



Brussels, 27.11.2018
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COMMISSION IMPLEMENTING DECISION

of 27.11.2018

**on the financing of the special measure for the 2018 DCI contribution to the European
Union Regional Trust Fund in response to the Syrian crisis**

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THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU, Euratom) 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 966/2012¹, and in particular Article 110 thereof,

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 action² and in particular Article 2(1) thereof,

Whereas:

- (1) In order to ensure the implementation of the special measure, it is necessary to adopt an annual financing decision for 2018. Article 110 of Regulation (EU, Euratom) 2018/1046 establishes detailed rules on financing decisions.
- (2) The envisaged assistance is to comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU³.
- (3) The Commission has adopted a Decision⁴ for the establishment of the European Union Regional Trust Fund in response to the Syrian crisis (the "Trust Fund") for a duration of 60 months. According to Article 2 of this Decision, the Constitutive Agreement established a Trust Fund Board, chaired by the Commission, to ensure the representation of the donors, and of the non-contributing Member States as observers, and to decide on the overall strategy of the Union Trust Fund; and an Operational Board, chaired by the Commission and representing the donors with a minimum contribution, to decide on the allocation of funds to individual actions. The Decision lays down the principles for the rules of governance of the Trust Fund. The Director-General of Directorate-General for Neighbourhood and Enlargement Negotiations is designated as the authorising officer responsible for managing the Trust Fund.
- (4) The primary objective of the Trust Fund is to provide a coherent and reinforced aid response to the Syrian and Iraqi crises and the massive displacement resulting from

¹ OJ L 193, 30.7.2018, p.1.

² OJ L 77, 15.3.2014, p. 95.

³ 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.

⁴ Commission Decision of 10 December 2014 on the establishment of a European Union Regional Trust Fund in response to the Syrian crisis, "the Madad Fund", C(2014) 9615.

them on a multi-country scale. In pursuit of this objective, the Trust Fund shall address the needs of three groups: refugees, internally displaced persons, and returnees, and provide assistance to the communities and the administrations in which those groups find themselves, as regards resilience and early recovery. The Trust Fund should thus focus on current priority needs and may also be mobilised for reconstruction and state-building needs in a future post-conflict scenario in Syria, once conditions for a credible transition are met. Assistance inside Syria and Iraq should be delivered taking the actions of other existing international funding instruments into account and ensuring that there is no overlap with such existing international funding instruments.

- (5) Assistance from the Trust Fund will be complementary to Union humanitarian assistance on the basis of Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid.
- (6) On 22 January 2018, the Council adopted the 'EU Strategy for Iraq' , which specifically underscores "the need to deliver basic public services and respond to the concrete needs of all Iraqi citizens" and "calls on Iraq to uphold the long-standing Iraqi policy of protection and support of people residing and seeking protection in Iraq".
- (7) In view of these new needs, the Trust Fund is considered the best suited instrument of the Union to provide urgently needed additional support to internally displaced and refugees in Iraq, in complement to short-term humanitarian aid and long-term development support. It can swiftly mobilise funding and respond to urgent needs.
- (8) The Trust Fund will pursue its objectives through the pooling of resources of the existing but often scattered capacities of donors and agencies in order to analyse, identify and implement high-impact projects in the region. These pooled capacities will make a direct contribution to the identification of actions to be implemented in Turkey, Lebanon, Jordan, Iraq and Egypt, Syria, and any other country in the wider region including the Western Balkans that will be presented to all contributors to the Trust Fund as part of a diversified portfolio.
- (9) Since the establishment of this Trust Fund in December 2014, the European Union has made financial contributions of EUR 381 million from the European Neighbourhood Instrument established by Regulation (EU) N° 232/2014 of the European Parliament and of the Council, a contribution of EUR 228 million on the basis of the Instrument for Pre-accession II established by Regulation (EU) N° 231/2014 of the European Parliament and of the Council, and a contribution of EUR 29.4 million on the basis of the Development Cooperation Instrument established by Regulation (EU) No 233/2014 of the European Parliament and of the Council. All financial contributions of the Union will comply with the scope of the relevant financial instruments from which these contributions are made. The contribution set by this Decision will be complementary to other EU assistance deployed in Iraq.
- (10) This contribution to the Trust Fund will provide a response to the needs of refugees, internally displaced persons, returnees, host communities and their administrations in Iraq.
- (11) .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.
- (12) 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 Regulation (EU, Euratom) 2018/1046.

(13) The measure provided for in this decision is in accordance with the opinion of the Development Cooperation Instrument Committee set up under Article 19 of Regulation (EU) No 233/2014,

HAS DECIDED AS FOLLOWS:

Article 1

Union contribution

The maximum Union contribution to the Union Trust Fund in response to the Syrian crisis (hereinafter the “Trust Fund”) is set at EUR 15 000 000 and shall be financed from the appropriations entered in the following lines of the general budget of the Union:

- (a) budget line 21.020400: EUR 10 000 000;
- (b) budget line 21.020705: EUR 5 000 000.

Article 2

Implementation modalities

The Trust Fund shall implement the contribution in accordance with the following methods:

(a) 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;

(b) 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 bodies governed by private law provide adequate financial guarantees.

The Agreement establishing the Trust Fund concluded by the donors defines the rules and procedures applying to the management and governance of the Trust Fund.

Article 3

Flexibility clause

Increases or decreases of up to EUR 10 000 000 of the contribution of the European Union to the Trust Fund, not exceeding 20% of the contribution referred to in Article 1, 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 Regulation (EU, Euratom) 2018/1046, 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, 27.11.2018

For the Commission
Neven MIMICA
Member of the Commission