



Brussels, 18.10.2022
C(2022) 7448 final

COMMISSION IMPLEMENTING DECISION

of 18.10.2022

on the financing of the annual action plan in favour of Türkiye for 2022

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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 Türkiye for 2022, it is necessary to adopt an annual financing decision, which constitutes the annual work programme for 2022. 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 Deal⁴ and the inter-institutional agreement.
- (4) The Commission has adopted a Pre-Accession Assistance ('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 of 11.12.2019

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 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 for 2022 and 2023’ is to ensure Türkiye’s participation in EU programmes and agencies by co-financing the costs of the entry tickets to be paid by the Turkish authorities according to the relevant association agreements.
- (7) The objective of the action entitled ‘Protective and Restorative Approaches for Children in Judicial Processes’ is to contribute to the better protection of the rights of children in contact with the law (including offenders, victims and witnesses) in Türkiye by improving the capacity of the Turkish authorities in overall administration of child justice system and enhancing multi-sectoral coordination between the relevant stakeholders, which is at utmost importance for the implementation of protective and supportive measures who encounter with the justice system.
- (8) The objective of the action ‘Jean Monnet Scholarship Programme’ is to enhance human resources capacity of Türkiye in fields relevant to the EU acquis via improving educational attainment and enhancing inter-personal and inter-cultural dialogue via mobility.
- (9) The objective of the action entitled ‘Supporting Civil Society through Social Entrepreneurship in Türkiye’ is to attain a more conducive and sustainable environment for civil society in Türkiye by enhancing civil society organisations’ financial sustainability through social entrepreneurship.
- (10) The objective of the action entitled ‘Results Oriented Monitoring in Türkiye – Phase IV’ is to i) improve the design and implementation of IPA assistance in Türkiye; and ii) to improve the visibility and public perception of IPA assistance by promoting results and achievements of IPA projects.
- (11) The objective of the action entitled ‘Employment, Education, Social Policies and Health Action’ is to emphasise and foster quality employment and education, improving access to labour market, promoting social protection and inclusion, combatting poverty and ensuring a high level of human health protection.
- (12) The objective of the action entitled ‘Sustainable Urban Mobility and Reliable Transport (SUMART)’ is to encourage, improve and facilitate the efforts put forward by Ilbank, Union of Municipalities and Turkish municipalities in their increasingly crucial role of financing, coordinating, pursuing sustainable and smart urban mobility services across city jurisdictions.
- (13) The objective of the action entitled ‘Environment and Climate Change’ is to promote the EU Green Deal from different fronts and angles such as increasing environmental protection, increasing resilience and adaptation to climate change, accelerating the shift towards a low-carbon and circular economy, protecting biodiversity and ecosystems, and having advanced alignment with the EU’s environment and climate related acquis.

- (14) Pursuant to Article 9(1) of Regulation (EU) 2021/1529, indirect management may 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 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)⁶ of 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 of Regulation (EU) 2021/1529⁷.

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 Türkiye for 2022, 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 for 2022 and 2023 as set out in Annex I
- (b) Action Protective and Restorative Approaches for Children in Judicial Processes as set out in Annex II
- (c) Action Jean Monnet Scholarship Programme as set out in Annex III

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

⁷ 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.

- (d) Action Supporting Civil Society through Social Entrepreneurship in Türkiye as set out in Annex IV
- (e) Action Results Oriented Monitoring in Türkiye – Phase IV as set out in Annex V
- (f) Action Employment, Education, Social Policies and Health as set out in Annex VI
- (g) Action Sustainable Urban Mobility and Reliable Transport (SUMART) as set out in Annex VII
- (h) Action Environment and Climate Change as set out in Annex VIII

Article 2
Union contribution

The maximum Union contribution for the implementation of the action plan in 2022 referred to in Article 1 is set at EUR 142 988 000 and shall be financed from the appropriations entered in the following lines of the general budget of the Union for 2022:

- budget line 15.020101.01: EUR 59 850 000;
- budget line 15.020201: EUR 83 138 000;

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 Annex(es), may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 4.3 of the Annexes I, II, III, IV, V, VI, VII, VIII.

Article 4
Flexibility clause

Increases⁸ or decreases of up to EUR 10 million not exceeding 20% of the contribution set in Article 2, first paragraph, or cumulated changes 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, provided that these changes do not significantly affect the nature and objectives of the actions.

⁸

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, 18.10.2022

For the Commission
Olivér VÁRHELYI
Member of the Commission