



Brussels, 5.12.2022
C(2022) 9165 final

COMMISSION IMPLEMENTING DECISION

of 5.12.2022

on the financing of the annual action plan in favour of the Republic of Albania for 2022

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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 annual action plan in favour of the Republic of Albania 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 actions provided for in this Decision contribute to climate mainstreaming in line with the European Green Deal⁴ and the inter-institutional agreement.
- (4) The Commission has adopted a Pre-Accession Assistance ('IPA III') Programming Framework⁵ 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.

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 COM(2019)640 of 11.12.2019

⁵ 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.

- (5) The objectives pursued by the annual action plan should support the Republic of Albania in adopting and implementing the political, institutional, legal, administrative, social and economic reforms required to comply with Union values and to align progressively to Union rules, standards, policies and practices with a view to Union membership.

The objective of the action entitled “International Monitoring Operation (IMO): Support to the process of temporary re-evaluation of Judges and Prosecutors in Albania - Phase III” is to contribute to the strengthening of the independence, transparency, efficiency, accountability and of public trust in the Albanian justice system.

The objective of the action entitled “*EU for Democracy*” is to support democracy in Albania by promoting inclusive participation and the trust of Albanian citizens in democratic institutions in the context of EU accession.

The objective of the action entitled “*EU for Law Enforcement*” is to support the rule of law through strengthening the fight against organised crime in Albania, including environmental crime and cyber illegal activities, trafficking in human beings and irregular migration.

The objective of the action entitled “*European Union Integration Facility*” is to strengthen the capacity and accountability of the Albanian public administration in its preparations for EU membership.

The objective of the action entitled “*EU for Water*” is to support Albania towards maintaining and improving the water bodies’ quality status in Albania and aligning further with the EU “environment *acquis*”.

The objective of the action entitled “*EU for Youth*” is to support the participation and empowerment of youth in the political, economic and social life of Albania.

- (6) Pursuant to Article 9(1) of Regulation (EU) 2021/1529, indirect management may be used for the implementation of the action plan.
- (7) 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 the Financial Regulation.

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)⁶ of the Financial Regulation and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) thereof before a contribution agreement can be signed.

To this end, the Commission, should be able to entrust the implementation to the IPA III beneficiary or the bodies designated by it subject to the conclusion of a financing agreement in accordance with Article 158 of the Financial Regulation.

⁶ Except for the cases referred to in Article 154(6) of the Financial Regulation, where the Commission may decide, not to require an ex-ante assessment.

- (8) 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.
- (9) In order to allow for flexibility in the implementation of the action plan, it is appropriate to allow changes which should not be considered substantial for the purposes of Article 110(5) of the Financial Regulation.
- (10) The action plan provided for in this Decision is in accordance with the opinion of the IPA III Committee set up by Article 17 of Regulation (EU) 2021/1529.

HAS DECIDED AS FOLLOWS:

Article 1
The action plan

The annual financing Decision, constituting the annual work programme for the implementation of the annual action plan in favour of the Republic of Albania for 2022 as set out in the Annexes, is adopted.

The action plan shall include the following actions:

- Action “International Monitoring Operation (IMO): Support to the process of temporary re-evaluation of Judges and Prosecutors in Albania - Phase III”, as set out in Annex I;
- Action “EU for Democracy”, as set out in Annex II;
- Action “EU for Law Enforcement”, as set out in Annex III;
- Action “European Union Integration Facility”, as set out in Annex IV;
- Action “EU for Water”, as set out in Annex V.
- Action “EU for Youth”, as set out in Annex VI;

Article 2
Union contribution

The maximum Union contribution for the implementation of the action plan referred to in Article 1 is set at EUR 82 600 000 million and shall be financed from the appropriations entered in the following lines of the general budget of the Union for year 2022:

- budget line 15.020101.01: EUR 48 600 000
- budget line 15.020201: EUR 34 000 000

The appropriations provided for in the first 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 Annexes, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 4.3 of the Annexes I, II, III, IV, V, VI.

Article 4
Flexibility clause

Increases⁷ or decreases of up to EUR 10 million and not exceeding 20% of the contribution set in Article 2, first paragraph, or cumulated changes to the allocations of specific actions not exceeding 20% of that contribution, 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.

Article 5
Grants

Grants may be awarded to the bodies selected in accordance with point 4.3.1 of the Annex II.

Done at Brussels, 5.12.2022

For the Commission
Olivér VÁRHELYI
Member of the Commission

⁷ These changes can come from external assigned revenue made available after the adoption of the financing Decision.