



Brussels, 28.7.2020  
C(2020) 5211 final

**COMMISSION IMPLEMENTING DECISION**

**of 28.7.2020**

**on adopting a special measure on COVID-19 impact mitigation in Bosnia and Herzegovina**

# COMMISSION IMPLEMENTING DECISION

of 28.7.2020

## adopting a special measure on COVID-19 impact mitigation in Bosnia and Herzegovina for the year 2020

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 966/2012<sup>1</sup>, and in particular Article 110 thereof,

Having regard to Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures of the implementation of the Union's instruments for financing external action<sup>2</sup>, and in particular Article 2(1) thereof,

Whereas:

- (1) In order to ensure the implementation of the Special Measure on COVID-19 impact mitigation in Bosnia and Herzegovina for the year 2020, it is necessary to adopt a financing decision. Article 110 of Regulation (EU, Euratom) 2018/1046 establishes detailed rules on financing decisions.
- (2) The envisaged assistance is deemed to follow the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU<sup>3</sup>.
- (3) Regulation (EU) No 231/2014<sup>4</sup> lays down the objectives and main principles for pre-accession assistance to beneficiaries listed in Annex I to that Regulation.
- (4) The Commission and the High Representative for Foreign Affairs and Security Policy adopted a Joint Communication on the Global EU Response to COVID-19<sup>5</sup>, engaging the EU's contribution to a global response which addresses the humanitarian, health, social and economic consequences of the crisis.

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<sup>1</sup> OJ L 193, 30.7.2018, p.1.

<sup>2</sup> OJ L 77, 15.3.2014, p. 95.

<sup>3</sup> [www.sanctionsmap.eu](http://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.

<sup>4</sup> Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-accession Assistance (OJ L 77, 15.03.2014, p.11).

<sup>5</sup> JOIN(2020) 11 final, 08.4.2020.

- (5) The Commission adopted its Communication on Support to the Western Balkans in tackling COVID-19 and the post-pandemic recovery<sup>6</sup>, laying down in more details the EU planned interventions in the region.
- (6) Considering the needs expressed by the authorities of the beneficiary country, the “Special Measure on COVID-19 impact mitigation in Bosnia and Herzegovina for the year 2020” aims at providing assistance for actions in the following sectors: Democracy and Governance and Competitiveness, Innovation, Agriculture and Rural Development.
- (7) The action entitled “Special Measure on COVID-19 impact mitigation in Bosnia and Herzegovina” is justified by the need to address the immediate health crisis and medical needs as well as mitigating the socioeconomic impact of the lockdown caused by the COVID-19 pandemic.
- (8) The Commission should authorise the eligibility of costs as of a date preceding that of submission of a grant application, which is prior to the date of adoption of this Decision, for reasons of extreme urgency in crisis management aid or in other exceptional and duly substantiated emergencies, whereby an early engagement by the Union would be of major importance. Consequently, the Commission should authorise the eligibility of costs as of 24 March 2020.
- (9) Pursuant to Article 4(7) of Regulation (EU) 236/2014, indirect management is to be used for the implementation of this measure.
- (10) 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.
- (11) 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
- (12) In order to allow for flexibility in the implementation of the measure, 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.
- (13) The special measure provided for by this Decision is in accordance with the opinion of the IPA II Committee set up by Article 13 of Regulation (EU) No 231/2014.

HAS DECIDED AS FOLLOWS:

*Article 1*

*The measure*

The financing decision, constituting the annual work programme for the implementation of the Special Measure on COVID-19 impact mitigation in Bosnia and Herzegovina for 2020,

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<sup>6</sup> COM(2020) 315 final, 29.4.2020

under the Instrument for Pre-accession Assistance (IPA II), as set out in the Annex, is adopted.

## *Article 2*

### *Union contribution*

The maximum Union contribution for the implementation of the measure referred to in Article 1 is set at EUR 23 000 000 and shall be financed from the appropriations entered in the following lines of the general budget of the Union for 2020:

EUR 5 000 000 from the budget line 22.02 01 01

EUR 18 000 000 from the budget line 22.02 01 02

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

## *Article 4*

### *Flexibility clause*

The following changes shall not be considered substantial, within the meaning of Article 110(5) of Regulation (EU, Euratom) 2018/1046, provided that they do not significantly affect the nature and objectives of the actions:

increases or decreases for not more than 20% of the maximum contribution set in the first paragraph of Article 2, and not exceeding EUR 10 million;

cumulated reassignments of funds between specific actions not exceeding 20% of the maximum contribution set in the first paragraph of Article 2;

extensions of the implementation and closure period.

The authorising officer responsible may adopt such non-substantial changes in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 28.7.2020

*For the Commission*

*Olivér VÁRHELYI*

*Member of the Commission*