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COMMISSION IMPLEMENTING DECISION

of 16.12.2021

on the financing of the annual action plan in favour of Turkey for 2021

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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 for Turkey for 2021, it is necessary to adopt an annual financing decision, which constitutes the annual work programme for 2021. Article 110 of Regulation (EU, Euratom) 2018/1046 ('the Financial Regulation') establishes detailed rules on financing decisions.
- (2) The envisaged assistance is to 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 Deal and the interinstitutional agreement.
- (4) The Commission has adopted the 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.

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 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 are to assist the IPA III beneficiary in adopting and implementing the political, institutional, legal, administrative, social and economic reforms required to comply with Union values and to progressively align to Union rules, standards, policies and practices with a view to Union membership.
- (6) The objective of the action entitled *EU support for participation in EU programmes and agencies* is to ensure Turkey's participation in EU programmes and agencies by co-financing the costs of the entry tickets to be paid by the Turkish authorities under the relevant association agreements.
- (7) The objective of the action entitled *Civil Society* is to foster a functioning pluralistic, participatory and representative democracy, to strengthen the environment for women-friendly cities and gender equality at local level, and to strengthen mutual knowledge, understanding and integration between the EU and Turkish business communities (chambers of commerce and their counterparts).
- (8) The objective of the action entitled *Product Safety in E-Commerce* is to improve the health and safety of consumers in line with the EU product safety rules, in the context of Turkey's accession progress in the area of product safety.
- (9) The objective of the action entitled *Environment and climate change* is to improve the legislative, strategic and technical framework required for reuse of wastewater, to improve institutional capacity through information-based decision-making and monitoring systems, to improve institutional capacity with special focus on the local level for the of climate change mitigation adaptation, and to improve institutional capacity for disaster management.
- (10) The objective of the *Sustainable green energy and transport* action is to boost the capacities for drafting a legislative and strategic framework as well as monitoring and measurement for efficient heating/cooling, while promoting the shift towards a resource-efficient, digitalised, smart, safe and sustainable low-carbon economy in Turkey. The action will also support improving the energy performance of the existing building stock in order to decrease public expenditure on energy consumption, and support the development of sustainable pilot projects involving ports, vessels and the usage of alternative fuel in the Turkish maritime sector.
- (11) The objective of the *Employment, education and social policies* action is to strengthen economic and social development through education, innovation, social inclusion and employment policies, with a focus on private-sector development, taking into consideration the general objectives of Window 4 Thematic Priority 1 of the IPA III Programming Framework.
- (12) The objective of the *Smart and Sustainable Economic Transformation* action is to improve the capacity of Turkish research & innovation stakeholders for policy-making, coordination and R&I project development. The action will also support improving awareness raising, information and knowledge diffusion, support networking activities by the Turkish Research Area (TARAL), and improving the policy framework to reduce the targeted sectors' carbon footprint.
- (13) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.

- (14) Pursuant to Article 9(1) of Regulation (EU) 2021/1529, indirect management is to be used for the implementation of the action plan.
- (15) 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.
- (16) 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 the Financial Regulation and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) thereof before a contribution agreement can be signed.
- (17) 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.
- (18) 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.
- (19) 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.
- (20) The action plan provided for in this Decision is in accordance with the opinion of the IPA III Committee set up by Article 17(1) of Regulation (EU) 2021/1529⁵,

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 Turkey for 2021, as set out in the Annexes, is adopted.

The action plan shall include the following actions:

- (a) Action EU Support for Participation in EU Programmes and Agencies, as set out in Annex I
- (b) Action Civil Society, as set out in Annex II
- (c) Action Product Safety in E-Commerce, as set out in Annex III
- (d) Action Environment and Climate Change, as set out in Annex IV

⁵ The Member States have declared, recalling the Council Conclusions of 18 February 2008 that the adoption of this action plan does not prejudice the position of each individual Member State on the status of Kosovo, which will be decided in accordance with their national practice and international law.

- (e) Action Sustainable Green Energy and Transport, as set out in Annex V
- (f) Action Employment, Education and Social Policies, as set out in Annex VI
- (g) Action Smart and Sustainable Economic Transformation, as set out in Annex VII

Article 2
Union contribution

The maximum Union contribution for the implementation of the action plan in 2021 referred to in Article 1 is set at EUR 134 500 000 and shall be financed from the appropriations entered in the following lines of the general budget of the Union:

- budget line 15 02 01 01.01: EUR 43 407 000;
- budget line 15 02 02 01.02: EUR 91 903 000.

The appropriations provided for in the first sub-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 4.2 of the Annexes I, II, III, IV, V, VI, VII.

Article 4
Flexibility clause

Increases or decreases of up to EUR 10 million and not exceeding 20% of the contribution set in the first paragraph of Article 2, or cumulated changes⁶ 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 within the meaning of Article 110(5) of the Financial Regulation, where 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.

⁶ These changes can come from external assigned revenue made available after the adoption of the financing Decision.

Article 5
Grants

Grants may be awarded without a call for proposals in accordance with the conditions set out in the Annexes. Grants may be awarded to the bodies referred to in the Annexes selected in accordance with point 4.2.1 of the Annexes.

Done at Brussels, 16.12.2021

For the Commission
Olivér VÁRHELYI
Member of the Commission