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COMMISSION

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COMMISSION IMPLEMENTING DECISION

of **XXX**

**on the second special measure for the 2017 ENI contribution to the European Union
Regional Trust Fund in response to the Syrian crisis, the 'Madad Fund', to be financed
from the general budget of the Union**

COMMISSION IMPLEMENTING DECISION

of **XXX**

on the second special measure for the 2017 ENI contribution to the European Union Regional Trust Fund in response to the Syrian crisis, the 'Madad Fund', 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) 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) thereof,

Whereas:

- (1) On 10 December 2014, a Commission Decision³ 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. To widen the scope of the Trust Fund, that Decision was amended on 21 December 2015.⁴
- (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 ensuing large scale displacement of persons across several countries. In pursuit of this objective, the Trust Fund addresses the needs of three groups: refugees, internally displaced persons, and returnees, and provides 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.
- (3) Assistance within 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.

¹ OJ L 77, 15.3.2014, p. 95.

² OJ L 298, 26.10.2012, p.1.

³ 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).

⁴ Commission Decision of 21 December 2015 amending Decision C(2014)9615 final on the establishment of a European Union Regional Trust Fund in response to the Syrians crisis, "The Madad Fund" C(2015) 9691 Final.

- (4) Assistance under the Trust Fund should be complementary to Union humanitarian assistance on the basis of Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid.
- (5) Since the establishment of the Trust Fund, the Union adopted a regional strategy for Syria and Iraq as well as for reacting to the Islamic State of Iraq and the Levant (ISIL/Da'esh) threat⁵, which should guide the fund's first years of operations, as referenced in the strategic orientation document for the Trust Fund adopted by the first Trust Fund board held on 29 May 2015. A joint Communication on elements for an EU strategy for Syria was adopted on 14 March 2017 and the EU adopted Council conclusions on 3 April 2017.
- (6) Now in its sixth year, the Syrian crisis continues to have dramatic consequences on neighbouring countries' economies, social services and infrastructure, notably due to an influx of more than 5 000 000 Syrian refugees in the region to date. The unprecedented magnitude of the crisis requires an increased Union financial effort to ease pressure on the overstretched hosting infrastructures in the region.
- (7) It is necessary to adopt a financing decision, the detailed rules of which are set out in Article 94 of Commission Delegated Regulation (EU) N° 1268/2012⁶.
- (8) As non-substantial changes to this Decision may be adopted by an authorising officer, thereby allowing for flexibility in the management of the Trust Fund, it is appropriate to define the term "non-substantial changes" in the context of Article 94(4) of Delegated Regulation (EU) N° 1268/2012.
- (9) 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 Council⁷.

HAS DECIDED AS FOLLOWS:

Article 1

Financial contribution

The maximum contribution of the European Union to the European Union Regional Trust Fund in response to the Syrian crisis (the "Trust Fund") is set at EUR 69 170 000 and shall be financed from budget line 22 04 01 03 of the general budget of the Union for 2017.

Article 2

Methods of implementation

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

(a) directly:

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

⁶ Commission Delegated Regulation (EU) n° 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) N° 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (OJ L 362, 31.12.2012, p. 1).

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).

- (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

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, within the meaning of Article 94(4) of Delegated Regulation (EU) N° 1268/2012, provided that they do not significantly affect the nature and objectives of the actions.

The authorising officer responsible may adopt such 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

SUMMARY

Second special measure for the 2017 ENI contribution to the European Union Regional Trust Fund in response to the Syrian crisis, the 'Madad Fund', to be financed from the general budget of the Union

1. IDENTIFICATION

Budget heading	22 04 01 03 Middle-East Multi-sector
Total cost	EUR 69.17 million of EU contribution of the 2017 Neighbourhood South allocations.
Legal basis	Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument (ENI)

2. REGIONAL BACKGROUND

On 10 December 2014, a Commission Decision¹ for the establishment of the European Union Regional Trust Fund in response to the Syrian crisis, the 'Madad Fund', ('the Trust Fund') was adopted for a duration of 60 months. To widen the scope of the Trust Fund, that Decision was amended on 21 December 2015.² 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, and provide assistance to the communities and the administrations in which those groups find themselves, as regards resilience and early recovery. The Trust Fund will thus focus on current priority needs and may also be mobilised for reconstruction and state-building needs in a future post-conflict scenario once conditions for a credible transition are met. Assistance inside Syria and Iraq will be considered taking into account, and avoiding overlap with, the actions of other existing international funding instruments. In addition, the Trust Fund may assist the authorities in the Western Balkans in responding to resilience needs of migrant or refugee populations on their territory. Assistance under 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.

¹ 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).

² Commission Decision of 21 December 2015 amending Decision C(2014)9615 final on the establishment of a European Union Regional Trust Fund in response to the Syrians crisis, "The Madad Fund" C(2015) 9691 Final.

3. SUMMARY OF THE ACTION

Since the establishment of the Trust Fund, the Union adopted a regional strategy for Syria and Iraq as well as for reacting to the ISIL/Da'esh threat³, which should guide the Trust Fund's first years of operations, as referenced in the strategic orientation document for the Trust Fund adopted by the first Trust Fund board held on 29 May 2015. Now in its sixth year, the Syrian crisis continues to have dramatic consequences on neighbouring countries' economies, social services and infrastructure, notably due to an influx of more than 5 million Syrian refugees in the region todate. The unprecedented magnitude of the crisis requires an increased Union financial effort to ease the pressure on the overstretched hosting countries in the region.

The Trust Fund will continue to finance activities in the countries affected by the consequences of the Syrian crisis, namely Lebanon, Jordan, Turkey, Iraq, Egypt, and in the wider region (Western Balkans). The Trust Fund's scope has been expanded to also cover support to internally displaced persons (IDP's) in Iraq fleeing from the interlinked Syria/Iraq/Da'esh crisis, to provide flexibility to support affected countries also with hosting non-Syrian refugees, and to provide support in the Western Balkans to non-EU countries affected by the refugee crisis.

In line with the priority areas of intervention of the EU Trust Fund, now also based on the commitments of the Co-hosts declaration from the Supporting Syria & the Region Conference, held in London on 4 February 2016,⁴ at which The European Union and its Member States pledged more than EUR 3 billion to assist the Syrian people inside Syria as well as refugees and the communities hosting them in the neighbouring countries for the year 2016.⁵, other EU external priorities and activities in the region, such as humanitarian aid, The key priorities of the European Union Regional Trust Fund in response to the Syrian crisis, the 'Madad Fund' are:

1. Promoting educational, protection and engagement opportunities for children and young people in line with the No Lost Generation initiative.
2. Reducing the pressure on countries hosting refugees by investing in livelihoods and social cohesion and supporting them in providing access to jobs and education that will benefit both refugees and host communities.
3. Based on Joint Humanitarian-Development Frameworks developed for Lebanon and Jordan, sustaining support in areas such as health, WASH, basic assistance, and education in emergencies towards structural and longer-term responses to address the protracted needs of refugees and vulnerable host communities.

In addition, the Trust Fund now supports other important development sectors, including municipal services and local infrastructure in most affected host communities.

³ Council Conclusions 7267/15 of 16 March 2015 and joint communication JOIN(2015) 2 final.

⁴ <https://www.supportingsyria2016.com/news/co-hosts-declaration-of-the-supporting-syria-and-the-region-conference-london-2016/>

⁵ http://europa.eu/rapid/press-release_IP-16-245_en.htm

1. COST AND FINANCING

22 04 01 03 Middle East — Multi-sector	
ENI contribution 2017	EUR 69.17 million
Total contribution to the European Union Regional Trust Fund	EUR 69.17 million