



Brussels, 24.7.2018
C(2018) 4960 final

COMMISSION IMPLEMENTING DECISION

of 24.7.2018

**on the adoption of a special measure on education under the Facility for Refugees in
Turkey**

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THE EUROPEAN COMMISSION,

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

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 action¹ and in particular the fourth subparagraph of Article 2(1) thereof,

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 1605/2002² and in particular Article 84(2) thereof,

Whereas:

- (1) Regulation (EU) No 231/2014 of the European Parliament and of the Council³ lays down the objectives and main principles for pre-accession assistance to beneficiaries listed in Annex I to that Regulation.
- (2) Regulation (EU) No 236/2014 lays down common rules and procedures for the implementation of the Union's instruments for financing external action and therefore, the rules and conditions for special measures under the Instrument for Pre-Accession Assistance (IPA II).
- (3) Turkey continues to be a prominent reception and transit country for refugees and migrants. As a result of an unprecedented influx mainly due to the conflicts in Syria and Iraq, Turkey is hosting close to four million refugees, the highest number in the world. The Facility for Refugees in Turkey (the 'Facility') was set up in 2015 to assist Turkey in addressing the humanitarian and development needs of refugees and persons eligible for subsidiary protection and their host communities. The first tranche of the Facility – EUR 3 billion – was committed and contracted by the end of 2017. The second Annual Report on the Facility⁴ includes detailed information on the achievements and the implementation of a total of 72 projects. The EU-Turkey Statement of March 2016 provides that "once these resources are about to be used to the full", the EU would "mobilise additional funding for the Facility of an additional 3 billion euro up to the end of 2018". On 14 March 2018, the Commission adopted

¹ OJ L 77, 15.03.2014, p. 95.

² OJ L 298, 26.10.2012, p.1.

³ Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-accession Assistance (OJ L 77, 15.03.2014, p. 11).

⁴ Commission Communication COM(2018)91 of 14 March 2018

Commission Decision C(2018)1500⁵ on a second allocation of EUR 3 billion for the Facility.

- (4) At the meeting of the Facility Steering Committee on 18 June 2018, the Member States and Turkey endorsed the strategic priorities for intervention under the second tranche of the Facility. In order to ensure continuing support for refugees and host communities in the priority area of education, it is necessary to adopt a financing decision, the detailed rules of which are set out in Article 94 of Commission Delegated Regulation (EU) No 1268/2012⁶
- (5) It is appropriate to authorise the award of grants without a call for proposals to the Ministry of National Education of Turkey for the reasons provided in the Annex. In order to avoid disruption of school attendance, this Decision should apply with retroactive effect to expenditure incurred from the beginning of the school year 2018/2019.
- (6) The envisaged assistance is deemed to strictly comply with the conditions and procedures set out by EU restrictive measures.
- (7) It is necessary to allow for the payment of interest due for late payment on the basis of Article 92 of Regulation (EU, Euratom) No 966/2012 and Article 111(4) of Delegated Regulation (EU) No 1268/2012.
- (8) In order to allow for flexibility in the implementation of the work programme, it is appropriate to define the term 'substantial change' within the meaning of Article 94(4) of Delegated Regulation (EU) No 1268/2012.
- (9) The special measure provided for by this Decision is in accordance with the opinion of the IPA II Committee set up by Article 13 of Regulation (EU) No 231/2014.

HAS DECIDED AS FOLLOWS:

Article 1

Adoption of the special measure

The special measure on education related support to refugees in Turkey, to be financed from the General Budget of the European Union for the year 2018 through the Instrument for Pre-accession Assistance (IPA II), as set out in the Annex, is hereby adopted.

Article 2

Financial contribution

The maximum Union contribution for the implementation of the special measure referred to in Article 1 is set at EUR 400 000 000 and shall be financed from the appropriations entered in budget line 22.020302 of the general Union budget for 2018.

The appropriations provided for in the first sub-paragraph may also cover interest due for late payment.

⁵ Commission Decision of 14 March 2018 on the Facility for Refugees in Turkey amending Commission Decision C(2015)9500 as regards the contribution of the Facility for Refugees in Turkey, OJ C106, 21.03.2018, p.4

⁶ Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (OJ L 362, 31.12.2012, p. 1).

The implementation of this Decision, as regards the 2018 budget appropriations, is subject to the availability of the appropriations provided in the general Union budget for 2018.

Article 3

Grants without a call for proposals

Grants may be awarded without a call for proposals to the Ministry of National Education of Turkey, in accordance with the conditions specified in the Annex.

Article 4

Non-substantial changes

The following changes shall not be considered substantial provided that they do not significantly affect the nature and objectives of the action:

- (a) increases or decreases of not more than 20% of the maximum contribution set in the first paragraph of Article 2, and not exceeding EUR 10 million;
- (b) cumulated reassignments of funds between specific actions not exceeding 20% of the maximum contribution set in the first paragraph of Article 2;
- (c) extensions of the implementation and closure period;
- (d) within the limits of 20% referred to in points (a) and (b) above, up to 5% of the contribution referred to in the first paragraph of Article 2 of this financing decision may serve to finance actions which were not foreseeable at the time this financing decision was adopted, provided that those actions are necessary to implement the objectives and the results set out in the special measure.

The authorising officer responsible may adopt such non-substantial changes in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 24.7.2018

For the Commission
Johannes HAHN
Member of the Commission