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COMMISSION IMPLEMENTING DECISION

of 20.12.2023

on the financing of the individual measure in favour of socio-economic development support and infrastructure services for refugees and host communities in Türkiye following the February 2023 earthquakes

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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) 2018/1046¹ 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, and in particular Article 110 thereof,

Having regard to Regulation (EU) 2021/947² 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, and in particular Article 23(3) and Article 23(5); thereof,

Whereas:

- (1) In order to ensure the implementation of the individual measure for socio-economic development support and infrastructure services for refugees and host communities in Türkiye following the February 2023 earthquakes, it is necessary to adopt an annual financing Decision, which constitutes the annual work programme, for 2023.
- (2) The envisaged assistance should comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU³.
- (3) The objectives pursued by the individual measure, to be financed under the Neighbourhood, Development and International Cooperation Instrument, are to provide support in the area of socio-economic support and social cohesion, as well as infrastructure in Türkiye following the earthquakes of 6 February 2023. The intervention is undertaken in the framework of the EU pledge made at the international donors' conference of March 2023 for the people in Türkiye and Syria⁴ in an effort to help the reconstruction of the affected regions and support refugees and host communities to rebuild their lives following the earthquakes of 6 February 2023. In

¹ OJ L 193, 30.7.2018, p.1.

² OJ L 209, 14.6.2021, 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 https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/stronger-europe-world/donors-conference-turkiye-and-syria_en

accordance with Article 23(3) of the NDICI Regulation, this measure is hereby designated as a rapid response action under Article 23(5). As such, there is no requirement for a programming document, given the urgent and time-sensitive nature of this intervention. This designation allows for the swift implementation of actions that contribute to strengthening the resilience of states, societies, communities, and individuals, in alignment with the objectives of NDICI.

- (4) The action entitled “Socio-economic development support and infrastructure services for refugees and host communities in Türkiye following the February 2023 earthquakes”, in partnership with relevant stakeholders and Turkish ministries, seeks to ensure inclusive employment and provide better access and opportunities for all in an effort to reduce poverty and social exclusion (including that of children) and develop more sustainable livelihoods. It also aims to provide for a stimulus to reduce social tensions and promote cooperation between the refugee and host communities in the affected areas. The action aims to ensure the effective functioning of the labour market by removing barriers to education, training and labour-market participation, and by including investment in technical education, language training and skills transfer. At the same time, the action aims to increase the demand for labour in specific target areas by supporting and empowering start-ups and enterprises in improving their production, stimulating the formal employment of refugees and vulnerable national citizens.
- (5) The objective and design of the individual measure for socio-economic development support and infrastructure services for refugees and host communities in Türkiye following the February 2023 earthquakes fulfil the criteria for Official Development Assistance established by the OECD/DAC, as per the requirements of Article 3(4) of Regulation (EU) 2021/947, contributing to the sustainable development of partner countries and the implementation of the 2030 agenda by contributing to the Sustainable Development Goal no.8 (Decent work and economic growth). It should contribute to gender equality and women’s empowerment as well as the inclusion of persons with disabilities through its accessibility approach. Eventually, it should also address the root causes of migration. The countries benefiting from the action which are included in the list of ODA recipients, are identified in the respective action document.
- (6) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (7) Pursuant to Article 62(1), point (c) of the Financial Regulation, indirect management is to be used for the implementation of the individual measure.
- (8) 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 the Financial Regulation.
- (9) To that 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 Regulation⁵ and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of the Financial Regulation before a contribution agreement can be signed.

⁵ Except for the cases of Article 154(6) of Regulation (EU, Euratom) 2018/1046, where the Commission may decide not to require an ex-ante assessment.

- (10) 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.
- (11) In order to allow for flexibility in the implementation of the individual measure, it is appropriate to determine the changes which should not be considered substantial for the purposes of Article 110(5) of the Financial Regulation.
- (12) The individual measure provided for in this Decision is in accordance with the opinion of the NDICI-GE Neighbourhood Committee.

HAS DECIDED AS FOLLOWS:

Article 1
The individual measure

The annual financing Decision, constituting the annual work programme for the implementation of the individual measure in favour of socio-economic development support and infrastructure services for refugees and host communities in Türkiye following the February 2023 earthquakes, is adopted.

The individual measure shall consist of the action set out in the annex.

Article 2
Union contribution

The maximum Union contribution for the implementation of the individual measure for 2023 is set at EUR 240 000 000 and shall be financed from the appropriations entered in budget line 14.020320 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 4.3.2. of the Annex.

Article 4
Flexibility clause

Increases⁶ or decreases of up to EUR 10 million and 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 period shall not be considered substantial for the purposes of Article 110(5) of Regulation (EU, Euratom) 2018/1046, provided that these changes do not significantly affect the nature and objectives of the actions.

⁶These changes can come from external 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.

Article 5
Grants

Grants may be awarded without a call for proposals in accordance with the conditions set out in the Annex. Grants may be awarded to the body of the Ministry of Environment, Urbanisation, and Climate Change of the Republic of Türkiye referred to in the Annex, selected in accordance with point 4.3.1. of the Annex.

Done at Brussels, 20.12.2023

For the Commission
Olivér VÁRHELYI
Member of the Commission