



Brussels, 17.12.2019
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COMMISSION IMPLEMENTING DECISION

of 17.12.2019

adopting the second special measure for the Union's 2019 contribution to the European Union Regional Trust Fund in Response to the Syrian Crisis, 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 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 Article 2(1) thereof,

Having regard to Regulation (EU, Euratom) No 2018/1046 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 966/2012², and in particular Article 110 thereof,

Whereas:

- (1) By its Decision C(2014) 9615 of 10.12.2014 the Commission established the European Union Regional Trust Fund in Response to the Syrian Crisis (hereinafter, "the Trust Fund"), for a duration of 60 months. To widen the scope of the Trust Fund, that Decision was amended by the Commission Decision C(2015) 9691 of 21.12.2015.
- (2) The objectives pursued by this Trust Fund are to provide a coherent and reinforced aid response to the Syrian and Iraqi crises and the massive displacement resulting from them on a multi-country scale. In pursuit of this objective, the Trust Fund addresses the needs of refugees, internally displaced persons, and returnees, while also providing assistance to the communities and the administrations in which those groups find themselves, as regards resilience and early recovery. Assistance under the Trust Fund should be complementary to Union humanitarian assistance.
- (3) Since the establishment of the Trust Fund, the Council adopted conclusions on the Joint Communication "Elements for an EU regional strategy for Syria and Iraq as well as the ISIL/Da'esh threat"³, guiding the Trust Fund's first years of operations, as referenced in the strategic orientation document for the Trust Fund adopted by the first Trust Fund Board held on 29 May 2015. Joint Communications on elements for a European Union strategy for Syria were adopted on 14 March 2017 and on 8 January 2018, followed by Council conclusions on 16 April 2018, 22 January 2019 and 15 July 2019.

¹ OJ L 77, 15.3.2014, p. 95.

² OJ L 193, 30.7.2018, p.1.

³ Council Conclusions 9105/16 of 23 May 2016 and joint communication JOIN (2015) 2 final.

- (4) At the international Brussels conference on supporting the future of Syria and the region on 14 March 2019, the Commission pledged EUR 560,000,000 in support from the Union budget to Syrians in Jordan, Lebanon and inside Syria and to their host communities. The majority of the non-humanitarian part of this pledge to support Syrians in Lebanon and Jordan should be mobilised under the European Neighbourhood Instrument⁴ and implemented by the Trust Fund.
- (5) The objectives pursued by this Decision are therefore to meet the Commission pledge and enable the Trust Fund to propose and adopt new programmes responding to priority needs, especially in the field of livelihoods and social services for Syrian refugees in Jordan, Lebanon and their host communities. The expected results include the continued education of Syrian refugee children in Lebanon, social services in health, water and environmental sanitation, and livelihoods in both Jordan and Lebanon. The implementation of this Special Measure is subject to the extension of the duration of the Trust Fund. The Decision will contribute to the implementation of the core principles of the Global Compact on Refugees, the Agenda 2030 and the rollout of the EU policy framework on forced displacement (Lives in Dignity). It will be an important part of the EU's deliverables at the first Global Refugee Forum in December 2019 and reinforces the EU's commitment to responsibility sharing with countries hosting large numbers of refugees in the Syria crisis region.
- (6) The EU regional Trust Fund in response to the Syrian crisis is financed by the Union budget as well as other donors. Over its duration it has pooled EUR 1.8 billion, of which EUR 1.62 billion from the Union budget and EUR 187 million from other donors.
- (7) Therefore, it is necessary to adopt a financing Decision, which complies with the conditions of Article 110 of Regulation (EU, Euratom) No 2018/1046.
- (8) The envisaged assistance is deemed to follow the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU⁵.
- (9) It is necessary to allow for the payment of interest due for late payment on the basis of Article 116(5) of Regulation (EU, Euratom) 2018/1046.
- (10) For the implementation of this Decision, it is appropriate to define the changes that should be considered as not "substantial" within the meaning of Article 110(5) of Regulation (EU, Euratom) No 2018/1046 in order to ensure that any such changes can be adopted by the responsible authorising officer.
- (11) The measure provided for in this Decision is in accordance with the opinion of the European Neighbourhood Instrument Committee established under Article 15 of Regulation (EU) No 232/2014.
- (12) Pursuant to Article 4(7) of Regulation (EU) No 236/2014, indirect management is to be used for the implementation of the programme.
- (13) 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 Regulation (EU,

⁴ Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument (OJ L 77, 15.3.2014, p. 27).

⁵ 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.

Euratom) 2018/1046. 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 Regulation (EU, Euratom) 2018/1046 and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of Regulation (EU, Euratom) 2018/1046 before a contribution agreement can be signed.

HAS DECIDED AS FOLLOWS:

Article 1

The measure

The second special measure for the Union's ENI 2019 contribution to the European Union Regional Trust Fund in response to the Syrian Crisis, to be financed from the general budget of the European Union and the annual financing Decision is approved.

Article 2

Financial contribution

The financial contribution of the European Union to the Trust Fund in 2019 is set at a maximum amount of EUR 34,520,223.52, to be financed from budget line 22.040103 of the general budget of the European Union for 2019.

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

Article 3

Implementation modalities

The financial contribution to the Trust Fund shall be implemented:

- directly (i) by the Commission's departments, including its staff in the Union Delegations under the authority of their respective Head of Delegation, (ii) or through executive agencies;
- indirectly with third countries or the bodies they have designated, international organisations and their agencies, public law bodies or bodies governed by private law with a public service mission to the extent that the latter provide adequate financial guarantees.

The Constitutive Agreement signed with the donors defines the rules and procedures applying to the management and governance of the Trust Fund.

Article 4

Flexibility clause

Increases or decreases of up to EUR 10 million not exceeding 20% of the contribution set in the first paragraph of Article 2, 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 the Financial Regulation, provided that they 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, 17.12.2019

For the Commission
Olivér VÁRHELYI
Member of the Commission