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**COMMISSION IMPLEMENTING DECISION**

**of 15.5.2024**

**on an exceptional assistance measure regarding Bosnia and Herzegovina**

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## on an exceptional assistance measure regarding Bosnia and Herzegovina

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 966/2012<sup>1</sup>, and in particular Article 110 thereof,

Having regard to Regulation (EU) 2021/947 of the European Parliament and of the Council of 9 June 2021 establishing the Neighbourhood, Development and International Cooperation Instrument – Global Europe, amending and repealing Decision No 466/2014/EU and repealing Regulation (EU) 2017/1601 and Council Regulation (EC, Euratom) No 480/2009<sup>2</sup>, and in particular Article 23(6) thereof,

Whereas:

- (1) As the European Union works to enhance Bosnia and Herzegovina's political commitment to reform and its convergence with the EU as a candidate country, there are political forces across the country that put its progress and unity at risk. Following the increase in nationalist rhetoric and destabilisation efforts in the country in 2022, the EU launched for the first time a crisis response initiative<sup>3</sup> supporting and connecting local reconciliation initiatives in the country. This initial crisis response was able to initiate dialogue on shared interests among citizens and local leaders to create an environment conducive to peace. However, without external support these actors are constrained by the prevailing political dynamics. Their efforts will require further consolidation to gain traction on social cohesion at the local and national levels. The EU's support to multi-level reconciliation will also further underpin the Unions leading role in advancing political reform processes, most notably as regards progress on the Key Priority 5 of the European Commission Opinion of May 2019, namely, to take concrete steps towards an environment conducive to reconciliation. The present situation makes it necessary to adopt an exceptional assistance measure regarding Bosnia and Herzegovina.
- (2) In order to ensure the implementation of the measure, it is necessary to adopt a financing decision. Article 110 of Regulation (EU, Euratom) 2018/1046 ('the Financial Regulation') establishes detailed rules on financing decisions.

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<sup>1</sup> OJ L 193, 30.7.2018, p. 1.

<sup>2</sup> OJ L 209, 14.6.2021, p. 1.

<sup>3</sup> C(2022) 4634 adopted 1.7.2022.

- (3) The planned assistance is to comply with the conditions and procedures set out by the restrictive measures<sup>4</sup> adopted pursuant to Article 215 TFEU.
- (4) The objective of the measure set out in this Decision is to build a critical mass for broader reconciliation processes in Bosnia and Herzegovina in order to remedy exceptional and unforeseen situations as referred to in Article 4(4)(a) of Regulation (EU) 2021/947.
- (5) In accordance with points (a), (f) and (q) of Annex IV, paragraph 1, second paragraph of Regulation (EU) 2021/947, the activities set out in this Decision will involve the creation of a peacebuilding network to bolster cooperation between relevant local activists across the country and enable their involvement in broader policy processes, the mapping and ranking of communities to be targeted and assistance regarding public communication and outreach.
- (6) The effectiveness of the Union response to the situation referred to in recital (1) depends on the rapid and flexible implementation of an exceptional assistance measure of limited duration in accordance with Article 23(6) of Regulation (EU) 2021/947.
- (7) The measure provided for in this Decision is complementary to assistance provided under other Union short-term or long-term external assistance instruments. No fully adequate response can be provided under those instruments to the specific needs being addressed. Therefore, an effective response is required to enable early action in accordance with Article 4(4) of Regulation (EU) 2021/947.
- (8) The measure provided for in this Decision is consistent with the Union strategic policy framework for Bosnia and Herzegovina. Synergies and complementarities are expected with other Union interventions, as detailed in point 7 of the Annex.
- (9) In order to address the challenges facing Bosnia and Herzegovina, it is necessary to use indirect management for the implementation of the measure.
- (10) The Commission is to ensure a level of protection of the financial interests of the Union with regard 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) of the Financial Regulation<sup>5</sup> and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of the Financial Regulation before a contribution agreement can be signed.
- (11) 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.
- (12) In order to allow for flexibility in the implementation of the measure, it is appropriate to define changes which should not be considered substantial for the purposes of Article 110(5) of the Financial Regulation.
- (13) The European Parliament and the Council have been informed of the exceptional assistance measure to be adopted by this Decision, in accordance with Article 25(3) of Regulation (EU) 2021/947,

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<sup>4</sup> [www.sanctionsmap.eu](http://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.

<sup>5</sup> Except for the cases set out in Article 154(6) of the Financial Regulation, where the Commission may decide not to require an ex-ante assessment.

HAS DECIDED AS FOLLOWS:

*Article 1*  
*The measure*

The financing decision for the implementation of the exceptional assistance measure regarding Bosnia and Herzegovina, for 2024, as set out in the Annex, is adopted.

The measure shall include the following: Support to reconciliation efforts in Bosnia and Herzegovina, set out in the Annex.

*Article 2*  
*Union contribution*

The maximum Union contribution for the implementation of the measure for 2024 is set at EUR 2 800 000 and shall be financed from the appropriations entered in the budget line 14 02 03 10 of the general budget of the Union.

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 Annex, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 6 of that Annex.

*Article 4*  
*Duration of the measure*

The maximum duration of the exceptional assistance measure adopted under this Decision shall be max 18 months. The authorising officer responsible may decide to extend this period twice by a further period of up to six months, up to a total maximum duration of 30 months, under the conditions laid down in Article 23(6) of Regulation (EU) 2021/947.

If the implementation of this measure or any of its components is suspended owing to ‘force majeure’ or circumstances beyond the control of the contracting authority and its implementing partner(s), the period of suspension shall not be taken into account for the calculation of the duration of the implementation of this measure.

*Article 5*  
*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 changes<sup>6</sup> to the allocations of specific actions not exceeding 20% of that contribution, as well as extensions of the implementation 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.

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<sup>6</sup> These changes can come from assigned revenue made available after the adoption of the financing decision.

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, 15.5.2024

*For the Commission*  
*Josep BORRELL FONTELLES*  
*High Representative / Vice-President*