

EN

EN

EN

COMMISSION DECISION

C(2007)6698 of 20/12/2007

adopting a National Programme for Bosnia and Herzegovina under the IPA-Transition Assistance and Institution Building Component for 2007

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1085/2006 of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA)¹, and in particular Article 14(2)(a) thereof,

Whereas:

- (1) Regulation (EC) No 1085/2006 lays down the objectives and main principles for pre-accession assistance to candidate and potential candidate countries.
- (2) In accordance with Article 7 of Regulation (EC) No 1085/2006, the assistance should be provided through multi-annual or annual programmes, which can be established by country and by component, or, as appropriate, by group of countries or by theme. These programmes should be drawn up in accordance with the general policy framework referred to in Article 4 of Regulation (EC) No 1085/2006 and the relevant multi-annual indicative planning document referred to in Article 6 of that Regulation.
- (3) The Council adopted on 30 January 2006 Decision 2006/55/EC² on the principles, priorities and conditions contained in the European Partnership with Bosnia and Herzegovina. The Commission has adopted on 24 May 2007 a multi-annual indicative planning document 2007 - 2009 for Bosnia and Herzegovina which presents indicative allocations for the main priorities for pre-accession assistance to the country concerned³.
- (4) Therefore, and having regard to the project proposals submitted by Bosnia and Herzegovina, the National programme for Bosnia and Herzegovina under the IPA - Transition Assistance and Institution Building Component for 2007 aims to assist the country in its efforts to promote social inclusion and return of vulnerable groups, strengthen the rule of law, public administration capacity and the health and education sector, develop the civil society dialogue, enhance labour and economic development, as well as align with the *acquis communautaire* in the areas of the internal market, sectoral policies, justice, freedom and security, agriculture and rural development, and transport and energy.

¹ OJ L 210, 31.7.2006, p. 82.

² OJ L 35, 7.2.2006, p. 19

³ C (2007)2255 of 24 May 2007.

- (5) This decision meets the requirements of Article 90 of Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation No 1605/2002⁴ (hereafter: “Implementing Rules”) and constitutes thus a financing decision within the meaning of Article 75 of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities⁵ (hereafter: “Financial Regulation”);
- (6) The measures provided for by this Decision are in accordance with the opinion of the IPA Committee,

HAS DECIDED AS FOLLOWS:

Article 1

The National programme for Bosnia and Herzegovina under the IPA Transition Assistance and Institution Building Component for 2007, as set out in the Annex, is hereby adopted.

This programme shall be implemented by centralised management. It shall be implemented by means of a Financing Agreement to be concluded between the Commission and the Government of Bosnia and Herzegovina.

Article 2

The maximum amount of Community contribution shall be **EUR 49,736,394.00** to be financed through Article 22.02.02 of the general budget of the European Communities for 2007.

Done at Brussels, [...]

For the Commission

[...]

Member of the Commission

⁴ OJ L 357, 31.12.2002, p. 1 Regulation as last amended by Regulation (EC, Euratom) No 478/2007 (OJ L 111, 28.4.2007, p. 13).

⁵ OJ L 248, 16.9.2002, p.1. Regulation as amended by Regulation (EC, Euratom) No 1995/2006 (OJ L 390, 30.12.2006, p.1).

COMMISSION DECISION

C(2009)867 of 16/02/2009

on amending Decision C(2007)6698 of 20 December 2007 adopting a National Programme for Bosnia and Herzegovina under the IPA-Transition Assistance and Institution Building Component for 2007

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1085/2006 of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA)⁶, and in particular Article 14(2)(a) thereof,

Whereas:

- (1) Regulation (EC) No 1085/2006 lays down the objectives and main principles for pre-accession assistance to candidate and potential candidate countries.
- (2) In accordance with Article 7 of Regulation (EC) No 1085/2006, the assistance should be provided through multi-annual or annual programmes, which can be established by country and by component, or, as appropriate, by group of countries or by theme. These programmes should be drawn up in accordance with the general policy framework referred to in Article 4 of Regulation (EC) No 1085/2006 and the relevant multi-annual indicative planning document referred to in Article 6 of that Regulation.
- (3) The Council adopted on 30 January 2006 Decision 2006/55/EC⁷ on the principles, priorities and conditions contained in the European Partnership with Bosnia and Herzegovina. The Commission has adopted on 24 May 2007 a multi-annual indicative planning document 2007 - 2009 for Bosnia and Herzegovina which presents indicative allocations for the main priorities for pre-accession assistance to the country concerned⁸.
- (4) The Commission adopted on 20 December 2007 Decision C(2007)6698 establishing a National Programme under the IPA Transition Assistance and Institution Building Component for Bosnia and Herzegovina for the year 2007 with the aim to assist the country in its efforts to promote social inclusion and return of vulnerable groups, strengthen the rule of law, public administration capacity and the health and education sector, develop the civil society dialogue, enhance labour and economic development, as well as align with the *acquis communautaire* in the areas of the internal market,

⁶ OJ L 210, 31.7.2006, p. 82.

⁷ OJ L 35, 7.2.2006, p. 19

⁸ C (2007)2255 of 24 May 2007.

sectoral policies, justice, freedom and security, agriculture and rural development, and transport and energy.

- (5) The aforementioned programme includes a project on reconstruction of small infrastructure in several municipalities to support sustainable return in Bosnia and Herzegovina. Since the adoption of this programme, it appeared that there is an urgent need to continue previous assistance granted under the CARDS 2003 Annual Action Programme to the municipality of Kotor Varos to reconstruct dwellings and related technical infrastructure. The previous CARDS project could not be finalised because of an OLAF investigation related to contractor involved. Although the investigation against the contractor did not prove to be justified, the reconstruction of houses in the municipality of Kotor Varos could not be finalised under the previous project.
- (6) It is therefore proposed to use the funds initially foreseen for the reconstruction of small infrastructure in several municipalities within the 2007 IPA annual programme to complete the reconstruction of dwellings and related technical infrastructure in the municipality of Kotor Varos.
- (7) The project will be implemented through a grant following a call for proposals. This implementation approach was selected because the applicant needs to fulfil a number of additional tasks related to the selection of final beneficiaries, cooperation with the municipality involved, and the general guidelines for the delivery of assistance programmes to returnee areas of the Ministry of Human Rights and Refugees in Bosnia and Herzegovina.
- (8) This decision meets the requirements of Article 90 of Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation No 1605/2002⁹ (hereafter: “Implementing Rules”) and constitutes thus a financing decision within the meaning of Article 75 of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities¹⁰ (hereafter: “Financial Regulation”);
- (9) The measures provided for by this Decision are in accordance with the opinion of the IPA Committee,

HAS DECIDED AS FOLLOWS:

Sole Article

The Annex to the Commission Decision C(2007)6698 of 20 December 2007 is replaced by the Annex to the present Decision.

⁹ OJ L 357, 31.12.2002, p. 1.

¹⁰ OJ L 248, 16.9.2002, p.1.

Done at Brussels,

For the Commission

Member of the Commission



EUROPEAN COMMISSION

Brussels,
C(2010)2376 of 30/04/2010 final

COMMISSION DECISION

C(2010)2376 of 30/04/2010

amending Commission Decision C(2007)6698 adopting a National Programme for Bosnia and Herzegovina under the IPA–Transition Assistance and Institution Building component for the year 2007;

COMMISSION DECISION

C(2010)2376 of 30/04/2010

amending Commission Decision C(2007)6698 adopting a National Programme for Bosnia and Herzegovina under the IPA–Transition Assistance and Institution Building component for the year 2007.

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1085/2006 of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA)¹¹, and in particular Article 2(a) thereof,

Whereas:

- (1) Regulation (EC) No 1085/2006 lays down the objectives and main principles for pre-accession assistance to candidate and potential candidate countries.
- (2) In accordance with Article 7 of Regulation (EC) No 1085/2006, the assistance should be provided through multi-annual or annual programmes, which can be established by country and by component, or, as appropriate, by group of countries or by theme. These programmes should be drawn up in accordance with the general policy framework referred to in Article 4 of Regulation (EC) No 1085/2006 and the relevant multi-annual indicative planning document referred to in Article 6 of that Regulation.
- (3) The Council established for all candidate and potential candidate countries an Accession Partnership or a European Partnership. The Commission has adopted on 1 July 2009 a multi-annual indicative planning document 2009-2011 for Bosnia and Herzegovina which presents indicative allocations for the main priorities for pre-accession assistance to the country concerned.¹²
- (4) In accordance with Article 69 of Commission Regulation (EC) No 718/2007 of 12 June 2007 implementing Council Regulation (EC) No 1085/2006 establishing an Instrument for Pre-accession Assistance (IPA)¹³ (hereinafter referred to as the "IPA Implementing Regulation"), the Commission adopted on 20 December 2007 Commission Decision C(2007)6698 establishing a National Programme for Bosnia and Herzegovina for the year 2007.

¹¹ OJ L 210, 31.7.2006, p. 82.

¹² C(2009)5114 of 1 July 2009.

¹³ OJ L 170, 29.6.2007, p.1.

- (5) On 16 February 2009, the Commission adopted Commission Decision C(2009)867 amending the National Programme for Bosnia and Herzegovina for the year 2007 in order to allow the reconstruction of houses in the municipality of Kotor Varos.
- (6) The Financing Agreement for the National Programme for Bosnia and Herzegovina for the year 2007 was signed on 31 July 2008. However, the full implementation of the programme only started in early 2009 when all provisions of the IPA Framework Agreement were incorporated in the law of Bosnia and Herzegovina.
- (7) In consequence, there is a risk that a number of projects for a total amount of EUR 8.32 million cannot be contracted before the expiry date of the contracting deadline on 31 July 2010. In particular, this risk is high in case of possible tender failure which would require a re-tendering of failed lots.
- (8) An extension of the contracting deadlines for the 2007 Financing Decision until 30 November 2010 is therefore necessary in order to allow the conclusion of all contracts under this programme which are currently being prepared. The extensions of the contracting period for the 2007 Financing Decision is in compliance with the provisions of Article 166(2) of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (hereafter: "Financial Regulation")¹⁴.
- (9) This Decision meets the requirements of Article 90 of Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation No 1605/2002 (hereafter: "Implementing Rules") and constitute thus financing decisions within the meaning of Article 75 of the Financial Regulation.
- (10) This decision will be notified to the IPA Committee,

HAS DECIDED AS FOLLOWS:

Article 1

- (1) The Commission Decision C(2007)6698 adopted on 20 December 2007 is hereby amended as follows :

The final date for contracting is extended until 30 November 2010.
- (2) The Financing Agreement concluded between the European Commission and Bosnia and Herzegovina on 31 July 2008 constituting the legal commitment of the Commission under the Financial Regulation shall be modified accordingly.

¹⁴ OJ L 248, 16.9.2002, p.1.

Done at Brussels,

*For the Commission,
Štefan Füle
Member of the Commission*