



Brussels, 16.12.2021
C(2021) 9732 final

COMMISSION IMPLEMENTING DECISION

of 16.12.2021

**on the financing of the annual action plan in favour of the Republic of North Macedonia
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 North Macedonia 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, 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 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 country's reforms in the areas of rule of law, fight against corruption and organised crime, to protect environment, encourage the economic development and facilitate trade with the EU.
- (6) The objective of the action entitled *EU for Rule of Law and Anti-corruption*, is to improve the efficiency of the justice system and the fight against corruption.
- (7) The objective of the action entitled *EU against organised crime, in support of trade*, is to improve the security in North Macedonia and at its borders while supporting the free movement of people and goods.
- (8) The objective of the action entitled *EU Integration Facility*, is to enhance the EU accession process of North Macedonia, through backing-up the accession process in its entirety and improving the effectiveness and visibility of the EU funds invested in the country.
- (9) The objective of the action entitled *EU for Environmental Standards and Clean Air*, is to decrease the pollution-related risks to environment and human health through improving the implementation of the environmental legislation and standards and improving the air quality in large cities in North Macedonia.
- (10) The objective of the action entitled *EU for Prespa*, is to promote the Green Agenda for the Western Balkans⁶ in the transboundary Prespa lake area, preserve and improve the ecological system in the Prespa lake area, boost the sustainable economic activities in the Prespa area and enhance the cross-border cooperation.
- (11) The objective of the action entitled *EU for Green Economy*, is to green, recover and modernise the economy of North Macedonia through establishing a "Greening Business" Facility and enhancing cooperation and position of farmers in the supply chain.
- (12) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (13) Pursuant to Article 9(1) of Regulation (EU) 2021/1529, indirect management is to be used for the implementation of the action plan.
- (14) 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.
- (15) 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.

⁶ SWD(2020) 223 final

- (16) 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.
- (17) 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 North Macedonia for 2021, as set out in the Annexes, is adopted.

The action plan shall include the following actions:

- (a) EU for Rule of Law and Anti-corruption, as set out in Annex I;
- (b) EU against organised crime, in support of trade, as set out in Annex II;
- (c) EU Integration Facility, as set out in Annex III;
- (d) EU for Environmental Standards and Clean Air, as set out in Annex IV;
- (e) EU for Prespa, as set out in Annex V;
- (f) EU for Green Economy, as set out in Annex VI.

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 90 450 000 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 24 600 000;
- (b) budget line 15.020201.02: EUR 65 850 000.

The appropriations provided for in the first sub-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 IV and V.

Article 4
Flexibility clause

Increases⁷ 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.

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 and VI.

Done at Brussels, 16.12.2021

For the Commission
Olivér VÁRHELYI
Member of the Commission

⁷ These changes can come from external assigned revenue made available after the adoption of the financing decision.