



Brussels, 6.11.2019  
C(2019) 7871 final

**COMMISSION IMPLEMENTING DECISION**

**of 6.11.2019**

**on adopting a special measure for the 2019 contribution to European Union  
Regional Trust Fund in response to the Syrian crisis, to be financed from the general  
budget of the Union**

# COMMISSION IMPLEMENTING DECISION

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## **on adopting a special measure for the 2019 contribution to European Union Regional Trust Fund in response to the Syrian crisis, to be financed from the general budget of the Union**

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 966/2012<sup>1</sup>, 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 action<sup>2</sup>, and in particular Article 2(1) thereof,

Whereas:

- (1) By its Decision C(2014) 9615 of 10.12.2014, the Commission has established the European Union Regional Trust Fund in response to the Syrian crisis (the 'Trust Fund') for a duration of 60 months. This Decision has been amended by the Commission Decision C(2015) 9691 of 21.12.2015. 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 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 DG Neighbourhood and Enlargement Negotiations is designated as the authorising officer responsible for managing the Trust Fund.
- (2) 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 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, as well as provide assistance to the communities and the administrations in which these 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 into account the actions of other existing international funding

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<sup>1</sup> OJ L 193, 30.7.2018, p.1.

<sup>2</sup> OJ L 77, 15.3.2014, p. 95.

instruments and ensuring that there is no overlap with such existing international funding instruments.

- (3) 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<sup>3</sup>.
- (4) 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”.
- (5) 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.
- (6) 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, 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.
- (7) Since the establishment of this Trust Fund in December 2014, the European Union has provided financial contributions of EUR 913.47 million on the basis of the European Neighbourhood Instrument (ENI) established by Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument<sup>4</sup>, a contribution of EUR 501.42 million on the basis of the Instrument for Pre-accession (IPA II) established by Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-accession Assistance (IPA II)<sup>5</sup>, and a contribution of EUR 71.37 million on the basis of the Development Cooperation Instrument (DCI) established by Regulation (EU) No 233/2014 of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for development cooperation for the period 2014-2020<sup>6</sup>. All financial contributions of the Union will comply with the scope of the relevant financial instruments contributing to it. The contribution set by this Decision will be complementary with other EU assistance deployed in Iraq.
- (8) It is now necessary, as a special measure, to provide the Trust Fund with an additional contribution of EUR 22.5 million under the DCI, in response to the needs of refugees, internally displaced persons, returnees, host communities and their administrations in Iraq.
- (9) This new contribution will add to the implementation of the core principles of the Global Compact on Refugees, the Agenda 2030 and the rollout of the EU policy framework on forced displacement (Lives in Dignity). It will be an important part of the EU’s deliverables at the first Global Refugee Forum in December 2019 and a

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<sup>3</sup> OJ L 163, 2.7.1996, p. 1.

<sup>4</sup> OJ L 77, 15.3.2014, p. 27.

<sup>5</sup> OJ L 77, 15.3.2014, p. 11.

<sup>6</sup> OJ L 77, 15.3.2014, p. 44.

reinforcement of the EU's commitment to responsibility sharing with countries hosting large numbers of refugees, in the Syria crisis region.

- (10) In order to ensure the implementation of the special measure, for the 2019 DCI contribution to the Trust Fund to be financed from the general budget of the Union, it is necessary to adopt a financing Decision for 2019. Article 110 of Regulation (EU, Euratom) 2018/1046 establishes detailed rules on financing Decisions.
- (11) The envisaged assistance is to comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU<sup>7</sup>.
- (12) 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.
- (13) 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.
- (14) The measure provided for in this Decision is in accordance with the opinion of the DCI Committee set up under Article 19 of Regulation (EU) No 233/2014,

HAS DECIDED AS FOLLOWS:

*Article 1*  
*Special measure*

A special measure for the 2019 contribution to the European Union Regional Trust Fund in response to the Syrian crisis, to be financed from the general budget of the Union, is hereby adopted.

*Article 2*  
*Union contribution*

The maximum Union contribution for the special measure to the Trust Fund is set at EUR 22 500 000, and shall be financed from appropriations entered in the following lines of the general budget of the Union:

- (a) Budget line 21 02 04 00: EUR 15 000 000;
- (b) Budget line 21 02 07 05: EUR 7 500 000.

The appropriations provided for in the first paragraph may also cover interest due for late payment.

*Article 3*  
*Flexibility clause*

Increases or decreases not exceeding 20% of the initial contribution set in the first paragraph of Article 2, or cumulated changes to the allocations of specific actions not exceeding 20% of that contribution, and which do not cause the total contribution to exceed EUR 10 million, 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.

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<sup>7</sup> 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.

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, 6.11.2019

*For the Commission*  
*Neven MIMICA*  
*Member of the Commission*