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C(2021) 9661 final

**COMMISSION IMPLEMENTING DECISION**

**of 15.12.2021**

**on the financing of the annual action plan in favour of Bosnia and Herzegovina 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 966/2012<sup>1</sup>, 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)<sup>2</sup>, and in particular Article 9(1) thereof,

Whereas:

- (1) In order to ensure the implementation of the annual action plan in favour of Bosnia and Herzegovina 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 TFEU<sup>3</sup>.
- (3) The actions provided for in this Decision contribute to climate mainstreaming in line with the European Green Deal<sup>4</sup> and the inter-institutional agreement.
- (4) The Commission has adopted an IPA III Programming Framework<sup>5</sup> 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.

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

<sup>2</sup> OJ L 330, 20.9.2021, p.1.

<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> COM(2019) 640 final

<sup>5</sup> 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 in favour of Bosnia and Herzegovina for 2021 are to strengthen the capacities of the institutions of Bosnia and Herzegovina linked to the challenges of migration and demining; to support the Central Election Commission in improving the integrity, transparency, and efficiency of the electoral process in line with international standards; to strengthen the technical and administrative capacity of the administration in relation to Bosnia and Herzegovina's European Integration process; to support the institutions at all levels to prepare for assuming obligations for EU membership regarding regional policy and coordination of structural instruments; to contribute to provision of affordable, reliable and sustainable energy and to contribute to the fulfilment of obligations under international agreements; to strengthen the capacity to prepare and implement priority transport projects; to mitigate negative socio-economic consequences of COVID-19 pandemic by contributing to economic growth, job security and a system of better social protection and inclusion; to mitigate economic effects of COVID-19 pandemic in the private sector; and to support the implementation of animal disease control measures.
- (6) The objective of the action entitled "EU for Migration, Border management and Mine Action" is to strengthen capacities of competent institutions, which will result in strengthening migration management as well as reduced number of security hazards related to mines and explosive remnants of war. Within the Integrated Border Management, the effectiveness of border surveillance, inter-agency cooperation and capacity management should be improved. Clearance in the selected affected mine suspected areas, targeted by this action, will improve the safety of the population in the benefiting municipalities, as it will significantly reduce the mine threat potential of incidents and accidents. It will improve the living conditions of the local communities by making available currently blocked natural and infrastructure resources at the municipality scale.
- (7) The objective of the action entitled "EU for Electoral Process" is to support the Central Election Commission, in improving the integrity, transparency, and efficiency of the electoral process in line with international standards and recommendations of Office for Democratic Institutions and Human Rights (ODIHR), of the Organization for Security and Cooperation in Europe (OSCE) and the Venice Commission of the Council of Europe. It will also contribute to the start of the implementation of the Electoral Strategy of Bosnia and Herzegovina that has been developed through IPA 2020 Technical Assistance, as well as its Action Plan, and related Communications Strategy.
- (8) The objective of the action entitled "EU Integration Facility" is to provide administrative and technical support to institutions in Bosnia and Herzegovina at all levels with respect to the needs stemming from the European integration process by developing and implementing the Programme for Integration/ national programme for the adoption of the *acquis* (NPAA) and, improving underlying sectoral policy planning and budgeting capacities across levels for enhanced utilisation of EU financial assistance under IPA III.
- (9) The objective of the action entitled "EU for Regional Development" aims to support the institutions on all levels to better prepare for assuming the obligations of EU membership related to Chapter 22 of the Accession Negotiations - Regional Policy and Coordination of Structural Instruments. The capacities of relevant institutions and organisations at all governance levels for EU Cohesion Policy will be improved. The

pre-conditions for sound and consistent regional development policy planning will be created.

- (10) The objective of the action entitled “EU for Energy” is to contribute to the provision of affordable, reliable, sustainable, and modern energy in Bosnia and Herzegovina as well as to contribute to the fulfilment of the obligations of Bosnia and Herzegovina under the Energy Community Treaty, the Paris Agreement and other international agreements through implementation of energy efficiency and renewable energy projects.
- (11) The objective of the action entitled “EU for Transport” is to strengthen the capacity of Bosnia and Herzegovina to prepare and implement priority transport projects. The maturity of selected priority transport projects will be improved.
- (12) The objective of the action entitled “EU for Mitigating Socio-Economic Consequences of COVID-19 pandemic in Bosnia and Herzegovina: Employment, Social Protection and Inclusion Policies” is to contribute to mitigating negative socio-economic consequences of the pandemic in Bosnia and Herzegovina and support the country in its post pandemic socio-economic recovery, by contributing to economic growth, job security and a system of better social protection and inclusion.
- (13) The objective of the action entitled “EU for Private Sector Development (Post COVID-19)” is to mitigate the economic effects of the COVID-19 pandemic in the private sector in Bosnia and Herzegovina and fostering long-term economic recovery. Primarily, the action focuses on the support to Micro, Small and Medium Enterprises, start-ups and innovative entrepreneurship, as well as women and youth run businesses. The action also aims to support further alignment of State aid system with EU *acquis* and obligations deriving from the Stabilisation and Association Agreement<sup>6</sup>.
- (14) The objective of the action entitled “EU for Animal Disease Control” is to support the implementation of animal disease control measures, as an important part of preservation of livestock production. As such, the action aims to improve the animal health status through supporting preventive vaccination measures against rabies (in foxes) and brucellosis (in small ruminants).
- (15) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (16) The Commission should authorise the launch of a call for proposals and tenders by means of a suspensive clause before the adoption of this Decision.
- (17) Pursuant to Article 9(1) of Regulation (EU) 2021/1529, indirect management is to be used for the implementation of the action plan.
- (18) 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.

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<sup>6</sup> OJ L 164/548, 30.6.2015

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.

- (19) 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.
- (20) In order to allow for flexibility in the implementation of the annual action plan in favor of Bosnia and Herzegovina for 2021, 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.
- (21) The annual action plan for Bosnia and Herzegovina for 2021 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 Bosnia and Herzegovina for 2021, as set out in the Annexes, is adopted.

The action plan shall include the following actions:

- (a) EU for Migration, Border management and Mine Action, as set out in Annex I;
- (b) EU for Electoral Process, as set out in Annex II;
- (c) EU Integration Facility, as set out in Annex III;
- (d) EU for Regional Development, as set out in Annex IV;
- (e) EU for Energy, as set out in Annex V;
- (f) EU for Transport, as set out in Annex VI;
- (g) EU for Mitigating Socio-Economic Consequences of COVID-19 pandemic: Employment, Social Protection and Inclusion Policies, as set out in Annex VII;
- (h) EU for Private Sector Development (Post COVID-19), as set out in Annex VIII;
- (i) EU for Animal Disease Control, as set out in Annex IX.

*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 73 000 000 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 27 500 000;
- (b) budget line 15.020201.02: EUR 45 500 000.

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 in point 4.2 of the Annexes.

*Article 4*  
*Flexibility clause*

Increases<sup>7</sup> 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 in accordance with point 4.2 of the Annex III.

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<sup>7</sup> These changes can come from external assigned revenue made available after the adoption of the financing Decision.

*Article 6*

*Procurement*

Launching a call for proposals or tender under a suspensive clause before the adoption of this Decision shall be authorised as of the date set out in point 4.2 of Annexes I, II, III, IV, VI, VIII and IX.

Done at Brussels, 15.12.2021

*Olivér VÁRHELYI*  
*Member of the Commission*