



Brussels, 17.2.2020
C(2020) 592 final

COMMISSION IMPLEMENTING DECISION

of 17.2.2020

**adopting an Annual Action Programme for the Republic of North Macedonia
for the year 2020**

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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) 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 action² and in particular Article 2(1) thereof,

Whereas:

- (1) In order to ensure the implementation of Annual Action Programme for the Republic of North Macedonia, 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 TFEU³.
- (3) Regulation (EU) No 231/2014⁴ 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.

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 of the Council of 11 March 2014 establishing an Instrument for Pre-accession Assistance (OJ L 77, 15.03.2014, p. 11).

- (5) The Commission amended an indicative strategy paper for the Republic of North Macedonia for 2014 - 2020 on 02/08/2018 which provides indicative allocations for the sectors for pre-accession assistance.⁵
- (6) Considering the proposals for action submitted by the beneficiaries concerned, the Annual Action Programme for the Republic of North Macedonia for 2020 aims at providing assistance for actions in the following sectors: Sector "Democracy and Governance" and Sector "Rule of Law and Fundamental Rights".
- (7) It is appropriate to authorise the award of grants without a call for proposals, pursuant to Article 195 of Regulation (EU, Euratom) 2018/1046 to *UNICEF*, for its technical competence, high degree of specialisation or administrative powers, and to *Council of Media Ethics* as a body with a de jure or de facto monopoly.
- (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 should be able to entrust budget-implementation tasks under indirect management to the IPA II beneficiary specified in this Decision, subject to the conclusion of a Financing Agreement. In accordance with Article 154(3) and (4) of Regulation (EU, Euratom) 2018/1046 and first subparagraph of Article 14(3) of the Commission Implementing Regulation (EU) No 447/2014⁶ 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 and, if necessary, to take appropriate supervisory measures in accordance with Article 154(5) of the Regulation (EU, Euratom) 2018/1046 before the relevant agreement can be signed.
- (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 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.
- (13) 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,

⁵ C(2018) 5024 of 03/08/2018

⁶ Commission Implementing Regulation (EU) No 447/2014 of 2 May 2014 on the specific rules for implementing Regulation (EU) No 231/2014 of the European Parliament and of the Council establishing an Instrument for Pre-accession assistance (IPA II) (OJ L 132, 3.5.2014, p. 32).

HAS DECIDED AS FOLLOWS:

Article 1

The programme

The Annual Action Programme for the Republic of North Macedonia for the Year 2020 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 36,600,000⁷ and shall be financed from the appropriations entered in the following line of the general budget of the Union for 2020: 22.02.01.01

The appropriations provided for in the first sub-paragraph may also cover interest due for late payment.

The implementation of this Decision is subject to the availability of the appropriations provided for in the draft general budget of the Union for 2020 following the adoption of that budget by the budgetary authority or as provided for in the system of provisional twelfths.

Article 3

Methods of implementation and entrusted entities or persons

The implementation of the actions to be 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:

- (a) increases⁸ 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 use of contingencies shall be taken into account in the ceiling set by this Article.

⁷ This amount must include the appropriations corresponding to assigned revenue, if they are available at the time the financing decision is adopted.

⁸ These changes can come from external assigned revenue made available after the adoption of the financing decision.

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

Done at Brussels, 17.2.2020

For the Commission
Olivér VÁRHELYI
Member of the Commission

ANNEX

to the Commission Implementing Decision adopting an Annual Action Programme for the Republic of North Macedonia for the year 2020

1 IDENTIFICATION

Beneficiary	North Macedonia
Basic act:	Instrument for Pre-accession Assistance (IPA-II)
CRIS/ABAC Commitment references and budget line(s):	CRIS: 2020/041-831; EUR 36 600 000 22.02 01 01
Total cost:	EUR 45 950 000
EU Contribution:	EUR 36 600 000
Method of implementation	<p>Direct management by the European Commission and</p> <p>Indirect management with Council of Europe Development Bank (CEB) for the implementation of Activity 4.2.a. Improving the situation of prisons, part of Action 3: EU for Rule of law</p> <p>Indirect management with International Organisation for Migration (IOM) for the implementation of Action 4 EU for improved border and migration management capabilities in North Macedonia</p> <p>and</p> <p>Indirect management with North Macedonia for the implementation of Action 3: Participation in Union Programmes</p>
Final date for concluding Financing Agreement(s) with the IPA II beneficiary	At the latest by 31 December 2021
Final date for contracting, including the conclusion of contribution/delegation agreements	3 years following the date of conclusion of the Financing Agreement
Indicative operational implementation period	6 years following the date of conclusion of the Financing Agreement.
Final date for implementing the Financing Agreement (date by which this programme should be de-committed and closed)	12 years following the conclusion of the Financing Agreement.

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:*

The Programme will provide funding for two sectors defined in the Indicative Country Strategy Paper¹, notably Sector 1: "Democracy and Governance" and Sector 2: "Rule of Law and fundamental rights". The selection of these sectors has been made on the grounds of:

- The relevance with the key fundamentals outlined in the Enlargement Strategy², the Commission activities to follow up to the Strategy, and the continued commitment of the Commission to support the country in reforming its systems of justice and home affairs, in fighting corruption and improving governance at all levels.
- The improved political perspectives for the country, projected in enhanced dialogue with NATO and EU create a positive political context in and outside the country, which in its turn will enhance the difficult reforms in security and justice systems, requiring strong societal consensus and support.
- The need to improve effectiveness of the EU aid by concentrating financial assistance on a limited number of key priorities, thus improving the dynamics of changes in the selected sectors and strengthening the impact of the Instrument for Pre-Accession Assistance (IPA II) funds on the relevant reforms.
- The maturity in the implementation of the sector approach, where significant progress was achieved in both selected sectors. The strategic framework was completed and the sector coordination was improved significantly with the establishment of two Sector Working Groups, chaired by the relevant Ministers, comprising authorities, donors and civil society and meeting regularly in three formats: core/expert, technical and decision-making (over 20 meetings in 2018). The sector working groups embed the IPA programming and ensure the relevance of the EU funding to the national priorities and needs.

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

The country benefits from IPA support in the selected sectors since 2007. For this period over 300 EU-funded projects are implemented across the national territory. With a total of EUR 451 million financial aid the EU ranks as the biggest donor in these sectors. Considerable support is also provided by United States, Germany and United Kingdom as well as by other smaller donors, including many of the EU members present in the country. The established sector working groups significantly improved the sector coordination in the last two years, allowing comprehensive view on the implementation of sector reforms and synergetic effects of donors' funding. The experienced gained so far clearly outline a number of factors influencing the implementation of the EU aid for the country:

¹ COM(2018) 5024 of 03/08/2018

² COM(2018) 65 final of 6.2.2018: Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: A credible enlargement perspective for and enhanced EU engagement with the Western Balkans – https://ec.europa.eu/commission/sites/beta-political/files/communication-credible-enlargement-perspective-western-balkans_en.pdf

- Political turbulences in the past have affected the effectiveness and efficiency of the public administration in conducting the planned reforms. Since EU funds are granted in support of these reforms, the impact of the IPA assistance weakens in the absence of an engaged state leadership able to drive the reform process. Therefore, strong governmental commitment, particularly to difficult and far-reaching reforms, as well as an inclusive high-level sector dialogue is a prerequisite for successful implementation of the reform measures and purposeful use of the EU funds.

In this context, the transparency of the country's progress on reform agenda is a vector of development: clear information on how the objectives are met feeds into decision-making, supports resource mobilisation at all levels, enhances the public control mechanisms. Therefore, structured and reliable information on the implementation of the reforms is crucial. It requires putting in place of the planned performance assessment framework as well as shifting the focus of the sector dialogue from identification of priorities and needs to implementation and indicators-tracking.

- Institutional coordination remains weak despite some progress in the last years. The development of a new administrative culture of cooperation need to be strongly encouraged, also through enhanced participation in the sector working group, established within the sector approach.
- The national authorities need to demonstrate strengthened commitment to achieving the expected results independently of the implementation modality. While the EU Delegation may act as contracting authority, achieving the outcomes and impact of the actions remains primarily a responsibility of the national authorities. Hence, ownership must be strengthened and the efforts for improving the beneficiaries' performance uphold.

List of Actions foreseen under the selected Sectors:

Sector/Priority/Action	Direct management (EUR)	Indirect management	
		With entrusted entity(EUR)	With IPA II beneficiary (EUR)
Sector 1: Democracy and Governance			
1 - EU for Municipalities	6,000,000		
2 - Support to participation in Union Programmes			7,700,000
TOTAL for the sector	6,000,000		7,700,000
Sector 2: Rule of law and fundamental rights			
3 - EU for Rule of Law	15,900,000	3,000,000	
4 - EU for improved border and migration management capabilities in North Macedonia		4,000 000	
TOTAL for the sector	15,900,000	7,000,000	

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 TFEU³.

SECTOR 1	Democracy and Governance	EUR 13,700,000
Action 1	EU for Municipalities	EUR 6,000,000

(1) Description of the Action, objectives, expected results and key performance indicators

- Description of the action and objectives

The overall objective of the Action is to increase the effectiveness and efficiency of local governance.

The specific objective of the Action is to pilot smart solutions for addressing community challenges in partnership with local authorities (LA) from EU Member States.

- Expected results and key performance indicators

→ 1. Strengthened administrative and technical capacities of the selected municipalities to successfully develop, implement and supervise innovative projects in specific areas aimed at ameliorating the municipal policy and service delivery.

→ 2. Introduction of smart and innovative municipal governance solutions in selected municipalities in key priority areas: delivery of municipal services, local jobs and skills in smart and knowledge-based economy, organization of social care and provision of community based social services and sustainable growth and circular economy.

The key performance indicators include:

- Number of local governance arrangements put in place – coordination units, interdepartmental structures, to allow innovations in municipal governance happen;
- Number of trained people (sex disaggregated data included);
- New inter-municipal, regional and international partnerships and networks developed/ Number of new partnerships between European Union - North Macedonia local authorities and between North Macedonia local authorities;
- Number of social media participants/followers;

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.

- Number of innovative measures financed;
- Number of municipalities involved in innovative measures;
- Number of situational analysis and integrated settlement development concept put in place.

(2) Assumptions and conditions

- Financial, human and material capacities of the local authorities and communities to implement innovative solutions
- Interest on behalf of the local authorities and their partners in the country and in the EU Member states to participate in the programme
- Good coordination with various donors and international partners for preparing the grounds for the municipal projects

The implementation of this Action is subject to the following conditions:

- The policy dialogue on regional development is institutionalised to allow smooth policy coordination involving central and local authorities, donors and citizens' organisations in identification of priorities and monitoring of the progress in their implementation.

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

(3) Implementation modalities:

(3)(b) Direct management (Project approach):

Procurement:

Procurement will be used for achieving Output 1: Strengthened administrative and technical capacities of selected municipalities to successfully develop, implement and supervise innovative projects in specific areas through the implementation of Activity 1: Capacity and partnership building activities for the preparation and implementation of the selected innovative projects, Activity 2: Advanced services to the selected municipalities to support the innovative project implementation, and Activity 3: Awareness raising, Communication, Capitalisation, Dissemination.

The **global** budgetary envelope reserved for procurement: *EUR 1,000,000*

Grants

➤ Call for proposals "EU for Municipalities":

- a) Purpose of the grant: This call for proposals for a conclusion of a number of grant contracts will aim at achieving Output 2: Introduction of smart and innovative municipal governance solutions in selected municipalities, through the implementation of Activity 4: Grant Scheme for Smart/Innovative Municipal Initiatives.

This entails support to the implementation of innovative solutions for the municipalities of North Macedonia in the following thematic areas (additional

areas might be added based on consultations with municipalities and further assessment of their needs):

- Delivery of municipal services both at technological and organisational level, including introduction of digital technologies and e-municipalities;
 - Local jobs and skills in the Self-Monitoring Analysis And Reporting Technology (SMART) and knowledge economy with a focus on introducing culture industries with business potential but still insufficient business involvement, encouraging women and Roma participation in social, political and economic life, etc.;
 - Organisation of social care and provision of community based social services to support the governmental efforts for transition from institutional to community-based services and improve quality of life of vulnerable people and minorities, such as care for preschool children, Roma, the elderly, and people living with disabilities;
 - Sustainable growth and circular economy with a focus on innovative management of municipal utilities (e.g. water and waste management, local public transport and urban mobility, energy efficiency), improving air quality, enhancing the sustainable use of land, water and other natural resources.
- b) Type of applicants targeted: Applicants must be local authorities of North Macedonia, acting in partnership with local authorities of any of the EU Member States.

The **global** budgetary envelope reserved for grants: *EUR 5,000,000*

(2) 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, subject to the following provisions:

- a) With regard to the global nature of this action, the Commission decides that natural and legal persons from the following countries, territories or regions shall be eligible for participating in procurement and grant award procedures: North Macedonia, European Union Member States. The supplies originating from there shall also be eligible.
- b) 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 countries concerned, or in other duly substantiated cases where the eligibility rules would make the realisation of this action impossible or exceedingly difficult.

Action 2	Support to participation in Union Programmes	EUR 7,700,000
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(1) Description of the Action, objective, expected results and key performance indicators

- Description of the action and objectives

The general objective is to strengthen exchange between North Macedonia and EU Member States in the areas of education, culture, civil protection, private sector developments, labour market and employment, taxation, research and technological development (RTD) and others.

The specific objectives are:

- 1: To ensure the participation of North Macedonia in Union Programmes and Agencies;
- 2: To strengthen national capacity for participation in Union Programmes;
- 3: To improve the awareness of the European Union Programmes in the country.

- Expected results and key performance indicators

- Entry tickets for selected Union Programmes paid;
- North Macedonia's beneficiaries participate in projects funded by Union programmes and Agencies.

The key performance indicators include:

- Number of programmes for which an International Agreement has been concluded;
- North Macedonia's participation rates in the different Union Programmes;
- No of projects prepared and funded involving country participation;
- Number of beneficiaries involved in international projects;
- Number of promotion events and measures.

(2) Assumptions and conditions

- EU integration remains a government priority, which entails a continuous political commitment to EU accession and provision of sufficient resources to ensure the national co-financing of the country's participation in the Union programmes.

(3) Implementation modalities

(3)(a) Indirect management with IPA II beneficiary

This action will be implemented under indirect management by North Macedonia, which shall be responsible for carrying out all the tasks relating to the implementation of the action.

The Operating Structure responsible for the execution of the actions is the Ministry of Finance, National Fund.

Implementation will consist in the payment of the IPA part of the financial contribution to the programmes by the National Fund.

SECTOR 2	Rule of Law and Fundamental Rights	EUR 22,900,000
Action 3	EU For Rule of Law	EUR 18,900,000

(1) Description of the Action, objective, expected results and key performance indicators

- Description of the action and objectives

The general objective is to strengthen the rule of law.

The specific objective is to strengthen justice and home affairs systems and reinforce the respect of fundamental rights.

- Expected results and key performance indicators

- 1. Improved independence, accountability, quality and effectiveness of the justice system;
- 2. Stronger capacity to effectively implement modern investigation techniques to fight and prosecute organised crime, terrorism, money laundering and corruption;
- 3. Improved enforcement record in curbing corruption;
- 4. Enhanced protection of fundamental Rights and stronger uptake of alternative means to detention;
- 5. Strengthened freedom of expression;

The key performance indicators include:

- Number of judges and prosecutors benefiting of the EU support (cumulative for the different measures and sex disaggregated);
- Number of courts benefitting of peer support;
- Number of inter-institutional joint operations and activities to investigate and prevent serious and organised crime (including money laundering, terrorist financing, terrorist and violent extremist activities, cyber-related crimes, illicit drug trafficking and smuggling of migrants);
- Number of pronounced interim measures (freezing of assets);
- Number of staff trained (sex disaggregated rank disaggregated between senior, middle management, executive level) for the suppression of serious and organised crime, money laundering and terrorism and violent extremism;

- Number of investigations conducted for violations of the requirements and big differences between assets and revenues;
- Number of irregularities/violations detected in asset declarations;
- Number of cases open by State Commission for Prevention of Corruption on the financing of political parties;
- Number of public procurement procedures analysed by the State Commission for Prevention of Corruption;
- Number of prisoners having been transferred to new/refurbished facilities / % of the overall prison population (before the start of the project and at the end) from improved detention conditions (sex disaggregated);
- Number of prisoners involved in resocialisation activities (sex disaggregated);
- Number of persons (police officers, prosecutors, judges, investigators, social worker - sex disaggregated) trained on fundamental rights, including on issues on gender equality;
- Number of cases processed by the Ombudsman and the anti-discrimination commission;
- Number of cases of sex offence and of domestic violence reported and number of investigations leading to indictment or conviction;
- Makedonska Radio Televizija (MRT) Radio & TV Rating, measured as percentage of population listening/watching the radio and TV programmes of the public broadcaster
- Number of journalists benefiting of enhanced social and economic protection

(2) Assumptions and conditions

- The country is committed to EU integration and ready to implement the reform needed to achieve the required standards in justice and home affairs area;
- There is strong societal support for the sector reforms as well as public interest in the progress of the reforms creating a bottom-up pressure for delivering on reforms;
- There is strong interest on behalf of the national players to cooperate with EU Member state peers and adopt and apply the EU practice and standards;
- The country allocates the necessary human, operational and budgetary resources to support the sector reforms in mid-term;
- Strong commitment is in place for improving the cooperation and coordination between all relevant institutions;
- Adequate and appropriate institutional and legal framework is in place.

(3) Implementation modalities

(3)(a) Indirect management with international organisation:

(ii) A part of this action may be implemented in indirect management with the Council of Europe Development Bank (CEB).

- The implementation entails the realisation of *Activity 4.2.a Improving the situation of prisons*. In particular, the activity envisages the upgrade of the prison in Idrizovo, the largest penitentiary institution in the country, in which the situation was described as appalling by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment and the Ombudsman of North Macedonia. The complete reconstruction of Idrizovo prison includes the construction of open and semi-open section, reconstruction of closed section, admission unit, women section and construction of central kitchen and warehouse, infirmary and pre-trial detention unit (which upon completion will involve a transfer of this function from Shuto Orizari Skopje prison). Only the construction of the open and semi-open section has been completed in August 2018.

The discussions with CEB and the national authorities are in advanced stage; provisional agreement is still to be reached on which of the remaining construction units will be achieved with the EU funds.

- The envisaged entity has been selected using the following criteria:
 - Financial and operational capacity of the CEB,
 - Ensuring synergy of donors' funding.

Since 2010, CEB implements a major project in the country involving the reconstruction and expansion of Idrizovo prison, and construction of Kumanovo prison and Tetovo juvenile detention facility. CEB implements the project and provides a loan of EUR 46 million.

- The international organisation identified above, is currently undergoing an ex-ante assessment of its systems and procedures. Based on its compliance with the conditions in force at the time previously other indirect management actions were awarded to the organisation and based on a long-lasting problem-free cooperation, the international organisation can also now implement this action under indirect management, pending the finalisation of the ex-ante assessment and, where necessary, subject to appropriate supervisory measures in accordance with Article 154(5) of the Financial Regulation.
- If negotiations with the above-mentioned entrusted entity 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):

Procurement:

Procurement will be used for the evaluation of the Action. This entails one framework contract.

The **global** budgetary envelope reserved for procurement is *EUR 150,000*.

If negotiations with CEB fail, that part of this action may be implemented in direct management through procurement. In such case the global budgetary envelope will raise to *EUR 3,150,000*.

Grants

➤ **Call for proposals "EU Support for Rule of Law":**

- a) Purpose of the grant: This call for proposals for a conclusion of one grant contract will aim at achieving Output 1: Improved independence, accountability, quality and effectiveness of the justice system, Output 2: Stronger capacity to effectively implement modern investigation techniques in fighting organised crime and terrorism, Output 3: Improved enforcement record in fighting corruption and Output 4: Enhanced protection of human rights through the implementation of Activity 1: Improving the capacities of judicial/justice institutions to deliver justice in transparent and accountable manner, Activity 2.1-2.5: Fighting organised crime and terrorism, Activity 3: Curbing corruption, Activity 4.1. Strengthening the capacities of the main human rights bodies to effectively implement their mandates, Activity 4.2.b soft measures for improvement of the probation system and alternative sanctions and Activity 4.5. Further improvement of human rights in judicial and home affairs system (mainstreaming component of activities 1 and 2).

This activity entails:

- Improving the capacities of judicial/justice institutions to deliver justice in transparent and accountable manner;
 - Fighting organised crime, money laundering and terrorism;
 - Improved enforcement record in fighting corruption;
 - Strengthening the capacities of the main human rights bodies to effectively implement their mandates;
 - Improvement of the probation system and alternative sanctions;
 - Improvement of the knowledge and respect for fundamental rights, including the rights of women and children, and enhancing the anti-discrimination culture of judges, prosecutors, investigators, police officers, law enforcement officials, and first responders being part of other sectors of public administration.
- b) Type of applicants targeted: Applicants must be EU Member State administrations or mandated bodies.

➤ **Call for proposals "Creating a future, Preventing crime, radicalisation and violent extremism":**

- a) Purpose of the grant: This call for proposals for a conclusion of a number of grant contracts will aim at achieving Output 2: Stronger capacity to effectively implement modern investigation techniques in fighting organised crime and terrorism, and Output 4: Enhanced protection of fundamental rights through the implementation of Activity 2.6. Reducing the risks of young people and vulnerable groups being attracted to violent extremism and organised crime, Activity 4.2.c Resocialisation and rehabilitation of detained persons after release

and Activity 4.4. Implementation of outreach activities for young people of minority origin in vulnerable communities with the objective to encourage their effective participation in cultural, social, economic and public life.

This activity entails:

- Resocialisation and rehabilitation activities on detained persons before and after release;
 - Implementation of outreach activities for young people of minority origin in vulnerable communities with the objective to encourage their effective participation in cultural, social, economic and public life.
 - Reducing and addressing the risks of young people and other vulnerable groups being attracted to violent extremism and organised crime through implementation of effective outreach and prevention measures at school and in the relevant communities.
- b) Type of applicants targeted: Applicants must be legal entities, local authorities, public bodies, economic actors, associations or non-profit organisations, established in North Macedonia.

➤ **Direct grant award "EU support for Juvenile and Child-friendly Justice":**

- a) Purpose of the grant: This invitation for a conclusion of one grant contract will aim at achieving Output 4: Enhanced protection of human rights, through the implementation of Activity 4.3. Developing capacities for working with children in contact with law and children exposed to violence.

This activity entails:

- support for the full implementation of the juvenile justice law (offenders, victims, witnesses);
 - developing alternative measures for children in conflict with the law and building the capacities of prosecutors, police, lawyers and mediators to implement these alternative measures;
 - strengthening the access of children to justice.
- b) Direct grant award:

Under the responsibility of the Commission's authorising officer responsible, the grant may be awarded without a call for proposals to United Nations Children's Fund (UNICEF).

The recourse to an award of a grant without a call for proposals is justified on the grounds of Article 195(f) of the 2018 Financing Regulation, allowing the contracting authority to award a grant without a call for proposals for activities with specific characteristics that require a particular type of body on account of its technical competence, its high degree of specialisation or its administrative powers, on condition that the activities concerned do not fall within the scope of a call for proposals.

UNICEF draws on decades of experience in child protection policy to over 120 countries, including North Macedonia since 1993, when UNICEF was the first United Nations (UN) agency to open an office in the country after declaring independence) and has a proven standard-setting role in this area. With its

significant global footprint and mandate to ensure the effective protection of children, UNICEF is uniquely placed in the country to provide efficient and cost-effective technical support solutions covering the full package of planned activities (capacity building of the national authorities particularly in the rule of law area, advocacy for and promotion of the rights of the children, monitoring of the child protection standards, developing and realisation of specific child protection measures). There is no other donor/development partner in the country that covers the complete list of activities and has the leverage to influence the policy making. The transfer of know-how as regards protection of children, including children victims and children in conflict with law is an integral part of UNICEF's mandate. The UNICEF has developed an undeniable capacity to offer expert advice, technical cooperation and operational assistance to states, intergovernmental, non-governmental organisations as well as directly to children, civil society organisations working with children and other stakeholders. The UNICEF services are designed to enhance efficiency of daily operations, support data collection and reduce time-consuming administrative functions, ensure optimal costs and improve service standards.

➤ **Twinning – "Promoting Freedom of expression"**

- a) Purpose of the grant: This call for proposals for a conclusion of one twinning contract will aim at achieving Output 5: Strengthened freedom of expression, through the implementation of Activity 5.1. Assistance for the reform of the Public Service Broadcaster and strengthening the capacity of the Agency for audio and audio-visual media services.

This activity entails:

- strengthening the capacity of the Public Service Broadcaster the Agency for audio and audio-visual media services;
- enable the production of higher-quality programmes based on proper audience segmentation and new journalistic and management approaches better;
- improve the understanding of the European standards and practices around media freedom and public broadcasting service;
- upgrade the tools to follow and assess the public opinion on the value of MRT services;
- strengthen the supervision over the audiovisual programmes' compliance with European and national rules;
- preparation of the national audiovisual regulator to better understand the EU media legislation and follow the work of the European Regulators Group for Audiovisual Media Services.

- b) Type of applicants targeted: Applicants must be EU Member State administrations or mandated bodies.

➤ **Direct grant award "Improving Media Ethics":**

- a) Purpose of the grant: This invitation for a conclusion of one grant contract will aim at achieving Output 5: Strengthened freedom of expression, through the implementation of Activity 5.2. Improving the self-regulation in media sector.

This activity entails:

- strengthening the professional and ethical standards guiding the work of the journalists;
- initiating ethical audits;
- providing capacity development opportunity for journalists;
- putting in place a monitoring mechanism identifying threats to the professional and responsible journalism.

b) Direct grant award:

Under the responsibility of the Commission's authorising officer responsible, the grant may be awarded without a call for proposals to the Council of Media Ethics.

The recourse to an award of a grant without a call for proposals is justified on the grounds of Article 195(c) of the 2018 Financing Regulation, allowing the contracting authority to award a grant without a call for proposals to bodies with a de jure or de facto monopoly.

The Council of Media Ethics is the unique body for self-regulation in North Macedonia with a mission and objectives to promote and protect professional standards and ethics in the media. By its statutes, it is established as a non-governmental, non-political and non-profit organisation, which brings together its members based on the principle of free will. The Council is a body of self-regulation of the media through the application of moral sanctions on those who do not observe the professional standards and the Code of Journalists. The Council is a member of the Alliance of Independent Press Councils of Europe.

➤ **Call for proposals "Enhancing Journalists Rights"**

- a) Purpose of the grant: This call for proposals for a conclusion of a number of grant contracts will aim at achieving Output 5: Strengthened freedom of expression, through the implementation of Activity 5.3. Enhancing the role of various media association in improving the business management models and effective protection of the labour and social rights of journalists, as well as to perform the role of watchdogs and advocate for freedom of expression.
- b) Type of applicants targeted: Applicants must be legal persons, economic actors, associations or non-profit organisations, established in North Macedonia or/and the EU Member states.

The **global** budgetary envelope reserved for grants: *EUR 15,750,000*.

(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, subject to the following provisions:

a) With regard to the global nature of this action, the Commission decides that natural and legal persons from the following countries, territories or regions shall be eligible for participating in procurement and grant award procedures: North Macedonia, European Union Member States. The supplies originating from there shall also be eligible.

b) 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 countries concerned, or in other duly substantiated cases where the eligibility rules would make the realisation of this action impossible or exceedingly difficult.

Action 4	EU for improved border and migration management capabilities in North Macedonia	EUR 4,000,000
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(1) Description of the Action, objective, expected results and key performance indicators

- Description of the action and objectives:

The **overall objective** of this Action is to strengthen border and migration capabilities of the national authorities including combatting and preventing migrant smuggling and human trafficking in line with international standards.

The **specific objective** is to enhance the operational capacity of the border police and improve the border and migration management capacities and assistance of the Transit Reception Centres.

- Expected results and key performance indicators:

→ Strengthened operational capacity of the border police authorities (including guest borders guards) in North Macedonia to carry out border control, in line with EU standards;

→ Improved management and capacity of the border control migration flows, including registration and identification of new arrivals, in line with EU standards;

→ Improved border management capacities and assistance to migrants.

The key performance indicators include:

- Number of working days of national border police officers spent on border (sum of number of working days delivered by each redeployed border police officer per year);
- Number of average days (per month) spent on border by guest borders guards;
- Total number of hours trainings for border police officers (number of trained officers multiplied by the number of hours of training received by each trained officer);

- Number of migrants receiving assistance, including education assistance (number of migrants receiving assistance multiplied by the number of days migrant receive assistance. Indicator disaggregated: gender, adult and children;
- Number of migrants receiving medical assistance (number of medical checks provided to migrants). Indicator disaggregated: gender, adult.

(2) Assumptions and conditions

- EU integration remains a government priority, which entails a continuous political and administrative commitment to EU accession and provision of sufficient resources to support EU actions;
- Political will exists to strengthen the Rule of Law and Fundamental Rights sector;
- There is continuous commitment and cooperation of all stakeholders;
- Sufficient resources are allocated for border management and control (both human and material resources);
- Commitment exists on behalf of all national stakeholders to support the implementation of the action and to coordinate their activities, resources and efforts;
- The border police of North Macedonia together with guest officers will continue respecting all relevant standards, in particular as regards respect for fundamental rights and human dignity;
- National bodies involved in the action dispose with the needed resources (human, administrative, technical);
- The country will provide the needed complementary support for the operation of the two transit centres for migrants.
- Failure to comply with the requirements set out 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 international organisation:

- (ii) This action will be implemented in indirect management with the International Organisation of Migration.
 - The implementation entails the realisation of all planned activities under the Action and achieving of all planned results.
 - The envisaged entity has been selected using the following criteria:
 - Financial and operational capacity of the International Organisation for Migration's (IOM), possessing technical competence and high degree of specialisation on migration issues, including in the country. With its significant global footprint and mandate to facilitate dignified, orderly and safe migration, IOM is uniquely placed in the country to provide efficient and

cost-effective technical support solutions for North Macedonia covering the full package of planned activities.

The Commission signed an agreement with IOM on cooperation in addressing the challenges of the ongoing migration crisis. IOM plays a key role in the implementation of IPA 2014 regional project "Regional support to protection-sensitive migration management in the western Balkans and Turkey" as well as IPA 2016 national project focused on improving the administrative capacities in the area of migration and trafficking of human beings, including also outreach work with migrants, asylum seekers, victims of illegal trafficking. Moreover, IOM is implementing Special Measures 3 and 4 supporting the country to manage its southern border in the context of the European migration crisis. This 2020 action is complementary to all other EU funded interventions ensuring continuity and higher impact of the EU funds on the migration policy of the beneficiary country.

- The international organisation identified above, is currently undergoing an ex-ante assessment of its systems and procedures. Based on its compliance with the conditions in force at the time previously other indirect management actions were awarded to the organisation and based on a long-lasting problem-free cooperation, the international organisation can also now implement this action under indirect management, pending the finalisation of the ex-ante assessment and, where necessary, subject to appropriate supervisory measures in accordance with Article 154(5) of the Financial Regulation.

➤ ***(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, subject to the following provisions:

a) With regard to the global nature of this action, the Commission decides that natural and legal persons from the following countries, territories or regions shall be eligible for participating in procurement and grant award procedures: North Macedonia, European Union Member States. The supplies originating from there shall also be eligible.

b) 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 countries 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 - ANNUAL ACTION PROGRAMME FOR THE REPUBLIC OF NORTH MACEDONIA FOR THE YEAR 2020

	Indirect management		Direct management	Total EU contribution (EUR)	IPA-II beneficiary or other third party contribution (EUR)	Total (EUR)
	with IPA-II beneficiary	with entrusted entity				
	EU contribution (EUR)	EU contribution (EUR)	EU contribution (EUR)			
Sector 1: Democracy and governance	7,700,000	0	6,000,000	13,700,000	8,950,000	22,650,000
EU for Municipalities	0	0	6,000,000	6,000,000	1,250,000	7,250,000
Support to participation in Union Programmes	7,700,000	0	0	7,700,000	7,700,000	15,400,000
Sector 2: Rule of law and fundamental rights	0	7,000,000	15,900,000	22,900,000	400,000	23,300,000
EU for Rule of Law	0	3,000,000	15,900,000	18,900,000	400,000	19,300,000
EU for improved border and migration management capabilities in North Macedonia	0	4,000,000	0	4,000,000	0	4,000,000
TOTAL	7,700,000	7,000,000	21,900,000	36,600,000	9,350,000	45,950,000

*The funds needed for the evaluation of the EU for Rule of Law Action is included in the total cost of the Action Document.

4 PERFORMANCE MONITORING ARRANGEMENTS

As part of its performance measurement framework, the 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 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 Indicative Strategy Paper.

In the specific context of indirect management by IPA II beneficiaries, National IPA Coordinators (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 national 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 (DG NEAR) 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

Having regard to the importance and nature of the actions of this annual programme, final evaluation(s) will be carried out for all actions via independent consultants contracted by the Commission.

The evaluations will be carried out for accountability and learning purposes at various levels (including for policy revision), taking into account in particular the fact that all actions contain innovative elements for North Macedonia.

The Commission shall inform the implementing partner at least 3 months 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 beneficiary and other key stakeholders. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the IPA II beneficiary, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.