



Brussels, 9.8.2022
C(2022) 5632 final

COMMISSION IMPLEMENTING DECISION

of 9.8.2022

on the financing of the individual measure in favour of Palestine¹ refugees for 2022-2024

¹ This designation shall not be construed as recognition of a State of Palestine and is without prejudice to the individual positions of the Member States on this issue.

COMMISSION IMPLEMENTING DECISION

of 9.8.2022

on the financing of the individual measure in favour of Palestine¹ refugees for 2022-2024

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU, Euratom) 2018/1046² 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) 2021/947³ 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); thereof,

Whereas:

- (1) In order to ensure the implementation of the individual measure in favour of Palestine refugees for 2022-2024, it is necessary to adopt a multiannual financing Decision, which constitutes the multiannual work programme, for 2022-2024. Article 110 of Regulation (EU, Euratom) 2018/1046 ('the Financial Regulation') establishes detailed rules on financing decisions.
- (2) The envisaged assistance should comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU⁴.
- (3) The objectives pursued by the multiannual individual measure to be financed under the Neighbourhood geographic programme of Regulation (EU) 2021/947 should contribute to maintain basic living conditions and human development of Palestine refugees. In particular it aims at supporting United Nations Relief and Works Agency (UNRWA) in delivering uninterrupted essential basic services within the Agency's Programme Budget, and helping UNRWA in moving forward with the planning and implementation of specific operations and internal reforms linked to responsibility, modernisation and accountability.

¹ This designation shall not be construed as recognition of a State of Palestine and is without prejudice to the individual positions of the Member States on this issue.

² OJ L 193, 30.7.2018, p.1.

³ OJ L 209, 14.6.2021, p.1.

⁴ 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) The Commission aims at adopting a multi-annual programming document for the West Bank and Gaza Strip as soon as possible in the form of a Joint Programming Document – Joint Strategy currently under preparation with EU Member States and should be aligned to the Palestinian National Development Plan of the Palestinian Authority. When adopted, this programming document should cover the assistance to Palestine refugees envisaged in this action.
- (5) However this current action is urgently needed as UNRWA faces each year a budget shortage which could jeopardise the delivery of services to Palestine refugees. In addition, in the EU-UNRWA 2021-2024 Joint Declaration⁵, the EU committed to multiannual funding, which is essential for greater predictability of UNRWA's financing model. No other means of financing this measure are available at present for 2022 and predictability should be ensured also for 2023 and 2024. It is therefore justified in the present case to adopt a multiannual individual measure pursuant to Article 23(3) of Regulation (EU) No 2021/947 that is not based on a programming document.
- (6) Pursuant to Article 26(1) of Regulation (EU) 2021/947, indirect management is to be used for the implementation of the measure.
- (7) 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. To this 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) thereof before a contribution agreement can be signed.
- (8) 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.
- (9) In order to allow for flexibility in the implementation of the measure, it is appropriate to allow changes which should not be considered substantial for the purposes of Article 110(5) of the Financial Regulation.
- (10) The measure provided for in this decision is in accordance with the opinion of the Committee established under Article 45 of Regulation (EU) 2021/947.

HAS DECIDED AS FOLLOWS:

Article 1
The measure

The multiannual financing Decision, constituting the multiannual work programme for the implementation of the individual measure in favour of Palestine refugees, as set out in the annex, is adopted.

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

⁵ https://ec.europa.eu/neighbourhood-enlargement/joint-declaration-between-european-union-and-united-nations-relief-and-works-agency-palestine_en

Article 2
Union contribution

The maximum Union contribution for the implementation of the measure for 2022, 2023, 2024 is set at EUR 261 000 000, and shall be financed from the appropriations entered in budget line 14.020110 of the general budget of the Union.

- EUR 97 000 000 for 2022
- EUR 82 000 000 for 2023
- EUR 82 000 000 for 2024

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

The implementation of this Decision is subject to the availability of the appropriations provided for in the general budget of the Union for 2023 and 2024 as adopted by the budgetary authority.

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 4.3.1 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 the first paragraph of Article 2, considering each financial year separately, 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 within the meaning of Article 110(5) of the Financial Regulation, 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 acting in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 9.8.2022

For the Commission
Olivér VÁRHELYI
Member of the Commission

⁶ These changes can come from external assigned revenue made available after the adoption of the financing Decision