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COMMISSION IMPLEMENTING DECISION

of 3.5.2024

**on the financing of the individual measure to strengthen return management systems in
the Western Balkans for 2024**

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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 individual measure “To Strengthen Return Management Systems in the Western Balkans” for 2024, it is necessary to adopt an annual financing Decision, which constitutes the annual work programme, for 2024.
- (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.

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 December 2021 on the Instrument for Pre-Accession Assistance (IPA III) Programming Framework for the period 2021-2027.

- (4) The objectives pursued by the individual measure should address shortcomings in the capacities of the Western Balkans to implement effective return management systems fully in line with EU standards and in respect of fundamental rights.
- (5) The objective of the action entitled, “Individual measure to strengthen return management systems in the Western Balkans” for 2024 is to increase the capacity of the Western Balkan partners to manage migration effectively, in particular with regards to the conduct of return operations. The measure will strengthen the capacities of relevant Western Balkan authorities to implement effective return management systems fully in line with EU standards and in respect of fundamental rights.
- (6) Pursuant to Article 62(1), point (c) of the Financial Regulation, indirect management may be used for the implementation of the measure.
- (7) 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.
- (8) To that 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) of the Financial Regulation before a contribution agreement can be signed.
- (9) 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.
- (10) In order to allow for flexibility in the implementation of the measure, it is appropriate to determine the changes which should not be considered substantial for the purposes of Article 110(5) of the Financial Regulation.
- (11) The measure provided for in this Decision is in accordance with the opinion of the IPA III Committee⁶.

HAS DECIDED AS FOLLOWS:

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 Member States have declared, recalling the Council Conclusions of 18 February 2008, that the adoption of this action plan does not prejudge 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.

Article 1
The measure

The annual financing Decision, constituting the annual work programme for the implementation of the individual measure to strengthen return management systems in the Western Balkans for 2024 as set out in the Annex, is adopted.

The measure shall consist of the action set out in the annex.

Article 2
Union contribution

The maximum Union contribution for the implementation of the measure for 2024 is set at EUR 13 000 000, and shall be financed from the appropriations entered in budget line 15.020101.01 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(es), may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 4.3 of the Annex.

Article 4
Flexibility clause

Increases⁷ or decreases of up to EUR 10 million and not exceeding 20% of the contribution set in Article 2, first paragraph, as well as extensions of the implementation and execution period shall not be considered substantial for the purposes of Article 110(5) of the Regulation (EU, Euratom) 2018/1046, 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 These changes can come from external assigned revenue made available after the adoption of the financing Decision.

Done at Brussels, 3.5.2024

For the Commission
Olivér VÁRHELYI
Member of the Commission