



Brussels, 21.12.2015
C(2015) 9691 final

COMMISSION DECISION

of 21.12.2015

**amending Decision C(2014) 9615 final on the establishment of a European Union
Regional Trust Fund in response to the Syrian crisis, "the Madad Fund"**

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amending Decision C(2014) 9615 final on the establishment of a European Union Regional Trust Fund in response to the Syrian crisis, "the Madad Fund"

THE EUROPEAN COMMISSION,

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

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 1605/2002¹, and in particular Article 187(1) thereof,

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 action², and in particular Article 2 thereof,

Whereas:

- (1) Commission Decision C(2014) 9615³ established a European Union Regional Trust Fund in response to the Syrian crisis ('the Trust Fund').
- (2) The scope of the Trust Fund needs to be extended to additional third countries affected by the dramatic increase in flows of refugees and migrants along the Eastern Mediterranean and Western Balkans route. In addition, this Decision should allow for support from the Trust Fund to people fleeing the Syrian and Iraqi crises regardless of whether they are internally displaced or refugees outside their country of origin, and should clarify that Union humanitarian assistance will be delivered on the basis of Council Regulation (EC) No 1257/96⁴.
- (3) The Syrian and Iraqi conflicts continue to have an increasingly devastating and lasting impact on Syria, Iraq, across the region, and now also on other third countries in the Eastern Mediterranean and the Western Balkans affected by the increasing flows of refugees. As of November 2015, with the conflict in its fifth year, the needs of the affected populations are of an unprecedented scale. 13.5 million people inside the country – more than half of the Syrian population –, of which 6.5 million people are internally displaced, are in need of urgent assistance, and more than 4.2 million refugees, plus their overstretched host communities in neighbouring countries need help on a daily basis. The number of conflict-related deaths has surpassed 250 000 individuals and more than one million have been wounded in the war. In Iraq, 8.6 million people are in need of assistance, 3.2 million people have been internally

¹ OJ L 298, 26.10.2012, p. 1.

² OJ L 77, 15.3.2014, p. 95.

³ Commission Decision C(2014) 9615 of 10 December 2014 on the establishment of a European Union Regional Trust Fund in response to the Syrian crisis, 'the Madad Fund'.

⁴ Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid (OJ L 163, 2.7.1996, p. 1).

displaced in the past two years alone, and more than 200 000 Iraqi refugees need help in Turkey, Jordan, and other host or transit countries.

- (4) On 16 March 2015, the Council adopted the 'EU Regional strategy for Syria and Iraq as well as the ISIL/Da'esh threat'⁵, which specifically calls for support from the Trust Fund in Iraq. According to this strategy, such support should be used to address "conditions of protracted displacement and in preparation for the IDPs return to their homes, in order to lay the foundations for stability and sustainable economic growth."
- (5) The Union is facing the most significant refugee crisis since the end of World War II. The Western Balkans, in particular Serbia and the former Yugoslav Republic of Macedonia, are part of transit routes for refugees and migrants heading to Member States and are hosting persons in need of international protection.
- (6) This is placing reception capacities of most affected countries under severe pressure, with serious humanitarian consequences. It poses significant challenges to border management and asylum systems, as well as security challenges. In autumn 2015, the Eastern Mediterranean / Western Balkans route was the most frequented, with some 6 000 people transiting through the former Yugoslav Republic of Macedonia into Serbia daily.
- (7) In response to this crisis, a High-Level Conference on the Eastern Mediterranean/Western Balkan route was held on 8 October 2015 in Luxembourg. In the spirit of solidarity and partnership, the Union and its Member States, third countries hosting large numbers of refugees (Lebanon, Jordan and Turkey) and third countries of transit (Western Balkan countries), issued a Declaration⁶ that sets the stage for increased cooperation to respond to the current refugee crisis. That Declaration proposed to extend the scope of the Trust Fund to the Western Balkans.
- (8) On 25 October 2015, the President of the Commission called and hosted a Leaders meeting, in which Albania, Austria, Bulgaria, Croatia, the former Yugoslav Republic of Macedonia, Germany, Greece, Hungary, Romania, Serbia and Slovenia met in Brussels and agreed to improve cooperation and step up consultation between the third countries along the route and decided on pragmatic operational measures to tackle the refugee crisis in the region.
- (9) In view of these new needs, the Trust Fund is the best suited instrument of the Union to provide urgently needed additional support to all third countries affected by the massive displacement triggered by the Syrian and Iraqi crises, in complement to short-term humanitarian aid and civil protection support. It can swiftly mobilise funding and respond to urgent needs.
- (10) Decision C(2014) 9615 should therefore be amended accordingly.
- (11) Appropriate amendments to the Trust Fund Constitutive Agreement concerning the Trust Fund Board and Operational Board should be provided in accordance with the relevant provisions of Decision C(2014) 9615, as amended, and of the Trust Fund Constitutive Agreement.

⁵ Council document 7267/15, 16 March 2015.

⁶ Declaration of the High-level Conference on the Eastern Mediterranean - Western Balkans Route of 8 October 2015: <http://www.eu2015lu.eu/fr/actualites/communiqués/2015/10/08-conf-balkans/10-08-declaration-conference-route-med-balkans.pdf>

- (12) The draft measures provided for in this Decision are in accordance with the opinion of the Development Cooperation Instrument Committee set up by Article 19 of Regulation (EU) No 233/2014 of the European Parliament and of the Council⁷, of the European Neighbourhood Instrument Committee set up by Article 15 of Regulation (EU) No 232/2014 of the European Parliament and of the Council⁸ and of the Instrument for Pre-accession Assistance Committee set up by Article 13 of Regulation (EU) No 231/2014 of the European Parliament and of the Council⁹,

HAS DECIDED AS FOLLOWS:

Sole Article

Decision C(2014) 9615 is amended as follows:

- (1) In Article 1, paragraph 2 is replaced by the following:

‘2. The primary objective of the Trust Fund is to provide a coherent and reinforced aid response to the Syrian and Iraqi crises and the massive displacement resulting from them on a multi-country scale. In pursuit of this objective, the Trust Fund shall address the needs of three groups: refugees, internally displaced persons, and returnees, and provide assistance to the communities and the administrations in which those groups find themselves, as regards resilience and early recovery. The Trust Fund will thus focus on current priority needs and may also be mobilised for reconstruction and state-building needs in a future post-conflict scenario. Assistance inside Syria and Iraq will be considered taking into account, and avoiding overlap with, the actions of other existing international funding instruments.

In addition, the Trust Fund may assist the authorities in the Western Balkans in responding to resilience needs of migrant or refugee populations on their territory.

Assistance under the Trust Fund will be complementary to Union humanitarian assistance on the basis of Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid.’;

- (2) In Article 1, paragraph 5 is replaced by the following:

‘5. The Union Trust Fund may cover Syria, Lebanon, Jordan, Turkey, Iraq, Egypt or any other country in the wider region, including the Western Balkans’.

⁷ Regulation (EU) No 233/2014 of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for development cooperation for the period 2014-2020 (OJ L 77, 15.3.2014, p. 44).

⁸ Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument (OJ L 77, 15.3.2014, p. 27).

⁹ 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 77, 15.3.2014, p. 11).

Done at Brussels, 21.12.2015

For the Commission
Johannes HAHN
Member of the Commission

