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ANNEX

of the Commission Implementing Decision on the financing of the 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

Action Document for Individual Measure in favour of Bosnia and Herzegovina concerning support to the Office of the High Representative (OHR) from July 2022 to June 2023, for 2022

ANNUAL MEASURE

This document constitutes the annual work programme in the sense of Article 110(2) of the Financial Regulation, and measure in the sense of Article 9(1) of IPA III Regulation and Article 23(3) of NDICI - Global Europe Regulation.

1. SYNOPSIS

1.1. Action Summary Table

Title	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
OPSYS	OPSYS Action: ACT-61621 ABAC commitment level 1: JAD.1120670
Basic Act	Financed under the Instrument for Pre-accession Assistance (IPA III)
Team Europe Initiative	No
Zone benefiting from the action	The action shall be carried out in Bosnia and Herzegovina
Programming document	IPA III Programming Framework
PRIORITY AREAS AND SECTOR INFORMATION	
Window and thematic priority	Window 1: Rule of law, fundamental rights and democracy Thematic Priority 6: Democracy
Sustainable Development Goals (SDGs)	SDG 16: Peace, Justice and Strong Institutions
DAC code(s)	15520 Civilian peace building, conflict prevention and resolution
Main Delivery Channel @	47000 – Other multilateral institution

Markers (from DAC form)	General policy objective @	Not targeted	Significant objective	Principal objective
	Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Aid to environment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Gender equality and women's and girl's empowerment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Trade development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reproductive, maternal, new-born and child health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Disaster Risk Reduction	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Inclusion of persons with Disabilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Nutrition	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	RIO Convention markers @	Not targeted	Significant objective	Principal objective
	Biological diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Combat desertification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Climate change mitigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Climate change adaptation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Internal markers	Policy objectives	Not targeted	Significant objective	Principal objective
	Connectivity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Digitalisation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Migration	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	COVID-19	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BUDGET INFORMATION				
Amounts concerned	Budget line: 15.020101.01 Total estimated cost: EUR 5 327 627 Total amount of EU budget contribution: EUR 2 413 328			
MANAGEMENT AND IMPLEMENTATION				
Implementation modalities (type of financing and management mode)	Project Modality Direct management (membership fee)			
Relevant priorities and flagships from Economic and Investment Plan for	Priorities: "Governance, Rule of Law, PAR"			

the Western Balkans [only for the Western Balkans]	
Final date for concluding contribution / delegation agreements, procurement and grant contracts	At the latest by 31 December 2023
Indicative operational implementation period	24 months ¹ following the adoption of the Financing Decision

1.2. Summary of the Action

This measure consists of the annual contribution to be paid as a membership fee in support of the operational budget of the Office of the High Representative (OHR) in Bosnia and Herzegovina from 1 July 2022 to 30 June 2023. The budget for the year 2022-2023 was adopted by the PIC Steering Board at Ambassadors' level on June 2022.

The specific objective of the membership fee to be provided under this measure is to facilitate the smooth operation of the OHR in Bosnia and Herzegovina from July 2022 to June 2023 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.

2. RATIONALE

2.1. Context

This measure consists of the contribution to be paid as a membership fee pursuant to Article 239 of Regulation (EU, Euratom) No 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 ('Financial Regulation') by the EU as member of the Peace Implementation Council (PIC) in support of the operational budget of the Office of the High Representative (OHR) in Bosnia and Herzegovina from July 2022 to June 2023. The OHR budget for the year 2022-2023 was adopted by the PIC Steering Board at Ambassadors' level in June 2022.

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.

¹ Number of months should not exceed 72 months.

The specific objective of the membership fee to be provided under this measure is to facilitate the smooth operation of the OHR in Bosnia and Herzegovina from July 2022 to June 2023 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.

For the budget year 2022/2023, the EU agreed to maintain the same level of contribution as in 2020/2021 and 2021/2022. The EU contribution of EUR 2 413 328 corresponds to 45.30% of the approved OHR budget, which amounts to EUR 5 327 627. In case the contributions of other non-EU PIC members amount to less than the foreseen 54.70% of the approved budget ("weaker sources of funding") the EU contribution may exceed 45.30% of the actual eligible expenditure but in any case may not be higher than EUR 2 413 328 for the period 2022-2023.

2.2. Problem Analysis

Short problem analysis:

The mandate of the OHR is to oversee all civilian aspects of the implementation of the General Framework Agreement for Peace (GFAP)².

Identification of main stakeholders and corresponding institutional and/or organisational issues (mandates, potential roles, and capacities) to be covered by the action:

The mandate of the OHR is set out in Annex 10 of the GFAP. The PIC, a group of 55 representatives of governments and international organisations which finance and direct the peace implementation process, has subsequently elaborated on his mandate.

It is assumed that the OHR will continue to operate uninterrupted until 30 June 2023. Should the OHR's mandate come to an end before 30 June 2023, the EU contribution will be reduced *pro rata*.

The EU contribution through the Instrument for Pre-accession Assistance (IPA III) to the OHR budget is paid under the assumption that the OHR ensures full coordination of its activities with the EU in line with the EU policy in Bosnia and Herzegovina.

The EU contribution to the OHR annual budget is paid under the condition that the OHR performs the tasks indicated in the OHR annual budget (as shown in the explanatory notes under each of the relevant sections) agreed by the PIC Steering Board Ambassadors in June 2022.

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 ARRANGEMENTS

This measure shall be implemented by direct management by the European Commission in accordance with articles 62(1)(a) and 239 of the Financial Regulation.

² The General Framework Agreement for Peace (GFAP) for Bosnia and Herzegovina was initialled in Dayton on 21 November 1995 and signed in Paris on 14 December 1995.

The Commission authorises that the costs incurred may be recognised as eligible as of 1 July 2022 prior to the adoption of this Financing Decision as per the bilateral agreement between the Commission and the OHR concerning the EU contributions to the OHR budget for 2022/2023 starting each year on 1 July and ending on 30 June of the following year.

3.1. Indicative Budget

Indicative Budget components	EU contribution (amount in EUR)	Indicative third-party contribution, in currency identified
Methods of implementation:		
Support to the OHR budget for the period July 2022 to June 2023, composed of:	2 413 328	2 914 299
Membership fee (direct management)	2 413 328	2 914 299
Totals	2 413 328	2 914 299

4. PERFORMANCE MEASUREMENT

4.1. Monitoring and Reporting

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process, and part of the implementing partner's responsibilities. To this aim, the implementing partner shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (Outputs and direct Outcomes) as measured by corresponding indicators, using as reference the logframe matrix (for project modality) and the partner's strategy, policy or reform action plan list (for budget support). The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

The Commission may undertake any actions it deems necessary to monitor the measure concerned. Apart from standard financial reporting by the OHR to PIC members, specific reporting obligations to the Commission may be agreed in an exchange of letters with the OHR before the first payment is made.