

DG AGRI takes the view that as regards the management of EAGF and EAFRD by GR01 - OPEKEPE, one or more of the accreditation criteria set out in Annex I to Commission Delegated Regulation (EU) 2022/127 are no longer respected or are so seriously deficient as to affect the agency's ability to fulfil the tasks set out in Article 9(1) of Regulation (EU) 2021/2116. DG AGRI is of the opinion that the conditions of Article 2(3) of Regulation (EU) 2022/128 are met and that, consequently, **your Competent Authority should place the agency's accreditation under probation with immediate effect and draw up a plan** to remedy the identified deficiencies within a period to be determined according to the severity of the problem, which shall not exceed 12 months from the date on which the accreditation is put under probation. In duly justified cases, the Commission may, upon your request, grant an extension of that period. The lack of adequate, effective, and immediate corrective actions may result in the withdrawal of the accreditation of OPEKEPE, as per Article 2(6) of Regulation (EU) 2022/128.

To follow up the assessment of the Competent Authority and the corrective actions taken and planned to be taken, DG AGRI invites the Competent Authority (with the possible participation of the Paying Agency and Certification Body if considered necessary) to a technical meeting to be organised **via videoconference on 28 May 2024, at 14:00**.

#### **8. CORRECTIVE MEASURES AND POTENTIAL FINANCIAL IMPACT**

The financial errors amounting to EUR 12 060 identified by the Certification Body with regard to EAFRD Non-IACS, reported in chapter 2.14.2 of the report will have to be corrected by the Paying Agency. In this context, the Certification Body should confirm that the Paying Agency has taken the required corrective measures, including measures relating to Article 59(1)(c) and (d) of Regulation (EU) 2021/2116, and that the amounts involved have been re-credited to the Fund.

This letter is also written pursuant to Article 34 of Regulation (EU) No 908/2014.

DG AGRI takes the view that, as regards GR01 – OPEKEPE, your authorities have not complied with the requirements of the Regulations and considers proposing the exclusion from EU funding of an amount of **EUR 6 059 364.12** financed by the **EAGF** and **EUR 2 190 965.19** by the **EAFRD**, in accordance with Article 52 of Regulation (EU) No 1306/2013. The calculation of this amount is detailed in Appendix 5. Please inform DG AGRI of the corrective measures already taken and those envisaged, together with a timetable for their implementation.

Moreover, DG AGRI takes the view that the implementation of debt management of GR01 - OPEKEPE was not in conformity with EU rules, and that the corrective measures as set out in Appendix 5 are necessary to ensure future compliance with those requirements.

In these circumstances, DG AGRI considers proposing the exclusion from EU funding of part of the expenditure financed by the EAGF and the EAFRD in accordance with Article 52 of Regulation (EU) No 1306/2013.

On the basis of DG AGRI findings, weaknesses in the debt management of the Paying Agency were identified. Article 12(6) and (7) of Commission Delegated Regulation (EU) No 907/2014 and the Guidelines on the calculation of financial corrections in the framework of the conformity and financial clearance of accounts procedures - C(2015) 3675 of 8.6.2015, would indicate a flat-rate correction of **at least 10 %**. More details are provided in Appendix 5.