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**COMMISSION IMPLEMENTING DECISION**

**of 31.8.2023**

**on the financing of the special measure in favour of Syria for 2023**

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## on the financing of the special measure in favour of Syria for 2023

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU, Euratom) 2018/1046<sup>1</sup> 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) 2021/947<sup>2</sup> 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(4) thereof,

Whereas:

- (1) In order to ensure the implementation of the special measure in favour of Syria for 2023, it is necessary to adopt a 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 TFEU<sup>3</sup>.
- (3) The adoption of a special measure is justified in light of the ongoing repression by the regime and restrictive measures taken by the Council of the European Union, whereby the Commission has suspended its cooperation with the Syrian Government in May 2011. Since then, normal programming for Syria has not been possible due to the ongoing conflict. Direct support to the affected population in Syria however has been maintained through various special measures complementary to humanitarian assistance in sectors such as education, livelihoods and civil society. Taking into account the crisis situation and the need to respond to the increasing needs, a declaration of crisis was issued in February 2012. Since then, the declaration has been annually extended due to the deteriorating situation. The most recent prolongation was issued in July 2022 and will be valid until June 2023. This special measure falls under

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<sup>1</sup> OJ L 193, 30.7.2018, p.1.

<sup>2</sup> OJ L 209, 14.6.2021, p.1.

<sup>3</sup> [www.sanctionsmap.eu](http://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.

the Joint Communication to the European Parliament and the Council ‘Elements for an EU strategy for Syria’<sup>4</sup>.

- (4) The special measure is in line with the amounts pledged at the 6<sup>th</sup> Brussels conference on the future of Syria and the region on 10<sup>th</sup> May 2022 as well as at the Donor’s conference of 20 March 2023.
- (5) The objectives pursued by the special measure to be financed under the Neighbourhood geographic programme of Regulation (EU) 2021/947 should enhance peace and resilience efforts in Syria.
- (6) The action entitled "2023 special measure in support of the Syrian people" aims at enhancing peace and resilience efforts in Syria, by (i) increasing the resilience of the local population, particularly in areas affected by the earthquakes of 6 February 2023 and (ii) supporting positive change through promoting local actors’ “agency” role, human rights and justice and accountability efforts.
- (7) In accordance with Article 43 of Regulation (EU) 2021/947, the action set out in Annex is of a global, trans-regional or regional nature. Due to the action’s nature and the importance to ensure complete regional coverage, the eligibility of the action extends exceptionally to the countries identified in the action document, as their participation constitutes a substantial element to ensure the coherence and effectiveness of Union financing or to foster regional or trans-regional cooperation.
- (1) The objective and design of the action fulfil the criteria for Official Development Assistance (ODA) 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. The countries benefiting from the action which are included in the list of ODA recipients, are identified in the respective action document.
- (9) Pursuant to Article 62(1), point (c) of the Financial Regulation, indirect management is to be used for the implementation of the measure.
- (10) 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.
- (11) 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 Regulation and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of the Financial Regulation before a contribution agreement can be signed.
- (12) 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.
- (13) In order to allow for flexibility in the implementation of the 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.
- (14) The measure provided for in this Decision is in accordance with the opinion of the NDICI-GE Neighbourhood Committee.

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<sup>4</sup> Joint communication of the European Commission and the High Representative to the European Parliament and the Council ‘Elements for an EU strategy for Syria’. JOIN (2017)11 of 14/03/2017.

HAS DECIDED AS FOLLOWS:

*Article 1*  
*The measure*

The annual financing Decision, constituting the annual work programme for the implementation of the special measure in favour of Syria for 2023, as set out in the annex, is adopted.

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

*Article 2*  
*Union contribution*

The maximum Union contribution for the implementation of the measure for 2023 is set at EUR 57 000 000, and shall be financed from the appropriations entered in budget line 14.020110 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 4.3.3 of the annex.

*Article 4*  
*Flexibility clause*

Increases<sup>5</sup> 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.

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.

Done at Brussels, 31.8.2023

*For the Commission*  
*Olivér VÁRHELYI*  
*Member of the Commission*

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<sup>5</sup>These changes can come from external assigned revenue made available after the adoption of the financing Decision.