

COMMISSION DECISION

of 29/11/2007

on a special measure in favour of the West Bank and Gaza Strip to be financed under budget item 19 08 01 02 of the general budget of the European Communities

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to European Parliament and Council Regulation (EEC) No 1638/2006 of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument¹, and Article 13.2 thereof,

Whereas:

- (1) Since 2002 the Commission has set priorities for co-operation with the West Bank and Gaza Strip on an ad hoc basis and Article 13 of Regulation (EC) n° 1638/2006 provides for the adoption of special measures in the event of unforeseen and duly justified needs or circumstances.
- (2) The criteria set out in Regulation (EC) n° 1638/2006 and conditions for the special measure have been fulfilled.
- (3) This decision responds to the Quartet's "*willingness to endorse a temporary mechanism*" to provide direct delivery of assistance to the Palestinian people, endorsed by the Council Meeting of 15 May 2006 requesting the EU to work "*urgently to develop such a mechanism which as a matter of priority will be aimed at contributing to meet basic needs*".
- (4) The European Council of 15/16 June 2006 endorsed the Temporary International Mechanism (TIM) drawn up by the Commission to channel assistance directly to Palestinian people and requested the Commission to urgently establish that mechanism.
- (5) The Council of 15 October 2007 endorsed an extension of the TIM for a further three months until end December 2007.
- (6) The Councils of 18 June and 23 July 2007 stressed the EU's commitment to "*provide direct financial assistance and technical assistance to the Palestinian government*"

¹ OJ L 310, 9.11.2006, p. 1.

and to "help build the institutions and economy of the future Palestinian state (...) including the promotion of cooperation with the Palestinian private sector".

- (7) The Prime Minister of the Palestinian Authority requested, on the 20 June and 28 August, "direct financial assistance to the PA in the form of a scheme to reimburse private sector arrears due by the PA to the Palestinian private sector". He also stressed the importance of the TIM and requested its extension until the end of the year.
- (8) The main objective to be pursued is to mitigate the impact of the current deteriorating conditions resulting from the ongoing conflict and the subsequent economic, fiscal and political crisis. This decision also aims at helping to build the institutions and economy of the future Palestinian state, including the support to the private sector.
- (9) This decision constitutes a financing decision within the meaning of Article 75 (2) of Council Regulation (EC, Euratom) No 1605/2002², and of Article 90 of Commission Regulation (EC, Euratom) No2342/2002³.
- (10) The special measure provided for in this decision is in accordance with the opinion of the ENPI Committee set up under Article 26 of Regulation (EC) No 1638/2006.

HAS DECIDED AS FOLLOWS:

Article 1

The special measure for the West Bank and Gaza Strip for 2007 (Part V)- "Additional contribution to the Temporary International Mechanism, Finance Facility II – Arrears, and ENPSI II - Technical Assistance" the text of which is set out in the Annex, is approved.

Article 2

The maximum contribution of the Community is set at EUR 110,666,535.22 to be financed within the limits of the available resources of budget Article 19 08 01 02 of the general budget of the European Communities for 2007.

Article 3

Within the maximum indicative budget of all the specific actions, cumulated changes not exceeding 20% of the maximum contribution of the Community are not considered to be substantial provided that they do not significantly affect the nature and objectives of the current action.

The authorising officer may adopt such changes in accordance with the principles of sound financial management.

² Council Regulation (EC, Euratom) N° 1605/2002 (OJ L 248, 16.09.2002) as last amended by Council Regulation (EC, Euratom) N° 1995/2006 (OJ L 390, 30.12.2006).

³ Commission Regulation (EC Euratom) N° 2342/2002 (OJ L 357, 31.12.2002) as last amended by Commission Regulation (EC Euratom) N° 478/2007 du 23/04/2007 (OJ L 111, 28.04.2007).

Done at Brussels, 29 November 2007

For the Commission
Benita FERRERO-WALDNER
Member of the Commission