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COMMISSION DECISION

of 11.12.2020

on fourth amending Commission Decision C(2014) 9615 of 10.12.2014 on the establishment of a European Union Regional Trust Fund in response to the Syrian crisis, "the Madad Fund"

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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) 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 966/2012¹, and in particular Article 234(5) 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, "the Madad Fund" (hereinafter referred to as 'the Trust Fund'), in order to provide a coherent and reinforced aid response to the Syrian crisis and the massive displacement resulting from it across the region.
- (2) On 15.12.2014, Italy and the European Commission, on behalf of the Union, signed the Agreement establishing the Trust Fund ('the Constitutive Agreement') for a duration of 60 months from the signature thereof up to 14 December 2019.
- (3) By its Decision C(2015) 9691 of 21.12.2015² the Commission amended the above Decision C(2014) 9615 in order to widen the scope of the Trust Fund.
- (4) By its Decision C(2019) 7621 of 31.10.2019³ the Commission amended Decision C(2014) 9615 for the second time to extend the duration of the Trust Fund to 72 months up to 14 December 2020.
- (5) By its Decision C(2020) 8645 of 11.12.2020⁴ the Commission amended Decision C(2014) 9615 for the third time to modify the provisions related to donors' obligation to pay interest on late paid contributions.

¹ OJ L 193, 30.7.2018, p.1.

² Commission Decision C(2015)9691 of 21.12.2015 amending Decision C(2014)9615 of 10.12.2014 on the establishment of a European Union Regional Trust Fund in response to the Syrian crisis, "the Madad fund".

³ Commission Decision C(2019)7621 of 31.10.2019 amending Decision C(2014)9615 of 10.12.2014 on the establishment of a European Union Regional Trust Fund in response to the Syrian crisis, "the Madad fund".

⁴ Commission Decision C(2020)8645 of 11.12.2020 amending Decision C(2014)9615 of 10.12.2014 on the establishment of a European Union Regional Trust Fund in response to the Syrian crisis, "the Madad fund".

- (6) As of November 2020, there were over 5.5 million Syrian refugees registered by the United Nations High Commissioner for Refugees in the region.⁵ This represents an increase of more than 2.3 million since the Trust Fund was established. More than nine years into the crisis, many refugees have depleted their resources and exhausted their coping mechanisms, further increasing their vulnerability. The impact of the crisis is also heavily affecting the already overstretched host communities, in particular in Lebanon and Jordan that host the largest numbers of registered refugees per capita in the world. In addition, the coronavirus pandemic is further exacerbating the situation.
- (7) The Union and its Member States have collectively mobilised more than EUR 20 billion in response to the Syrian crisis since 2011 and re-confirmed their continued engagement with significant pledges for 2020 and 2021 at the Brussels IV conference held on 30 June 2020. A large part of the non-humanitarian funding has been provided through the Trust Fund.
- (8) Over the past five and a half years⁶, the Trust Fund has mobilised EUR 2.2 billion, including over EUR 240 million in voluntary contributions from 21 Member States, Turkey and the United Kingdom, and EUR 2 billion from various instruments of the EU budget. The available budget has been fully allocated by the Board and out of that, EUR 2 billion has already been contracted to more than 85 projects. The Trust Fund is already supporting more than 7 million people, both refugees and vulnerable people in the host communities, with access to education, livelihoods, health care, water and sanitation, child protection and social assistance.
- (9) The reasons leading to the previous extension of the Fund remain valid. The Trust Fund, through its inclusive governance mechanism, ensures a joint response by engaging Member States actively, allowing the Union to operate flexibly and adapt to the overall dynamics of the region; it thus generates clear managerial advantages. By its scale and scope, the Trust Fund reaches a large group of beneficiaries, offering a comprehensive development response to a protracted displacement crisis. The Trust Fund has therefore generated added value, compared to the efforts the Union and its Member States could have undertaken separately. The Trust Fund does not duplicate other existing funding channels and its objectives are aligned with those of the instruments that fund it.
- (10) The Trust Fund Board meeting of 22 September 2020 acknowledged the need for a smooth transition of the current Union support to the Syria crisis into the architecture of the new Multiannual Financial Framework (2021 – 2027). It also recognised that the Syrian refugee crisis is continuing and that a tool such as the Trust Fund is required beyond its current duration. On the basis of a report presented by the Commission, the Board requested unanimously a second and last extension of the Trust Fund for 12 months until 14 December 2021. At the meeting and thereafter, several donors have pledged new contributions to the Trust Fund. The extension will also allow for part of the pledges from the Brussels IV Conference to be channelled through the Trust Fund.
- (11) In view of the continued needs and existing situation, currently the Trust Fund is the best suited instrument of the Union to provide urgently needed additional support to all third countries affected by the massive displacement triggered by the Syrian crisis, aggravated by the COVID-19 pandemic, in complement to short term humanitarian aid

⁵ <https://data2.unhcr.org/en/situations/syria>

⁶ As of 30 June 2020.

and civil protection support, also to help Internally Displaced Persons in Iraq. It can swiftly mobilise funding and respond to urgent needs.

- (12) Therefore, upon presentation of a report justifying the second and last extension as well as confirming compliance with conditions outlined in Article 234(3) of the Regulation (EU, Euratom) No 2018/1046, and upon request of the Board of the Trust Fund, the Commission considers that Decision C(2014) 9615 should be further amended for a last, limited duration of 12 months in order to ensure a smooth transition into the new Multiannual Financial Framework.
- (13) The European Parliament and the Council have been duly consulted on the intention of the Commission to extend the duration of the Trust Fund.
- (14) Therefore, Commission Decision C(2014) 9615 should be amended accordingly.

HAS DECIDED AS FOLLOWS:

Sole article

Commission Decision C(2014) 9615 of 10.12.2014 on the establishment of a European Union Regional Trust Fund in response to the Syrian crisis, “the Madad Fund”, is modified as follows:

1. Article 4 (1) is replaced by the following:

“1. The duration of this Union Trust Fund in response to the Syrian crisis, which shall be fixed in the Constitutive Agreement, shall be 84 months from the signature of the Constitutive Agreement.”

2. Annex 1, Recital 16 is replaced by the following:

“The Trust Fund is established under the European Neighbourhood Instrument (ENI)⁷. EU instruments used in response to the Syrian crisis, such as the Development Cooperation Instrument (DCI), the Instrument for Pre-Accession Assistance (IPA), the Instrument contributing to Stability and Peace (IcSP), the European Instrument for Democracy and Human Rights (EIDHR), and funding under Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid (Article 2d) as well as the Neighbourhood, Development and International Cooperation Instrument (NDICI) may contribute to the Trust Fund within the limits laid down in the multi-annual financial framework 2014-2020 and in accordance with Article 2 of the IcSP Regulation as well as the multi-annual financial framework 2021-2027.”

3. Annex 1, Recital 23, first sentence, is replaced by the following:

“The Trust Fund is established for a period of 84 months from the signature by the Representative of the European Commission, in order to provide a short and medium-term response to the Syrian crisis in the region.”

4. Annex 1, Article 17.2.1 d), is replaced by the following:

⁷ 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.

“(d) the expiry of the duration of 84 months as of the signature of this agreement. This duration may be extended by a decision of the Commission upon request of the Operational Board.”

Done at Brussels, 11.12.2020

*For the Commission
Olivér VÁRHELYI
Member of the Commission*