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No. 208548/23.11.2023

INSTRUCTION No. 6

Regarding specific provisions for the closure of projects funded
under the ENI CBC Joint Operational Programme Romania - Ukraine
2014-2020

**TO: Beneficiaries of the ENI CBC Joint Operational Programme Romania -
Ukraine 2014-2020**

**FROM: Iulia Hertzog, Head of the Managing Authority for the Joint
Operational Programme Romania - Ukraine 2014-2020**

Having regard to:

- The Commission Implementing Regulation (EC) No 897 of 18 August 2014 laying down specific provisions for the implementation of cross-border cooperation programmes financed under Regulation (EC) No 232/2014 of the European Parliament and of the Council establishing a European Neighbourhood Instrument (ENI CBC Implementing Rules),
- The Decision of the ENI CBC Joint Operational Programme Romania - Ukraine 2014-2020 Joint Monitoring Committee dated 11 November 2020, approving the revision of the Joint Operational Programme as regard the timeframe for the implementation and closure of the programme and projects in accordance with the amendment of ENI CBC Implementing Rules, according to which all project activities financed by the programme “*shall end on 31 December 2023, at the latest*”,



Programme funded by
The European Union



Romania-Ukraine
ENI-CROSS BORDER COOPERATION

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- The Commission Implementing Regulation (EU) 2020/879 of 23 June 2020 amending Implementing Regulation (EU) No 897/2014 as regards specific provisions to align the provisions for the implementation of cross-border cooperation programmes financed under the European Neighbourhood Instrument with specific measures in response to the COVID-19 pandemic (OJ L 203, 26.6.2020), and, in particular, the Article 1 para 7 (b) stating: "Article 48 is amended as follows:
 [...]
 - (b) the following paragraph 2a is inserted:
- *2a. Notwithstanding Article 19(1), expenditure shall not be eligible for the Union contribution, where it is paid after 31 December 2023.*"
- The Regulation (EU) 2022/2192 of the European Parliament and of the Council of 9 November 2022 laying down specific provisions for the 2014-2020 cooperation programmes supported by the European Neighbourhood Instrument and under the European territorial cooperation goal, following programme implementation disruption

MANAGING AUTHORITY HAS ISSUED THE FOLLOWING INSTRUCTION:

Article 1. In order for all expenditure declared under the project to be eligible for Union contribution, in addition to fulfilling the criteria provided in article 48 2 a)-g) of the Commission Implementing Regulation (EC) No 897/2014 as modified by the Commission Implementing Regulation (EU) 879/2020, the beneficiaries must finalise and pay all project activities no later than the deadline of 31st of December 2023, set by Article 1 (7) (b) of Commission Implementing Regulation (EU) 2020/879 of 23 June 2020. After this date, all expenditure incurred or paid cannot be supported by the programme.

An exception is made for costs relating to final reports, only for expenditure verification, which may be incurred after the implementation period of the project. They may be paid afterwards, provided they are listed in the final report together with the estimated date of payment.

Article 2. 30th of April 2024 represents the last date for the Lead beneficiaries to submit the final project reports to the Joint Technical Secretariat. The Lead beneficiaries shall take the necessary measures in order to ensure that all beneficiaries are submitting their mandatory contributions / reports for drafting the final project report. The Lead beneficiaries are recommended to start collecting and aggregating the contributions from the project partners even before receiving the final expenditure verifications reports.

Any deviation from the deadline set in previous paragraph will only be possible in a limited number of days, in exceptional situations duly

justified by the Lead Beneficiaries, with the prior approval of the Managing Authority.

Article 3. This instruction will be communicated by the Joint Technical Secretariat to the beneficiaries via electronic email and publication on the Programme's website.

Article 4. The provisions laid down in this Instruction are **mandatory** for all beneficiaries of a grant contract under the ENI CBC Joint Operational Programme Romania - Ukraine 2014-2020, in accordance with Article 1.12 of the grant contract.

Article 5. This instruction entries into force at the date of its signature.