western Balkans. The objective of the action 4 entitled “*Support for the participation of the Western Balkans in Union programmes*” is to improve knowledge of EU values and policies in different fields fostering alignment with EU *acquis* and the convergence to the EU standards.
- (6) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (7) Pursuant to Article 9(1) of Regulation (EU) 2021/1529, indirect management may be used for the implementation of the action plan.
- (8) 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 the Financial Regulation.
- (9) 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)⁵ of the Financial Regulation and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) thereof before a contribution agreement can be signed.
- (10) It is necessary to allow for the payment of interest due for late payment on the basis of Article 116(5) of the Financial Regulation.
- (11) 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 the Financial Regulation.
- (12) 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) 2021/1529⁶.

⁵ Except for the cases referred to in Article 154(6) of the Financial Regulation, where the Commission may decide, not to require an ex-ante assessment.

⁶ The Member States have declared, recalling the Council Conclusions of 18 February 2008, that the adoption of this action plan does not prejudice the position of each individual Member State on the status of Kosovo*, which will be decided in accordance with their national practice and international law.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

HAS DECIDED AS FOLLOWS:

Article 1
The action plan

The annual financing Decision, constituting the annual work programme for the implementation of the multi-country annual action plan in favour of the Western Balkans and Türkiye for 2022, as set out in the Annexes, is adopted.

The action plan shall include the following actions:

- (a) - EU-Council of Europe Horizontal Facility for Western Balkans and Türkiye – Phase III, as set out in Annex I;
- (b) - EU support to statistics in the Western Balkans and Türkiye, as set out in Annex II;
- (c) - EU4Youth: European Week of Sport in the Western Balkans, as set out in Annex III;
- (d) - Support for the participation of the Western Balkans in Union programmes, as set out in Annex IV.

Article 2
Union contribution

The maximum Union contribution for the implementation of the action plan referred to in Article 1 is set at EUR 72 000 000⁷ and shall be financed from the appropriations entered in budget line 15 02 01 01.01 of the general budget of the Union.

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 Annex I, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 4.3.1 of the Annex I.

Article 4
Flexibility clause

Increases⁸ or decreases of up to EUR 10 million and not exceeding 20% of the contribution set in Article 2, first paragraph, or cumulated changes to the allocations of specific actions 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 the Financial Regulation, provided that these changes 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.

⁷ This amount must include the appropriations corresponding to assigned revenue, if they are available at the time the financing decision is adopted.

⁸These changes can come from external assigned revenue made available after the adoption of the financing Decision.

Article 5
Grants

Grants may be awarded without a call for proposals in accordance with the conditions set out in the Annexes. Grants may be awarded to the bodies referred to in the Annexes selected in accordance with point 4.3.1 of the Annexes II, III, IV.

Done at Brussels, 9.11.2022

For the Commission
Olivér VÁRHELYI
Member of the Commission