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COMMISSION IMPLEMENTING DECISION

of 28.7.2020

adopting a Multi-country Action Programme for the year 2020 – part 2

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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⁽¹⁾, 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⁽²⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) In order to ensure the implementation of the Multi-country Action Programme for the year 2020 – part 2, it is necessary to adopt a financing decision, which constitutes the annual work programme, for 2020. 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⁽³⁾.
- (3) Regulation (EU) No 231/2014⁽⁴⁾ lays down the objectives and main principles for pre-accession assistance to beneficiaries listed in Annex I to that Regulation.
- (4) In accordance with Article 7 of Regulation (EU) No 231/2014, the assistance should be implemented through annual or multi-annual, country-specific or multi-country programmes. These programmes should be drawn up in accordance with the framework for assistance referred to in Article 4 of Regulation (EU) No 231/2014 and the relevant country or multi-country indicative strategy papers referred to in Article 6 of that Regulation.
- (5) The Commission adopted a Multi-country Indicative Strategy Paper for the period 2014-2020 on 30 June 2014 which provides indicative allocations for the priorities for multi-country pre-accession assistance.⁽⁵⁾

⁽¹⁾ OJ L 193, 30.7.2018, p.1.

⁽²⁾ OJ L 77, 15.3.2014, p.95

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

- (6) In accordance with Article 6(4) of Regulation (EU) No 231/2014 the Indicative Strategy Paper has been reviewed and amended on 31 May 2018⁽⁵⁾.
- (7) Considering the proposals for action submitted by the beneficiaries concerned, the Multi-country Action Programme for the year 2020 - part 2 aims at providing assistance for actions in the following priorities: (i) Horizontal support to sector policies and reforms; and (ii) Regional structures and networks.
- (8) Pursuant to Article 4(7) of Regulation (EU) 236/2014, indirect management is to be used for the implementation of the programme.
- (9) 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.
- (10) 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.
- (11) In order to allow for flexibility in the implementation of the programme, 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.
- (12) The action programme 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 programme

The annual financing decision, constituting the annual work programme for the implementation of the Multi-country Action Programme for the year 2020 – part 2, as set out in the Annex, is adopted.

Article 2

Union contribution

The maximum Union contribution for the implementation of the programme referred to in Article 1 is set at EUR 32 000 000 and shall be financed from the appropriations entered in the budget line 22.02.04.01 of the general budget of the Union.

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.

⁽⁵⁾ Commission Implementing Decision C(2014) 4293 of 30.06.2014.

⁽⁶⁾ Commission Implementing Decision C (2018) 3442 of 31.03.2018.

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:

- (a) Increases⁽⁷⁾ 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;
- (b) cumulated reassignments of funds between specific actions not exceeding 20% of the maximum contribution set in the first paragraph of Article 2;
- (c) 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 VARHELYI
Member of the Commission

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

ANNEX

to Commission Implementing Decision adopting a Multi-country Action Programme for the year 2020 – part 2

1 IDENTIFICATION

Beneficiary	Western Balkans (Republic of Albania, Bosnia and Herzegovina, Kosovo*, Montenegro, Republic of North Macedonia, and Republic of Serbia) and Republic of Moldova ¹
Basic act: CRIS/ABAC Commitment references and budget line:	Instrument for Pre-accession Assistance (IPA-II) 2020/042-350 MCP 2020 - part Directorate-General for Neighbourhood and Enlargement Negotiations 2020/NEAR>EAC; MCP 2020 - part Directorate-General for Education, Youth, Sport and Culture 22.020401 – Multi-country programmes, regional integration and territorial cooperation
Total cost: EU Contribution:	EUR 32 210 000 EUR 32 000 000
Method of implementation	Indirect management with : <i>International Residual Mechanism for Criminal Tribunals (IRMCT)</i> for Action 2 - EU support to reconciliation: Enhancing War Crimes Accountability in the Western Balkans <i>United Nations Development Programme (UNDP)</i> for Action 5 - EU4 Security: Support for enhancing the fight against the illegal possession, misuse and trafficking of small arms and light weapons (SALW) in the Western Balkans <i>The entity(ies)</i> to be selected in accordance with the criteria set out in section 2.2(3)(a) for Action 1 - EU4 Green Recovery; for Action 3 - EU support to Regional Programme on culture and creativity in the Western Balkans; and for Action 4 - EU4 Business: Fostering regional economic integration through support to the implementation of the trade pillar of the Regional Economic Area
Final date for contracting, including the conclusion of delegation/contribution	at the latest by 31 December 2021

* 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.

¹ In relation to Action EU4 Business: Fostering regional economic integration through support to the implementation of the trade pillar of the Regional Economic Area.

agreements	
Indicative operational implementation period	72 months from the adoption of the original Financing Decision

2 DESCRIPTION OF THE ACTION PROGRAMME

2.1 SECTORS SELECTED UNDER THIS ACTION PROGRAMME

- Rationale for the selection of the specific sectors under this programme:

This Instrument for Pre-Accession Assistance (IPA II) Multi-country Action Programme is designed to respond to priority needs as identified in the Multi-country Indicative Strategy Paper 2014-2020 (hereinafter referred to as Strategy Paper) adopted on 30 June 2014², as last being revised. The Strategy Paper was revised to take account of the latest developments, and in particular, the Communication from the Commission on "A credible enlargement perspective for and enhanced EU engagement with the Western Balkans" adopted on 6 February 2018³ (hereafter referred to as *Western Balkans Strategy*). The *Western Balkans Strategy* aims to generate renewed reform momentum in the Western Balkans and provide significantly enhanced EU engagement in the region. For the period 2018-2020, the Strategy Paper has been therefore revised to ensure coherence with the new strategic orientations, in particular as regards the implementation of the six flagship initiatives presented in the *Western Balkans Strategy*.

As pointed out in the Strategy Paper, challenges persist in the **area of democracy and rule of law**. The key challenge is to strengthen the functioning and independence of institutions guaranteeing democracy. This includes ensuring independent, impartial, efficient and accountable judicial systems, empowerment of civil society, the fight against organised crime, safeguarding **fundamental rights**, such as freedom of expression and the rights of persons belonging to minorities. While IPA II beneficiaries have taken steps to advance on **gender equality** by adopting or amending relevant legislation, implementation is weak.

The new revised enlargement methodology laid down in the February 2020 Communication "*Enhancing the accession process - A credible EU perspective for the Western Balkans*"⁴ underlines that a core objective of the European Union's engagement with the Western Balkans is to prepare them to meet all the requirements of membership. This includes supporting fundamental democratic, rule of law and economic reforms and alignment with core European values.

While IPA II funds need to be adapted to the specific situation of each individual IPA II beneficiary and supported under a bilateral IPA II programme, certain problems are best tackled at regional or horizontal level. This is the case where a beneficiary cannot achieve the desired results alone as they require close cooperation and support from other IPA II beneficiaries (for instance for fighting organised crime), or where joint efforts are more cost-effective since they create synergies or economies of scale. There should be a particular focus on supporting at regional level the reconciliation process in the Western Balkans.

² C(2014) 4293, 30.06.2014

³ C(2018) 65, 06.02.2018

⁴ COM(2020) 57, 05.02.2020

The Strategy Paper sets out as well how IPA II assistance will support reforms and investments in line with the identified key challenges for **competitiveness and growth**, in complementarity with assistance provided under the bilateral programmes.

In accordance with the Strategy Paper, assistance will be delivered under the following four headings, each one presenting one dimension of the added value of the horizontal and regional programming:

- i. Horizontal support to sector policies and reforms;
- ii. Regional structures and networks;
- iii. Regional investment support;
- iv. Territorial cooperation.

The new orientations of the *Western Balkans Strategy*, in particular the implementation of the six flagship initiatives are also reflected. More focus will be put on the widening of the connectivity agenda to include:

- (a) **connecting infrastructures** in line with flagship initiatives 4 (increasing connectivity) and 5 (a Digital Agenda for the Western Balkans);
- (b) **connecting economies** and fostering economic governance (including the set-up of the Regional Economic Area), in line with flagship initiative 3 (supporting socio-economic development); and,
- (c) **connecting people** with an stronger focus on Education (towards doubling Erasmus+) and Youth, in line with flagship initiative 3 and extended support to reconciliation initiatives, in line with flagship 6 (supporting reconciliation and good neighbourly relations).

Additionally, renewed priority will also be put on security and migration issues, stepping up joint operational cooperation on organised crime (including counter-terrorism), border control and migration management, in line with flagship initiative 2 (reinforcing engagement on security and on migration). As per flagship initiative 1 (strengthened support to the rule of law), measures continue to be envisaged.

Some of the above mentioned priorities are being embedded into this programme.

The focus of the 2020 multi-country action programme - part 2 rests to a large extent on:

- 1) Supporting the **sustainable connectivity** by providing funds for the implementation of the sustainable green recovery and green economic growth in the Western Balkans.
- 2) Promoting **regional cooperation and good neighbourly relations**, with a focus on a) culture, strengthening the role of creative industries; and b) addressing criminal accountability and the rights of victims of the 1990s conflicts in the former Yugoslavia.
- 3) Enhancing competitiveness and inclusive **economic growth** by supporting the implementation of the trade pillar of the Regional Economic Area in relation to non-tariff measures and dispute settlement, cooperation on quality infrastructure and electronic commerce; and,
- 4) Supporting **security** by strengthening the response of the Western Balkans to fight serious organised crime and terrorism, by enhancing cooperation and capacity within the region in the fight against the illegal possession, misuse and trafficking of small arms and light weapons and their ammunition.

This Action Programme has been developed in the context of the COVID-19 pandemic. In line with the “*Communication on the Global EU response to COVID-19*”⁵, some of

⁵ JOIN (2020) 11, 08.04.2020

these initiatives will play an important role to support crisis adaptation and alleviation, in particular: a) rendering the socio-economic model more resilient to environmental, health and economic threats; b) increasing growth perspectives, employment and job creation; and c) addressing issues affecting the supply and the facilitation of movement of goods within the region, and between the region and the EU.

It contains 5 regional and horizontal actions which are in line with the priorities established under the Strategy Paper and grouped under two of its four headings. Where relevant actions under this multi-country action programme shall also respect and shall be implemented in line with the EU Charter of Fundamental Rights, Universal Declaration of Human Rights and other beneficiaries' international human rights obligations.

- Overview of past and on-going EU, other donors' and/or IPA II beneficiary's actions in the relevant sectors:

When designing this programme due account has been taken of activities implemented under the bilateral programmes, the guidance provided in EU strategic documents, the lessons learned from the programming and implementation of previous EU assistance and the findings from consultations with, inter alia, the beneficiaries, International Financial Institutions (IFIs), international organisations, the Regional Cooperation Council (RCC), EU Member States and civil society organisations (CSOs).

The lessons learned from IPA I demonstrated that progress towards meeting EU membership criteria is best achieved by a mix of measures planned both at regional and IPA II beneficiary level. The IPA interim evaluation and meta-evaluation recommended that the Multi-country programmes should develop more rigorous selection criteria for the supported actions and focus on areas with clear needs for a regional approach. It also concluded that further efforts are needed to involve regional stakeholders more in programming and that central administrations should be involved in project implementation as a way to improve ownership and coordination. The mid-term evaluation review of IPA II assistance has particularly emphasised the donor coordination and leverage elements of the support through the Western Balkans Investment Framework (WBIF). Complementarities and synergies of IPA II with the actions under the other thematic lines/programmes is good but needs to be strengthened.

Other conclusions concern economies of scale in horizontal programmes versus efficiency risks, due to sometimes complex set-ups for their implementation under IPA I assistance.

Under IPA II, efficiency concerns will be addressed by more effective coordination, focusing on fewer priorities, comprehensive and longer-term planning and, where relevant, a sector approach.

List of Actions foreseen under the selected Priorities:

LIST OF ACTIONS	MCSP PRIORITY / FLAGSHIP	MANAGEMENT MODE	AMOUNT IN EUR (EU CONTRIBUTION)
01 - EU4 Green Recovery	Regional structures and networks / FLAGSHIP 4	Indirect	10 000 000
02 - EU support to reconciliation: Enhancing War Crimes Accountability in the Western Balkans	Horizontal support / FLAGSHIP 6	Indirect	3 000 000
03 - EU support to Regional Programme on culture and creativity in the Western Balkans	Horizontal support / FLAGSHIP 3 and 6	Indirect	8 000 000
04 - EU4 Business: Fostering regional economic integration through support to the implementation of the trade pillar of the Regional Economic Area	Regional structures and networks / FLAGSHIP 3	Indirect	6 000 000
05 - EU4 Security: Support for enhancing the fight against the illegal possession, misuse and trafficking of small arms and light weapons (SALW) in the Western Balkans	Regional structures and networks / FLAGSHIP 2	Indirect	5 000 000
TOTAL			32 000 000

2.2 DESCRIPTION AND IMPLEMENTATION OF THE ACTIONS

The envisaged assistance is deemed to follow the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU⁶.

Action 1	EU4 Green Recovery	EUR 10 000 000
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(1) Description of the action, objective, expected results and key performance indicators

Description of the action: It will support the sustainable recovery and green economic growth in the context of the post-COVID-19 pandemic. It will also implement specific actions in areas such as decarbonisation, circular economy, biodiversity to be defined in the upcoming Green Agenda for the Western Balkans. The aim is to support the sustainable recovery of the region, based on decarbonisation, sustainable production and consumption, cleaner technologies, reduction of air, and water pollution, protection and restoration of biodiversity and a healthier environment. The action will deploy the necessary technical assistance to implement these directions. It will contribute building fair and prosperous societies, with modern, resource-efficient and competitive economies where there are no net emissions of greenhouse gases by 2050, where

⁶ https://eeas.europa.eu/headquarters/headquarters-homepage/8442/consolidated-list-sanctions_en

economic growth is decoupled from resource use and where no one is left behind – the transition is just. The green recovery will be developed in line with the “*Communication on the Global EU response to COVID-19*”³.

Objective: to support the Western Balkans in their green recovery and green economic growth.

Expected results: (1) the Beneficiaries are empowered in the implementation of green recovery plans through a fit-for-purpose setup; (2) monitoring and reporting processes are operational; (3) sustainable, resilient and green recovery plans are developed; and (4) citizens are aware of the EU’s efforts and contribution in the improvement of living conditions and sustainable green recovery in the Beneficiaries.

Key performance indicators:

- Green recovery plans/strategies adopted.
- Amount of energy savings.
- Renewable energy sources (RES) share.
- Amount of greenhouse gas emissions.
- Pollution levels for main polluters for air, and water.
- Amount of recycled/re-used waste.

(2) Assumptions and conditions

The key condition for implementation is the necessary level of engagement and ownership from the Beneficiaries.

(3) Implementation modalities

(3)(a) Indirect management with Member State organisations

This action may be implemented in indirect management with an entity(ies) which will be selected by the Commission services using the following criteria: technical, logistical and managerial capacities; capacity in terms of human resources, organisational set-up, specific sector thematic expertise, engagement with the region and strong territorial presence with experience in the implementation of similar actions. The implementation by this entity entails the coordination, monitoring and reporting on the activities implemented under the green recovery plans for the Western Balkans as well as technical assistance and capacity building provided on an on-demand basis to achieve the action’s specific objective and expected results above mentioned.

If negotiations with the above-mentioned entrusted entity fail, the action may be implemented in direct management in accordance with the implementation modalities identifies in section (3)(b).

(3)(b) Direct management

The fall-back option to indirect management in case negotiations with the entrusted entity(ies) fail is direct management through procurement.

Procurement:

The procurement will contribute to supporting the Western Balkans in their green recovery and green economic growth.

The **global** budgetary envelope reserved for procurement is: EUR 10 000 000.

Action 2	EU support to reconciliation: Enhancing War Crimes Accountability in the Western Balkans	EUR 3 000 000
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(1) Description of the action, objective, expected results and key performance indicators

Description of the action: It aims at fostering reconciliation and good neighbourly relations in the Western Balkans, through strengthening criminal accountability and the rights of victims of the 1990s conflicts in the former Yugoslavia. The International Residual Mechanism for Criminal Tribunals (IRMCT), which is the successor of the International Criminal Tribunal for the former Yugoslavia (ICTY) will implement this action. It is in line with the *Western Balkans Strategy* and the Sofia Declaration⁷.

Objectives: (1) to enhance prosecution of war crimes at domestic level; and (2) to increase public knowledge and understanding of the facts established in ICTY cases regarding crimes committed during conflicts in the former Yugoslavia since 1991.

Expected results: (1) domestic authorities possess relevant evidence and expertise to prosecute war crimes; (2) enhanced capacities and skills of stakeholders to understand, disseminate, report about and discuss past facts related to the 1990s conflicts in the region; and (3) increased awareness in the region on past crimes.

Key performance indicators:

- Number of suspects against whom prosecutorial decisions to initiate or complete investigations are taken in complex war crimes cases, including sexual and gender-based crimes cases and cases involving regional judicial cooperation.
- Percentage of stakeholders reached reporting improved knowledge of crimes committed in the 1990s (including category-disaggregated data and sex-disaggregated data).
- Percentage of stakeholders reached reporting increased knowledge about the use of ICTY/IRMCT archival material in teaching history (including category-disaggregated data and sex-disaggregated data).

(2) Assumptions and conditions

There are no particular conditions required for the start of the implementation of this action as both the legal and institutional frameworks to prosecute war crimes at domestic level are already in place. This action will largely build upon and strengthen existing partnerships, activities and relationships within existing frameworks. In order to ensure the sustainability and effectiveness of this action, the IRMCT will regularly consult target groups to discuss challenges and solutions, solicit technical advice on the action's implementation and ensure that relevant developments are recognised.

(3) Implementation modalities

Indirect management with an international organisation

This action may be implemented in indirect management with the IRMCT. This implementation entails undertaking all necessary actions, including through direct implementation of activities and conducting tasks as relevant, to achieve the action's specific objectives and expected results above mentioned. Tasks may include inter alia:

⁷ Sofia Declaration-Sofia Priority Agenda, 17 May 2018:
https://www.consilium.europa.eu/media/34776/sofia-declaration_en.pdf

the provision of legal and other expert support, capacity building / training/ seminars / conferences / events /visits and carrying out networking and awareness raising activities.

The envisaged entity has been selected using the following criteria: unique core mandate, and sound expertise and strong practical experience from the region in the prosecution of international crimes and outreach of fact-based narratives of past crimes. The IRMCT is the successor of the International Tribunal for the former Yugoslavia, which was responsible for the prosecution and trial of those responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991. The IRMCT is the only competent authority able to transfer cases from its files to domestic authorities. It is uniquely placed to provide direct case assistance to domestic authorities due to its in-depth expert knowledge of the concrete war crimes cases and access to the IRMCT evidence collection. It has specific expertise in a number of legal issues key to prosecution at domestic level. The IRMCT has a leading experience in conducting outreach. It has a unique position in awareness raising as to the ICTY's achievements and dissemination of fact-based narratives of past crimes.

Action 3	EU support to Regional Programme on culture and creativity in the Western Balkans	EUR 8 000 000
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(1) Description of the action, objective, expected results and key performance indicators

Description of the action: It aims to foster reconciliation and good neighbourly relations in the Western Balkans through culture. It action will promote intercultural dialogue and enhance the socio-economic impact of the cultural and creative sector in the Western Balkans, through a multi-sectorial approach targeting public authorities, the private sector and civil society organisations in culture. This is especially relevant in the current context where the economic impact of the COVID-19 pandemic is expected to limit both market opportunities and public funding available, while these sectors are crucial in supporting intercultural dialogue and providing economic and social perspectives, particularly for youth. The ultimate beneficiaries will be citizens in the Western Balkans.

Objectives: (1) to improve the performance of the cultural and creative sector in the Western Balkans; (2) to strengthen cultural cooperation within and with the Western Balkans; and (3) to enhance inclusive cultural heritage for local development.

Expected results: (1) improved capacities of, and partnership between, public authorities, private sector and civil society organisations to develop and promote inclusive policy-making in culture; (2) increased regional exchanges in the culture and creative sector; (3) enhanced capacities and skills of the cultural and creative sector in management, business planning, community engagement and communication; (4) increased mobility of artists, cultural operators and increased circulation of creative goods and services across the region and with the EU; and (5) increased capacities and skills of local stakeholders in developing inclusive cultural heritage for local development.

Key performance indicators:

- Number of artists and cultural works promoted (including sex-disaggregated data).
- Number of jobs generated in the region by selected projects (including sex-disaggregated data).
- Perceptions of stakeholders on increased cultural cooperation.

- Number of local heritage protection plans developed through participation in cooperation.

(2) Assumptions and conditions

There are no particular conditions required for the implementation of this action. However, the implementing partner needs to ensure that the most relevant stakeholders are addressed by the calls for proposals. The implementation should also seek synergies with other relevant on-going programmes and actions. The involvement, and thus ownership, of relevant stakeholders in the design and implementation of the activities will be crucial in order to ensure the sustainability and effectiveness of this action.

(3) Implementation modalities

(3)(a) Indirect management with(a) Member State organisation(s) and/or (an) international organisation(s) - co-delegated by Directorate-General for Neighbourhood and Enlargement Negotiations to Directorate-General for Education, Youth, Sport and Culture

This action may be implemented in indirect management with an entity(ies) which will be selected by the Commission services using the following criteria:

- The entity(ies) has (have) sound technical expertise and strong practical experience in the EU in promoting culture and cultural heritage, including through supporting policy-making;
- The entity(ies) has (have) strong institutional, financial and operational capacity, in particular to design and implement grant schemes;
- The entity(ies)'s has (have) a presence and/or demonstrated experience in one or more IPA II beneficiary(ies).

The implementation by this entity entails undertaking all necessary actions, including through direct implementation of activities and conducting budget implementation tasks as relevant, to achieve the action's specific objectives and expected results above mentioned. Tasks may include inter alia: technical support, capacity building, mentoring / peer learning / exchange / networking / mobility / partnership activities including on inclusive policy-making, cultural heritage, cooperation/co-production support at a regional level and activities stimulating private financing, market access and internationalisation; development of platforms and actions, including the award of grants.

If negotiations with the above-mentioned entrusted entity(ies) fail, that part of this action may be implemented in direct management in accordance with the implementation modalities identified in section (3)(b).

(3)(b) Direct management (project approach)

The fall-back option to indirect management in case negotiations with the entrusted entity(ies) fail is direct management through grants.

Grants

- Purpose of the grants:** The call will contribute to achieving the objectives and related results as indicated under action 3.
- Type of applicants targeted:** Local authorities, public bodies, international and inter-governmental organisations, non-governmental organisations.

The **global** budgetary envelope reserved for grants is: EUR 8 000 000.

Action 4	EU4 Business: Fostering regional economic integration through support to the implementation of the trade pillar of the Regional Economic Area	EUR 6 000 000
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(1) Description of the action, objective, expected results and key performance indicators

Description of the action: It aims to strengthen regional economic integration among the Central European Free Trade Agreement (CEFTA) Parties by enabling smooth implementation of CEFTA 2006 and measures planned under the trade pillar of the Multi-annual Action Plan for a Regional Economic Area (MAP REA). This will be achieved by assisting the CEFTA Parties, the Secretariat and its Bodies in trade-related matters in the following three core areas: (1) non-tariff measures (NTMs) and dispute settlement; (2) quality infrastructure (QI); and (3) e-commerce. These elements are of particular importance in view of the impact that the COVID-19 pandemic may have on trade disturbances and/or restrictions.

With the aim of ensuring coherence and effectiveness of EU financing, and fostering regional cooperation, the European Commission decides to extend the eligibility of action 4 to Moldova. The EU support to improving economic governance and competitiveness in the region builds on the CEFTA agreement signed in 2006 in line with the MAP REA and the South East Europe (SEE) 2020 Strategy. The European Commission has been providing support to CEFTA Parties (Western Balkans and Moldova) to promote the implementation of the CEFTA agenda towards trade facilitation and overall progressive regional integration. It includes the strengthening of the CEFTA Secretariat and the support to all CEFTA bodies. Moldova is a signatory of the CEFTA agreement, and following Article 9 of the IPA II Regulation, Moldova should benefit, when relevant, from all the actions developed under the current CEFTA Agreement framework in order to achieve the key objective of regional economic integration.

Objective: to support increased trade flows in goods and services via the convergence of standards, conducive to regional economic integration.

Expected results: (1) reduction of non-tariff barriers encountered in the regional trade within CEFTA and international trade with their other trading partners and development of a harmonised legislative framework for dispute settlement; (2) regional framework for cooperation on quality infrastructure in place, including a functioning market surveillance system; and (3) regional dialogue established in key trade in services areas such as e-commerce which should produce arrangements facilitating cross-border e-commerce between CEFTA Parties.

Key performance indicators:

- New harmonised mechanism for dispute settlement in place.
- Increased monitoring, investigation and follow up of open cases to achieve a solution.
- NTMs reports published.
- Regional arrangement on market surveillance and database on unsafe products found on the market.
- Regional platform on e-commerce.

(2) Assumptions and conditions

The main conditions that are assumed to be in place are the full ratification of the Additional Protocol (AP) 5, the entry into force of the AP6, and the completed negotiations on the AP7. Namely, implementation of component 2 is based on the provisions of the AP5 (trade facilitation and NTMs) and AP7 (dispute settlement). Component 3 (market surveillance and QI) is not based in any of the Additional Protocols, but only in the political commitments of MAP REA. Finally, cooperation on electronic commerce is firmly based on the Article 28 of CEFTA 2006 and Article 18 of the AP6. The implementation of the action will moreover depend on several key factors, including political commitments, speed of the administrative adoption and of the absorption capacities of the CEFTA Parties in different fields (e-commerce, market surveillance) described in the action.

Failure to comply with the requirements set above may lead to a recovery of funds under this programme and/or the re-allocation of future funding.

(3) Implementation modalities

(3)(a) Indirect management with (a) Member State organisation(s) and/or (an) international organisation(s)

(i) A part of this action “Component 1: Support to the Implementation of the Additional Protocol 7 (Dispute Settlement) and addressing Non-Tariff Measures (NTMs)” may be implemented in indirect management with an entity which will be selected by the Commission services using the following criteria:

- The entity has sound technical expertise and strong practical experience, including track-record in support to identifying NTMs and Non Tariff Barriers (NTBs); to implement adequate strategies for their elimination and to provide assistance to establish/implement a new and harmonised dispute settlement mechanism (DMS);
- The entity has proven operational and financial capacity.

The implementation by this entity in Component 1 entails the support to the implementation of the AP 7 (Dispute Settlement) and addressing NTMs of the action to be entrusted to the entity.

This modality will contribute to achieving the objective and the related expected result (1) as indicated under action 4.

(ii) A part of this action “Component 2: Implementation of quality infrastructure structures and support to market surveillance” may be implemented in indirect management with an entity which be selected by the Commission services using the following criteria:

- The entity has sound technical expertise and strong practical experience, including track-record in support to identifying quality infrastructure needs and challenges faced by conformity assessment procedures;
- The entity has proven operational and financial capacity.

The implementation by this entity in Component 2 entails the implementation of quality infrastructure structures and support to market surveillance.

This modality will contribute to achieving the objective and the related expected result (2) as indicated under action 4.

(iii) A part of this action “Component 3: Extending cooperation to services, such as regulatory cooperation on electronic commerce” may be implemented in indirect management with an entity, which will be selected by the Commission services using the following criteria:

- The entity has sound technical expertise and strong practical experience, including track-record in support to trade facilitation in services (in particular e-commerce), and regional economic integration in the Western Balkans region (CEFTA Parties);
- The entity has proven operational and financial capacity.

The implementation by this entity in Component 3 entails extending cooperation to services, such as regulatory cooperation on electronic commerce.

This modality will contribute to achieving the objective and the related expected result (3) as indicated under action 4.

If negotiations with the above-mentioned entrusted entity(ies) fail, the action (or part of the action) may be implemented in direct management in accordance with the implementation modalities identified in section (3)(b).

(3)(b) Direct management (project approach)

The fall-back option to indirect management in case negotiations with any of the entrusted entity(ies) fail is direct management through grants.

Grants

- a) Purpose of the grants: The call for proposals will contribute to achieving the achieving the objective and results as indicated under action 4.
- b) Lot 1 / Component 1 - (1) Support to the Implementation of the Additional Protocol 7 (Dispute Settlement) and (2) addressing Non-Tariff Measures (NTMs);
Lot 2 / Component 2 - (1) Implementation of quality infrastructure structures and (2) support to market surveillance; and
Lot 3 / Component 3 - (1) Extending cooperation to services, such as regulatory cooperation on electronic commerce (2) build upon efforts in implementing the Additional Protocol 6.
- c) Type of applicants targeted: Member State organisations, International and inter-governmental organisations, non-governmental organisations.

The **global** budgetary envelope reserved for grants is: EUR 6 000 000.

Action 5	EU4 Security: Support for enhancing the fight against the illegal possession, misuse and trafficking of small arms and light weapons (SALW) in the Western Balkans	EUR 5 000 000
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(1) Description of the action, objective, expected results and key performance indicators

Description of the action: It aims to strengthen the response of the Western Balkans to fight serious organised crime and terrorism, by enhancing cooperation and capacity within the region in the fight against the illegal possession, misuse and trafficking of small arms and light weapons (SALW) and their ammunitions. The action will support the implementation of the EU’s policy on Firearms Trafficking, integrating the Western Balkans SALW control roadmap in the period 2021-2024 by strengthening strategic and operational capacity of Western Balkan authorities to conduct investigations and exchange information on the illegal possession, misuse and trafficking of small arms and light weapons and their ammunition and by increasing the response to factors fuelling demand and misuse of firearms in the region. The action contributes to the implementation of the EU *Western Balkans Strategy* and the Sofia Priority Agenda.

Objectives: (1) to strengthen strategic and operational capacity of Western Balkan authorities to conduct firearms investigations and exchange information among themselves and with the EU on the illegal possession, misuse and trafficking of small arms and light weapons and their ammunition; and (2) to increase response of beneficiaries to factors fuelling demand and misuse of firearms in the Western Balkans.

Expected results: (1) network of Firearms Focal Points in the Western Balkans exchanging information established in line with EU standards; (2) capacities of authorities in Western Balkans to conduct crime scene investigations in accordance with relevant EU good practices and guidelines strengthened; (3) knowledge enhanced of factors fuelling demand and misuse of firearms in the Western Balkans; (4) awareness and operational capacity raised among key beneficiaries; and (5) capacities for mainstreaming gender into SALW control by institutions in Western Balkans strengthened.

Key performance indicators:

- Level of strategic information sharing and operational cooperation within the region.
- Level of capacities of authorities to conduct firearms investigations.
- Level of response to factors fuelling demand and misuse of firearms in the Western Balkans.

(2) Assumptions and conditions

The successful implementation of the action will require that the authorities of the Western Balkans provide high-level support to the action and commit themselves to prioritise within their own organisations its objectives. The Western Balkans should also increasingly allocate specific budget to address proliferation and trafficking of SALW to ensure that the cooperation initiated under this action continues beyond its duration.

(3) Implementation modalities

Indirect management with an international organisation

This action may be implemented in indirect management with the United Nations Development Programme (UNDP) through the South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC). SEESAC

is a joint initiative of UNDP and the Regional Cooperation Council. This implementation entails undertaking all necessary actions, including through direct implementation of activities and conducting budget implementation tasks (procurement and grants award procedures as relevant), to achieve the expected results. Tasks may include inter alia: the provision of technical/legal assistance, capacity building, seminars/conferences/events/meetings/visits, supporting operational activities, carrying out research/assessments and analysis, and the provision of supplies and equipment. The envisaged entity has been selected using the following criteria: core mandate, operational and financial capacity, technical expertise, and experience and presence in the region. UNDP SEESAC is the leading actor in the South-Eastern Europe region in the field of small arms and light weapons control. SEESAC's core mandate is to strengthen the capacities of domestic and regional stakeholders to control and reduce the proliferation and misuse of small arms and light weapons, and thus contribute to enhanced stability, security and development in South Eastern and Eastern Europe. Its mandate has been given by the UNDP and the Regional Cooperation Council, thus creating a unique mix of a body with both international and regional capacity and credibility. SEESAC has demonstrated its operational and financial capacity by implementing a number of EU funded projects with a high delivery rate of the envisaged activities, delivering sustainable project results by developing and fostering national ownership of its projects and activities, and promoting regional coordination, experience and the sharing of best practices, as well as regional research. Its specific Small Arms and Light Weapons expertise, in-depth knowledge of regional affairs and relevant stakeholders and presence in the region (SEESAC is Serbia-based) make it the most suitable implementing partner for this particular action.

In case the envisaged entity would need to be replaced, the Commission's services may select another replacement entity using the same criteria.

For all the actions under the programme the following applies:

(4) Scope of geographical eligibility for procurement and grants

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply.

The Commission's authorising officer responsible may extend the geographical eligibility on the basis of urgency or of unavailability of products and services in the markets of the beneficiaries concerned, or in other duly substantiated cases where the eligibility rules would make the realisation of this action impossible or exceedingly difficult.

3 BUDGET

3.1 INDICATIVE BUDGET TABLE – MULTI COUNTRY ACTION PROGRAMME

	Method of implementation		Total EU contribution (EUR)	Entrusted entity (if known)	Entrusted entity contribution (EUR) (co-financing)	Grantee/ Other third party contribution (EUR) (co-financing)	TOTALS (EUR)	Commission implementing Directorate general
	Direct management	Indirect management with entrusted entity						
	EU contribution (EUR)	EU contribution (EUR)						
01.Horizontal support	-	11 000 000	11 000 000		210 000	-	11 210 000	
Action 02 - EU support to reconciliation: Enhancing War Crimes Accountability in the Western Balkans	-	3 000 000	3 000 000	IRCMT	210 000	-	3 210 000	Directorate-General for Neighbourhood and Enlargement Negotiations
Action 03 - EU support to Regional Programme on culture and creativity in the Western Balkans	-	8 000 000	8 000 000	-	-	-	8 000 000	Co-delegation to Directorate-General for Education, Youth, Sport and Culture
02.Regional structures and networks	-	21 000 000	21 000 000	-	-	-	21 000 000	
Action 01 - EU4 Green Recovery	-	10 000 000	10 000 000	-	-	-	10 000 000	Directorate-General for Neighbourhood and Enlargement Negotiations
Action 04 - EU4 Business: Fostering regional economic integration through support to the implementation of the trade pillar of the Regional Economic Area	-	6 000 000	6 000 000	-	-	-	6 000 000	Directorate-General for Neighbourhood and Enlargement Negotiations
Action 05 - EU4 Security: Support for enhancing the fight against the illegal possession, misuse and trafficking of small arms and light weapons (SALW) in the Western Balkans	-	5 000 000	5 000 000	UNDP	-	-	5 000 000	Directorate-General for Neighbourhood and Enlargement Negotiations
TOTALS	-	32 000 000	32 000 000	-	210 000	-	32 210 000	

CRIS Decision / Co-delegation	Max. EU Contribution	Indicative Co-financing	Total
042-350-NEAR	24 000 000	210 000	24 210 000
NEAR>EAC	8 000 000	0	8 000 000
Total programme	32 000 000	210 000	32 210 000

4 PERFORMANCE MONITORING ARRANGEMENTS

As part of its performance measurement framework, the European Commission shall monitor and assess progress towards achievement of the specific objectives set out in the IPA II Regulation on the basis of pre-defined, clear, transparent measurable indicators. The progress reports referred to in Article 4 of the IPA II Regulation shall be taken as a point of reference in the assessment of the results of IPA II assistance.

The European Commission will collect performance data (process, output and outcome indicators) from all sources, which will be aggregated and analysed in terms of tracking the progress versus the targets and milestones established for each of the actions of this programme, as well as the Multi-country Indicative Strategy Paper.

In the specific context of indirect management by IPA II beneficiaries, National IPA Co-ordinators (NIPACs) will collect information on the performance of the actions and programmes (process, output and outcome indicators) and coordinate the collection and production of indicators coming from IPA II beneficiary's sources.

The overall progress will be monitored through the following means: a) Result Orientated Monitoring (ROM) system; b) IPA II beneficiaries' own monitoring; c) self-monitoring performed by the EU Delegations; d) joint monitoring by the European Commission (Directorate General for Neighbourhood and Enlargement Negotiations, and other Directorate Generals as relevant) and the IPA II beneficiaries, whereby the compliance, coherence, effectiveness, efficiency and coordination in implementation of financial assistance will be regularly monitored by an IPA II Monitoring committee, supported by Sectoral Monitoring committees, which will ensure a monitoring process at sector level.

5 EVALUATION

The financing of the evaluations shall be covered by another financing decision.

Having regard to the importance and nature of the actions, mid-term, final or ex-post evaluation(s) might be carried out for any of the actions or its components via independent consultants, through a joint mission, contracted by the Commission, or via an implementing partner.

The European Commission shall inform the implementing partner at least 1 month in advance of the dates foreseen for the evaluation missions. The implementing partner shall collaborate efficiently and effectively with the evaluation experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports shall be shared with the IPA II beneficiaries and other key stakeholders. The implementing partner and the European Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the IPA II beneficiaries, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the action/s.