

**COMMISSION DECISION
C(2009)5657**

of 13/07/2009

**on a special measure in favour of the occupied Palestinian territory to be financed under
Article 19 08 01 02 of the general budget of the European Communities**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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 and in particular Article 13 paragraphs 2 and 3 thereof,

Whereas:

- (1) Since 2002 the Commission set priorities for co-operation with the occupied Palestinian territory on an ad hoc basis and Article 13 of Regulation (EC) n° 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 the occupied Palestinian territory, no strategy paper or multi-annual indicative programme has been established.
- (2) PEGASE provides direct financial support for the Palestinian Reform and Development Plan (PRDP) and is helping to sustain the Palestinian Authority's (PA) efforts in the four PRDP key sectors of governance, social development, economic and private sector development and public infrastructure.
- (3) This decision will allow PEGASE to continue helping the PA meet its obligations towards civil employees, pensioners and vulnerable sectors of Palestinian society and maintain essential services for the population.
- (4) The present decision constitutes a financing decision within the meaning of Article 75 of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities¹ and Article 90 of Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of the Financial Regulation applicable to the general budget of the European Communities².

¹ OJEU L 248 of 16.09.2002 p. 1. Regulation last amended by Regulation (EC, Euratom) No1995/2006 (OJEU L 390, 30.12.2006, p.1)) and by Council Regulation (EC) N° 1525/2007 of 17 December 2007 (OJ L 343, 27.12.2007, p.9).

² OJEU L 357 of 31.12.2002, p.1. Regulation last amended by Regulation (CE, Euratom) No 478/2007 (OJEU L 111, 28.04.2007, p.13).

- (5) It is appropriate to define the term “substantial change” in the meaning of Article 90 (4) of Regulation (EC, Euratom) No 2342/2002 to ensure that any substantial change in this decision shall follow the same procedure as the initial decision.
- (6) The special measure provided for in this decision is in accordance with the opinion of the ENPI Committee set up under Article 26 of Regulation (EC) No 1638/2006,

HAS DECIDED AS FOLLOWS:

Article 1

The special measure for the ENPI in favour of the occupied Palestinian territory constituted by the action "Contribution to PEGASE Support to Recurrent Expenditures of the PA (part II)", the text of which is set out in the Annex, is approved.

Article 2

The maximum contribution of the Community is set at EUR 39 000 000 to be financed within the limits of the available resources of budget Article 19 08 01 02 of the general budget of the European Communities for 2009.

Article 3

Within the global indicative budget of the action, cumulated changes not exceeding 20% of the maximum contribution of the Community, shall not be considered substantial, provided that they do not significantly affect the nature and objectives of the special measure.

The authorising officer by delegation may introduce non substantial changes to the special measure in accordance with the principles of sound financial management.

Done at Brussels,

For the Commission
Benita Ferrero-Waldner
Member of the Commission

ANNEX

Annex: PEGASE: Support to Recurrent Expenditures of the PA (part II)