



Brussels, 15.12.2021
C(2021) 9653 final

COMMISSION IMPLEMENTING DECISION

of 15.12.2021

on the financing of the annual action plan in favour of the Republic of Serbia for 2021

COMMISSION IMPLEMENTING DECISION

of 15.12.2021

on the financing of the annual action plan in favour of the Republic of Serbia for 2021

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 Serbia 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 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 inter-institutional agreement⁴.
- (4) The Commission has adopted an 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 final

⁵ 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 support the Serbian administration to effectively meet EU accession requirements geared towards EU membership.
- (6) The objective of the action entitled European Integration Facility is to support the Serbian administration to effectively meet EU accession requirements, focusing on public administration reform and public finance management. The objectives of the action entitled, EU for Connectivity and Green Agenda are to achieve accession negotiations Chapter 27 requirements through infrastructure development and increased enforcement capacities as well as to achieve improved maintenance efficiency and service delivery of transport sector and improved energy sector by enhancing capacities for energy efficiency. The objectives of the action entitled EU for Sustainable Economy, Agriculture and Rural Development are to strengthen private sector development, trade, research and innovation as well as to strengthen legislative and institutional capacities needed to fulfil the requirements of EU membership in agriculture and rural development. The objective of the action entitled EU for Enabling a More Responsive Healthcare System is to improve health care system for reaction in emergencies in line with EU and international standards.
- (7) Pursuant to Article 9(1) of Regulation (EU) 2021/1529, indirect management is to be used for the implementation of the action plan.
- (8) 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 Regulation (EU, Euratom) 2018/1046.
- (9) 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 Regulation (EU, Euratom) 2018/1046 and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of Regulation (EU, Euratom) 2018/1046 before a contribution agreement can be signed.
- (10) 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 Regulation (EU, Euratom) 2018/1046.
- (11) It is necessary to allow for the payment of interest due for late payment on the basis of Article 116(5) of Regulation (EU, Euratom) 2018/1046.
- (12) 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 Regulation (EU, Euratom) 2018/1046.
- (13) 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 Serbia for 2021, as set out in the Annexes, is adopted.

The action plan shall include the following actions:

- (a) European Integration Facility, as set out in Annex I;
- (b) EU for Connectivity and Green Agenda, as set out in Annex II;
- (c) EU for Sustainable Economy, Agriculture and Rural Development, as set out in Annex III;
- (d) EU for Enabling a More Responsive Healthcare System, as set out in Annex IV.

Article 2
Union contribution

The maximum Union contribution for the implementation of the action plan referred to in Article 1 is set at EUR 122 140 000.00 and shall be financed from the appropriations entered in the following lines of the general budget of the Union:

- (a) budget line 15.020101.01: EUR 31 300 000;
- (b) budget line 15.020201.02: EUR 90 840 000.

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 4.3.4. and 4.3.5. of Annex I; 4.3.4. and 4.3.5. of Annex II; 4.3.4. and 4.3.5. of Annex III and 4.3.4. of Annex IV.

Article 4
Flexibility clause

Increases⁶ or decreases of up to EUR 10 million not exceeding 20% of the contribution set in Article 2, first paragraph, or cumulated reassignments of funds between actions contained in an action plan 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 Regulation (EU, Euratom) 2018/1046, provided that they 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, 15.12.2021

For the Commission,
Olivér VÁRHELYI
Member of the Commission

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