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**COMMISSION IMPLEMENTING DECISION**

**of 10.12.2014**

**adopting a Support Measure for Technical Assistance for cross-border cooperation programmes between IPA II beneficiaries under the Instrument for pre-accession assistance (IPA II) for the year 2014**

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### **adopting a Support Measure for Technical Assistance for cross-border cooperation programmes between IPA II beneficiaries under the Instrument for pre-accession assistance (IPA II) for the year 2014**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's Instruments for financing external action<sup>1</sup> and in particular Article 3(3) thereof,

Having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002<sup>2</sup> and in particular Article 84(2) thereof,

Whereas:

- (1) Regulation (EU) No 231/2014<sup>3</sup> lays down the objectives and main principles for pre-accession assistance to beneficiaries listed in Annex I to that Regulation.
- (2) In accordance with Article 7 of Regulation (EU) No 231/2014 the assistance should be implemented through annual or multi-annual programmes, country specific or multi-country programmes, as well as cross-border cooperation programmes. These programmes should be drawn up in accordance with the framework for assistance referred to in Article 4 of Regulation (EU) No 231/2014 and the relevant country or multi-country indicative strategy papers referred to in Article 6 of that Regulation.
- (3) The Council established an Accession Partnership or a European Partnership for all beneficiaries listed in Annex I of Regulation (EU) No 231/2014. The Commission adopted an indicative multi-country strategy paper for the period 2014–2020<sup>4</sup> on 30 June 2014 which provides indicative allocations for the 2014-2020 territorial cooperation programmes.
- (4) The responsible authorities of Albania, Bosnia and Herzegovina, Kosovo\*, the former Yugoslav Republic of Macedonia, Montenegro and Serbia submitted to the Commission proposals for cross-border cooperation programmes for the period 2014-2020. The programmes which have been drawn up in accordance with Article 49 of

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<sup>1</sup> OJ L 77, 15.03.2014, p. 95.

<sup>2</sup> OJ L 298, 26.10.2012, p.1.

<sup>3</sup> Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-accession Assistance OJ L 77, 15.03.2014, p. 11.

<sup>4</sup> C(2014) 4293, 30.06.2014.

\* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo declaration of independence.

the Commission Implementing Regulation (EU) No 447/2014<sup>5</sup>, set out indicative allocations for technical assistance for the period 2014-2020. In accordance with Article 32 of the Commission Implementing Regulation (EU) No 447/2014, the specific indicative allocation for technical assistance operations shall cover activities related to the implementation of the programme and to reinforce the administrative capacity for implementing the programme, including but not limited to preparation, management, monitoring, evaluation, information, communication, networking, complaint resolution, control and audit activities.

- (5) It is necessary to adopt a financing decision, the detailed rules of which are set out in Article 94 of Commission Delegated Regulation (EU) No 1268/2012.<sup>6</sup>
- (6) The maximum contribution of the European Union set by this Decision should cover any possible claims for interest due for late payment on the basis of Article 92 of the Regulation (EU, Euratom) No 966/2012 and Article 111(4) of the Commission Delegated Regulation (EU) No 1268/2012.
- (7) Pursuant to Article 94(4) of the Commission Delegated Regulation (EU) No 1268/2012, the Commission should define changes to this Decision which are not substantial in order to ensure that any such changes can be adopted by the authorising officer responsible.
- (8) The measures provided for in this Decision do not fall in the categories of measures for which the opinion of the Committee set up by Article 13 of Regulation (EU) No 231/2014 is required. The IPA II Committee should be informed of this Decision within one month following its adoption,

HAS DECIDED AS FOLLOWS:

#### *Article 1*

##### *Adoption of the measure*

The support measure for technical assistance for cross-border cooperation programmes between IPA II beneficiaries under the Instrument for pre-accession assistance (IPA II) for the year 2014 as set out in the Annex, is hereby approved.

#### *Article 2*

##### *Financial contribution*

The maximum amount of the Union contribution for the implementation of the support measure referred to in Article 1 is set at EUR 3 420 000 and shall be financed from budget line 22.02.04.01 of the general budget of the EU for year 2014.

The financial contribution referred to in the first sub-paragraph may also cover interest due for late payment.

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<sup>5</sup> Commission Implementing Regulation (EU) No 447/2014 of 2 May 2014 on the specific rules for implementing Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-accession Assistance (IPA II), OJ L 132, 3.5.2014, p. 32.

<sup>6</sup> Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union, OJ L 362, 31.12.2012, p. 1

### *Article 3*

#### *Implementation modalities*

This programme shall be implemented by direct management.

### *Article 4*

#### *Non-substantial changes*

The following changes shall not be considered substantial provided that they do not significantly affect the nature and objectives of the actions:

- a) increases or decreases for not more than 20% of the maximum contribution set in the first paragraph of Article 2, and not exceeding EUR 10 000 000;
- b) cumulated reassignments of funds between specific actions not exceeding 20 % of the maximum contribution set in the first paragraph of Article 2;
- c) extensions of the implementation and closure period;
- d) within the limits of 20% referred to in points a) and b) above, up to 5% of the contribution referred to in the first paragraph of Article 2 of this financing decision may serve to finance actions which were not foreseeable at the time the present financing decision was adopted, provided that those actions are necessary to implement the objectives and the results set out in the programme.

The responsible authorising officer may adopt such non-substantial changes in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 10.12.2014

*For the Commission*  
*Johannes HAHN*  
*Member of the Commission*