



Brussels, 28.1.2022
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COMMISSION IMPLEMENTING DECISION

of 28.1.2022

on the financing of the request of the Hellenic Republic, the Republic of Cyprus, the Republic of Croatia and Romania pursuant to Article 7 of Regulation (EU) 2021/240 of the European Parliament and the Council and on the adoption of the related work programme for technical support managed by the Commission

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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) 2021/240 of the European Parliament and of the Council of 10 February 2021 establishing a Technical Support Instrument², and in particular Articles 7 and 12(6) thereof,

Whereas:

- (1) In order to ensure implementation of the actions to be financed from the resources transferred to the Commission by the Hellenic Republic, the Republic of Cyprus, the Republic of Croatia and Romania in application of Article 7 of Regulation (EU) 2021/240, it is necessary to adopt a financing decision as provided for in Article 110 of Regulation (EU, Euratom) 2018/1046 ('the Financial Regulation').
- (2) In accordance with Article 7 of Regulation (EU) 2021/240, the Hellenic Republic, the Republic of Cyprus, the Republic of Croatia and Romania requested additional technical support and should pay for the expenses pertaining to such additional support. The Commission assessed the requests for additional technical support in accordance with the rules established in that Regulation.
- (3) The envisaged support is to comply with the conditions and procedures set out by the restrictive measures³ adopted pursuant to Article 215 TFEU.
- (4) Pursuant to Article 62(1)(c) of the Financial Regulation, indirect management is to be also used for the implementation of the programme.
- (5) 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

¹ OJ L 193, 30.07.2018, p. 1.

² OJ L 57, 18.2.2021, p. 1.

³ www.sanctionsmap.eu 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, the OJ prevails.

their systems and procedures in accordance with Article 154(4) of the Financial Regulation⁴ and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of the Financial Regulation before a contribution agreement can be signed.

- (6) 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) No 2018/1046.
- (7) In order to allow for flexibility in the implementation of the work programme, it is appropriate to allow changes, which should not be considered substantial for the purposes of Article 110(5) of the Financial Regulation.

HAS DECIDED AS FOLLOWS:

Article 1
The work programme

The financing decision, constituting the annual work programme for the implementation of actions that constitute additional technical support to be financed from the resources transferred to the Commission by the Hellenic Republic, the Republic of Cyprus, the Republic of Croatia and Romania under the Technical Support Instrument, as set out in the Annex, is adopted.

Article 2
Union contribution

1. The maximum Union contribution for the implementation of the work programme to be financed from the resources transferred to the Commission is set at EUR 6 380 000. This contribution results from EUR 500 000 by the Hellenic Republic, EUR 500 000 by the Republic of Cyprus, EUR 3 360 000 by the Republic of Croatia and 2 020 000 by Romania and shall be financed from the appropriations entered in budget line 06 02 02 00 of the general budget of the Union.

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

2. Any unused funds from the external assigned revenue provided by the Hellenic Republic, the Republic of Cyprus, the Republic of Croatia or Romania shall be returned to the concerned Member State after the implementation of the additional technical support.
3. The external assigned revenue provided by a Member State shall be used exclusively for the implementation of action(s) for the benefit of that Member State.

The implementation of this Decision with regard to action(s) for the benefit of each of the indicated Member States is subject to the transfer and availability of the corresponding external assigned revenue provided by the concerned Member State.

⁴ Except for the cases of Article 154(6) of the Financial Regulation, where the Commission may decide not to require an ex-ante assessment.

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 Annex, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 3 of Part II of that Annex.

Article 4

Flexibility clause and special measures

Cumulated changes to the allocations to specific actions not exceeding 20% of the maximum Union contribution set in the first paragraph of Article 2 of this Decision shall not be considered to be substantial for the purposes of Article 110(5) of the Financial Regulation, where those changes do not significantly affect the nature of the actions and the objectives of the work programme. The increase of the maximum Union contribution set in the first paragraph of Article 2 of this Decision shall not exceed 20%.

The authorising officer responsible may apply such changes in accordance with the principles of sound financial management and proportionality.

Where the Annex provides for the possibility to implement the actions through an alternative management mode, a transfer of the corresponding allocation from one mode to another shall not be taken into account for the purposes of this Article.

Done at Brussels, 28.1.2022

For the Commission

Elisa FERREIRA

Member of the Commission