



Brussels, 7.8.2013
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COMMISSION IMPLEMENTING DECISION

of 7.8.2013

**on a Special Measure (Part III) in favour of Palestine, to be financed from the general
budget of the European Union**

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THE EUROPEAN COMMISSION,

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

Having regard to European Parliament and Council Regulation (EC) No 1638/2006 of 24 October 2006 laying down the general provisions establishing a European Neighbourhood and Partnership Instrument (hereinafter referred to as 'the basic act') and in particular Article 13(2) 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 1605/2002¹ (hereinafter referred to as 'the Financial Regulation'), and in particular Article 84 thereof,

Whereas:

- (1) Since 2002 the Commission has set priorities for co-operation with Palestine on an ad hoc basis and Article 13 of Regulation (EC) No 1638/2006 provides for the adoption of special measures in the event of unforeseen and duly justified needs or circumstances. Given the difficult situation within Palestine, no strategy paper or multi-annual indicative programme has been established covering 2013.
- (2) The EU remains committed to assist in the economic and financial development of a future viable Palestinian State and to provide the necessary support to the post-Annapolis process.
- (3) The criteria set out in Regulation (EC) No 1638/2006 and conditions for the adoption of special measures are fulfilled. Palestine continues to be in a crisis situation, further aggravated by the effects of the conflicts in Gaza in December 2008 and November 2012, the continued economic blockade, the lack of progress in Israeli-Palestinian negotiations as well as by the lack of tangible achievements following the announcement of intra-Palestinian reconciliation.
- (4) This Decision complies with the conditions laid down in Article 94 of the 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 (hereinafter referred to as 'Rules of Application').
- (5) This Decision should decide that the Commission acknowledges and accepts the contribution from other donors pursuant to Article 21(2)(b) of the Financial Regulation, subject to the signature of the relevant agreement, and should decide on the use of such contribution.

¹ OJ L 298, 26.10.2012, p. 1.

- (6) The Commission may entrust budget-implementation tasks under indirect centralised management (indirect management with a Member State or EU agency) to the entities identified in this Decision, subject to the conclusion of a delegation agreement. The responsible authorising officer has accordingly ensured that these entities comply with the conditions of Article 56(1) of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities² (hereinafter referred to as 'the Financial Regulation 1605/2002') and of Article 35 of its Implementing Rules³.
- (7) The Commission may entrust budget-implementation tasks under joint management (indirect management with an international organisation) to the entities identified in this Decision, subject to the conclusion of a contribution agreement. The responsible authorising officer has ensured that these entities comply with the conditions of Article 53d of the Financial Regulation 1605/2002 and of Articles 35 and 43 of its Implementing Rules.
- (8) The maximum contribution of the European Union set by the present Decision should cover any possible claims for interest due for late payment on the basis of Articles 83 of the Financial Regulation and 111(4) of its Rules of Application.
- (9) The Commission is required to define the term “non-substantial change” in the sense of Article 94 (4) of the Rules of Application to ensure that any such changes can be adopted by the authorising officer by delegation, or under his or her responsibility, by sub-delegation (hereinafter referred to as the 'responsible authorising officer').
- (10) The measures provided for in this Decision are in accordance with the opinion of the European Neighbourhood and Partnership Instrument Committee set up under Article 26 of the basic act.

HAS DECIDED AS FOLLOWS:

Article 1

The Special Measure (part III) in favour of Palestine, constituted by the actions identified in the second paragraph, is approved.

The actions, the description of which is set out in the attached Annexes, shall be:

- “Governance Programme”;
- “Support to the Private Sector”;
- “Sewerage Nablus East” and
- “Support to the Delivery of Community Services in East Jerusalem”.

² OJ L 248, 16.9.2002, p. 1. These provisions remain applicable according to Article 212 of the Financial Regulation.

³ Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities. OJ L 357, 31.12.2002, p.1. These provisions remain applicable according to Article 212 of the Financial Regulation.

Article 2

The maximum contribution of the European Union for this Special Measure is set at EUR 52,000,000 to be financed from budget line 19 08 01 02 of the general budget of the European Union for 2013.

Article 3

Budget-implementation tasks under choose indirect centralised, and joint management may be entrusted to the entities identified in the attached Annexes, subject to the conclusion of the relevant agreements.

Section 4 of the Annexes referred to in the second paragraph of Article 1 sets out the elements required by Article 94(2) of the Rules of Application.

The financial contribution referred to in Article 2 shall also cover any possible interest due for late payment.

Article 4

Increases or cumulated changes of the allocations to the specific actions not exceeding 20% of the maximum contribution of the European Union shall not be considered substantial, provided that they do not significantly affect the nature and objectives of the actions. The use of contingencies shall be taken into account in the ceiling referred to in this article.

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

Done at Brussels, 7.8.2013

For the Commission

Štefan FÜLE

Member of the Commission

ANNEXES

Special Measure in favour of Palestine

- Annex 1: Action Fiche for "Governance Programme"
- Annex 2: Action Fiche for "Support to the Private Sector"
- Annex 3: Action Fiche for "Sewerage Nablus East"
- Annex 4: Action Fiche for "Support to the Delivery of community Services in East Jerusalem"