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**COMMISSION IMPLEMENTING DECISION**

**of 18.4.2013**

**on the 2013 Special Measure for refugees from Syria in Lebanon to be financed from the  
general budget of the European Union**

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### on the 2013 Special Measure for refugees from Syria in Lebanon to be financed from the general budget of the European Union

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument<sup>1</sup> (hereinafter referred to as 'the basic act'), and in particular Article 13 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 1605/2002<sup>2</sup> (hereinafter referred to as 'the Financial Regulation'), and in particular Article 84 thereof,

Having regard to 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<sup>3</sup> (hereinafter referred to as 'the Rules of Application'), and in particular Article 94 thereof,

Whereas:

- (1) The Commission has adopted the Country Strategy Paper for Syria<sup>4</sup> and the Multiannual Indicative Programme for the period 2011-2013<sup>5</sup>. In light of the ongoing repression and restrictive measures taken by the Council of the European Union, the Commission has suspended on 25 May 2011 the National Indicative Programme for Syria.
- (2) The objective pursued by this measure is to alleviate the medium and longer term needs of both refugees from Syria and host communities in areas in Lebanon with high Syrian refugee concentrations.
- (3) This Decision constitutes a financing Decision within the meaning of Article 84 of the Financial Regulation and complies with the conditions laid down in Article 94 of the Rules of Application.
- (4) 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 relevant authorising officer has ensured that these entities comply with the conditions of Article 53d of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the

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<sup>1</sup> OJ L 310, 9.11.2006, p. 1.

<sup>2</sup> OJ L 298, 26.10.2012, p. 1.

<sup>3</sup> OJ L 362, 31.12.2012, p. 1.

<sup>4</sup> Decision C(2007)672 of 27.02.2007.

<sup>5</sup> Decision C(2010)1144 of 2.03.2010.

Financial Regulation applicable to the general budget of the European Communities<sup>6</sup> (hereinafter referred to as 'the Financial Regulation 1605/2002') and of Articles 35 and 43 of its Implementing Rules<sup>7</sup>.

- (5) The Commission may entrust budget-implementation tasks under decentralised management (indirect management with the partner country) to the beneficiary third country identified in this Decision, subject to the conclusion of a financing agreement. The degree of decentralisation foreseen complies with the conditions of Article 53c and 56 of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities<sup>8</sup> (hereinafter referred to as 'the Financial Regulation 1605/2002').
- (6) The Commission should authorise the eligibility of costs as of a date preceding that of the signature of the contribution agreement with UNRWA for the reasons of extreme urgency in crisis management aid or in situations of imminent or immediate danger to the stability of a country, including by an armed conflict, where an early involvement engagement of the Union may prevent an escalation. In this case, this retroactivity of cost eligibility is needed to ensure that the assistance to a population severely affected by the Syrian crisis will suffer no gap of funding.
- (7) The maximum contribution of the European Union set by this Decision should cover any possible claims for interest due for late payment on the basis of Article 92 of the Financial Regulation and Article 111(4) of the Rules of Application.
- (8) 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 relevant authorising officer').
- (9) The measures provided for in this Decision are in accordance with the opinion of the ENPI Committee set up under Article 26 of the basic act,

HAS DECIDED AS FOLLOWS:

#### *Article 1*

##### **Adoption of the Special Measure**

The 2013 Special Measure for refugees from Syria in Lebanon, constituted by the action identified in the second paragraph, is approved.

The action, the description of which is set out in the attached Annex shall be:

- EU contribution to the Government of Lebanon Response Plan to the Syrian Crisis.

#### *Article 2*

##### **Financial contribution**

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<sup>6</sup> OJ L 248, 16.9.2002, p.1. These provisions remain applicable until 31 December 2013 according to Article 212 of the Financial Regulation.

<sup>7</sup> 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 until 31 December 2013 according to Article 212 of the Financial Regulation.

<sup>8</sup> OJ L 248, 16.9.2002, p.1. These provisions remain applicable until 31 December 2013 according to Article 212 of the Financial Regulation.

The maximum contribution of the European Union authorised by this Decision for the implementation of this Special Measure is set at EUR 30 million to be financed from budget line 19 08 01 01 of the general budget of the European Union for 2013.

*Article 3*

**Implementation modalities**

The budget-implementation tasks under decentralised and joint management shall be entrusted to the entities identified in the attached Annex, subject to the conclusion of the relevant agreements.

The Commission authorises the eligibility of costs prior to the signature of the contribution agreement with UNRWA as of the dates identified in the Annex.

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

*Article 4*

**Non-substantial changes**

Cumulated changes of the allocations to the specific actions, including the use of the contingency, not exceeding 20% of the contribution referred to in the first paragraph of Article 2 shall not be considered substantial, provided that they do not significantly affect the nature and objectives of the actions . This may include an increase of this contribution by up to 20%. The total amount reserved for contingency is EUR 0.

The responsible authorising officer may amend this Decision to introduce non-substantial changes in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 18.4.2013

*For the Commission*  
*Štefan FÜLE*  
*Member of the Commission*

**ANNEX**

Action Fiche "EU contribution to the Government of Lebanon Response Plan to the Syrian Crisis"