



Brussels, 16.12.2022
C(2022) 9738 final

COMMISSION IMPLEMENTING DECISION

of 16.12.2022

**on the financing of the individual measure in favour of Bosnia and Herzegovina
concerning support of the Office of The High Representative (OHR) from July 2022 till
June 2023 for 2022**

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**on the financing of the individual measure in favour of Bosnia and Herzegovina
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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) 2021/1529 of the European Parliament and of the Council of 15 September 2021 establishing the Instrument for Pre-Accession Assistance (IPA III)², and in particular Article 9(1) thereof,

Whereas:

- (1) In order to ensure the implementation of the the individual measure in favour of Bosnia and Herzegovina concerning support of the Office of The High Representative (OHR) from July 2022 till June 2023 for 2022, it is necessary to adopt an annual financing Decision, which constitutes the annual work programme, for 2022. Article 110 of Regulation (EU, Euratom) 2018/1046 ('the Financial Regulation') establishes detailed rules on financing decisions.
- (2) The envisaged assistance should comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU³.
- (3) The Commission has adopted a Pre-Accession Assistance ('IPA III') Programming Framework⁴ for the period 2021 – 2027, which identifies five thematic windows for the delivery of the specific objectives and thematic priorities of Regulation (EU) 2021/1529.
- (4) The objective pursued by the measure is to ensure that the annual contribution to the Office of the High Representative (OHR) in Bosnia and Herzegovina is paid as a membership fee pursuant to Article 239 of the Financial Regulation by the EU as member of the Peace Implementation Council (PIC).

¹ OJ L 193, 30.7.2018, p.1.

² OJ L 330, 20.9.2021, p.1.

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 Commission Implementing Decision C(2021)8914 of 10.12.2021 on the Instrument for Pre-Accession Assistance (IPA III) Programming Framework for the period 2021-2027.

The objective of the action entitled Individual Measure in favour of Bosnia and Herzegovina concerning support to the Office of The High Representative (OHR) from July 2022 till June 2023 for 2022 is to facilitate the smooth operation of the OHR in Bosnia and Herzegovina while ensuring that the activities of the OHR do not conflict with the tasks and functions of the EU, in particular those of the European Union Special Representative (EUSR) in Bosnia and Herzegovina. This support shall help the OHR – in close cooperation and coordination with the EU – to work on the further completion of its mandate, in particular the fulfilment of the remaining "5+2 objectives and conditions" not yet completed.

- (5) It is necessary to allow for the payment of interest due for late payment on the basis of Article 116(5) of the Financial Regulation.
- (6) In order to allow for flexibility in the implementation of the measure, it is appropriate to allow changes which should not be considered substantial for the purposes of Article 110(5) of the Financial Regulation.
- (7) The measure provided for in this Decision does not fall within the categories of measures for which the opinion of the Committee set up by Article 17(1) of Regulation (EU) 2021/1529 is required. The measure should be communicated to the European Parliament and to the Member States through the IPA III Committee within one month of its adoption.

HAS DECIDED AS FOLLOWS:

Article 1
The measure

The annual financing Decision, constituting the annual work programme for the implementation of the Individual Measure in favour of Bosnia and Herzegovina concerning support of the Office of The High Representative (OHR) from July 2022 to June 2023, for 2022 as set out in the Annex, is adopted.

The measure shall include the following action:

- Individual Measure in favour of Bosnia and Herzegovina concerning support of the Office of The High Representative (OHR) in Bosnia and Herzegovina from July 2022 to June 2023, for 2022 as set out in the Annex.

Article 2
Union contribution

The maximum Union contribution for the implementation of the measure referred to in Article 1 is set at EUR 2 413 328 and shall be financed from the appropriations entered in budget line 15.020101.01 of the general budget of the Union.

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

Article 3
Flexibility clause

Increases⁵ or decreases of up to EUR 10 million and not exceeding 20% of the contribution set in Article 2, first paragraph, as well as extensions of the implementation and execution period shall not be considered substantial for the purposes of Article 110(5) of the Financial Regulation, provided that these changes do not significantly affect the nature and objectives of the actions.

The authorising officer responsible may apply the changes referred to in the first paragraph. Those changes shall be applied in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 16.12.2022

For the Commission
Olivér VÁRHELYI
Member of the Commission

⁵ These changes can come from external assigned revenue made available after the adoption of the financing Decision