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COMMISSION IMPLEMENTING DECISION

of XXX

on the special measure for the 2015 ENI contribution to the European Union Regional Trust Fund in response to the Syrian crisis, to be financed from the general budget of the European Union

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THE EUROPEAN COMMISSION,

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

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 action¹, and in particular Article 2(1) 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 1605/2002², and in particular Articles 84(2) and 187 thereof,

Having regard to Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union³ (hereinafter the “Rules of Application”), and in particular Article 94 thereof,

Whereas:

- (1) On 10 December 2014, a Decision⁴ for the establishment of the European Union Regional Trust Fund in response to the Syrian crisis (‘the Trust Fund’) was adopted for a duration of 60 months.
- (2) The overall objective of the Trust Fund is to provide a coherent and reinforced aid response to the Syrian crisis on a regional scale, responding primarily in the first instance to the needs of refugees from Syria in neighbouring countries, as well as of the communities hosting the refugees and their administrations, in particular as regards resilience and early recovery. The Trust Fund will thus focus on current priority needs and may also be adapted to reconstruction needs in a future post-conflict scenario. Assistance inside Syria will be considered taking into account, and avoiding overlap with, the action of other existing international funding instruments.
- (3) In line with the Council Conclusions on the European Union approach to resilience of 28 May 2013, activities financed by the Trust Fund shall pursue conflict-sensitive approaches across humanitarian, development and political dialogue and engagement, taking into account the wider root causes of conflict and chronic insecurity and the

¹ OJ L 77, 15.3.2014, p. 95.

² OJ L 298, 26.10.2012, p.1.

³ OJ L 362, 31.12.2012, p. 1.

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 final).

impact of these factors on the vulnerability of populations, and recognise the complementary roles of development cooperation, humanitarian action and political dialogue and engagement as essential components of building resilience and ensure that efforts to link relief, rehabilitation and development remain integral to such activities.

- (4) The Trust Fund will pursue its objectives through the pooling of resources and the existing but often scattered capacities of donors and agencies to analyse, identify and implement high-impact projects in the region. These pooled capacities will make a direct contribution to the identification of actions that will be presented to all contributors to the Trust Fund as part of a diversified portfolio.
- (5) Since the establishment of the Trust Fund, the EU adopted a regional strategy for Syria and Iraq as well as the ISIL/Da'esh threat⁵, which will guide the funds first years of operations, as mentioned in the Strategic orientation document for the Trust Fund adopted in the first Trust Fund board held on 29 May 2015.
- (6) After the establishment of the Trust Fund in December 2014, the European Union has made an initial financial contribution of EUR 20 million⁶ on the basis of the European Neighbourhood Instrument (ENI) established by Regulation (EU) N° 232/2014 of the European Parliament and of the Council⁷, and a contribution of EUR 18 million⁸ on the basis of the Instrument for Pre-accession (IPA) established by Regulation (EU) N° 231/2014.
- (7) The Trust Fund held its first board meetings on 29 May 2015 and programmes for EUR 39.5 million were adopted from the above-mentioned contributions.
- (8) In its fifth year, the Syrian crisis continues to have dramatic consequences on neighbouring countries' economies, social services and infrastructure, notably due to an influx of 4 million Syrian refugees in the region to date.
- (9) This Decision complies with the conditions of Article 94 of the Rules of Application.
- (10) For the application of this Decision, it is appropriate to define the term "non-substantial change" within the meaning of Article 94(4) of the Rules of Application to ensure that any such changes can be adopted by the authorising officer by delegation.
- (11) The measure provided for in this Decision is in accordance with the opinion of the ENI Committee pursuant to Article 15 of Regulation (EU) No 232/2014 of the European Parliament and of the Council⁹,

HAS DECIDED AS FOLLOWS:

Article 1

Financial contribution

⁵ Council Conclusions 7267/15 of 16 March 2015 and joint communication JOIN(2015) 2 final.

⁶ C(2014) 9614 final.

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).

⁸ C(2015) 3714 final.

⁹ 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).

A financial contribution of the European Union to the Union Regional Trust Fund in response to the Syrian crisis (hereinafter the “**Trust Fund**”) is set at a maximum amount of EUR 49 000 000 from the budget line 21 03 01 03 of the general budget of the European Union for 2015.

Article 2

Implementation modalities

The Trust Fund shall implement the contribution either:

- 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;
- 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 the donors defines the rules and procedures applying to the management and governance of the Trust Fund.

Article 3

Non-substantial changes

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 shall not be considered substantial, provided that they do not significantly affect the nature and objectives of the actions.

The responsible authorising officer may adopt these non-substantial changes in accordance with the principles of sound financial management and proportionality.

Done at Brussels,

For the Commission
Johannes HAHN
Member of the Commission