



Brussels, 19.12.2023
C(2023) 9178 final

COMMISSION IMPLEMENTING DECISION

of 19.12.2023

on the financing of the annual action plan in favour of Palestine¹ for 2023

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

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on the financing of the annual action plan in favour of Palestine¹ for 2023

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(2) thereof,

Whereas:

- (1) In order to ensure the implementation of the annual action plan in favour of Palestine for 2023, it is necessary to adopt an annual 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.⁴
- (3) The Commission has adopted the Multiannual Indicative Programme for Palestine for the period 2021-2024 (European Joint Strategy in support of Palestine 2021-2024),⁵ which sets out the following priorities: 1. Democracy, Rule of Law and Human Rights, 2. Governance Reform, Fiscal Consolidation and Policy, 3. Sustainable Service Delivery, 4. Climate Change, Access to Self-Sufficient Water and Energy Services, 5. Sustainable Economic Development.
- (4) The objectives pursued by the annual action plan to be financed under the Neighbourhood geographic programme of Regulation (EU) 2021/947 should preserve the viability of the two-state solution.

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² OJ L 193, 30.7.2018, p.1.

³ OJ L 209, 14.6.2021, p.1.

⁴ www.sanctionsmap.eu 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, the OJ prevails.

⁵ C(2022) 8279 final of 22.11.2022

- (5) The action entitled ‘PEGASE⁶ - Direct Financial Support to the Palestinian Authority 2023’ aims to contribute to a democratic, accountable, economically viable Palestinian state as well as the fulfilment of social rights.
- (6) The objective and design of the action fulfils the criteria for Official Development Assistance 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. Palestine is included in the list of ODA recipients.
- (7) Pursuant to Article 62(1), point (c) of the Financial Regulation, indirect management is to be used for the implementation of the action plan.
- (8) 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.
- (9) 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 Regulation⁷ and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of the Financial Regulation before a contribution agreement can be signed.
- (10) 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.
- (11) In order to allow for flexibility in the implementation of the action plan, it is appropriate to determine the changes which should not be considered substantial for the purposes of Article 110(5) of the Financial Regulation.
- (12) The action plan provided for in this decision is in accordance with the opinion of the NDICI Committee established under Article 45 of Regulation (EU) 2021/947.

HAS DECIDED AS FOLLOWS:

Article 1
The action plan

The financing decision, constituting the annual work programme for the implementation of the annual action plan in favour of Palestine for 2023 is adopted.

The action plan shall consist of the action ‘PEGASE - Direct Financial Support to the Palestinian Authority 2023’, set out in the annex.

Article 2
Union contribution

The maximum Union contribution for the implementation of the action plan for 2023 is set at EUR 118 400 000, and shall be financed from the appropriations entered in budget line 14.020110 of the general budget of the Union.

⁶ Mécanisme Palestino - Européen de Gestion et d'Aide Socio-Economique

⁷ Except for the cases referred to in Article 154(6) of the Financial Regulation, where the Commission may decide, not to require an ex-ante assessment.

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 4.3.4. of the Annex.

Article 4

Flexibility clause

Increases or decreases of up to EUR 10 million and not exceeding 20% of the contribution set in Article 2, first paragraph, or cumulated changes⁸ 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, 19.12.2023

For the Commission

Olivér VÁRHELYI

Member of the Commission

⁸ These changes can come from assigned revenue made available after the adoption of the financing decision.