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COMMISSION IMPLEMENTING DECISION

of 7.12.2022

on the financing of the individual measure to continue support for basic needs and transition to livelihoods opportunities for refugees in Türkiye in 2022

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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) 2018/1046¹ 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, and in particular Article 110 thereof,

Having regard to Regulation (EU) 2021/947² of the European Parliament and of the Council of 9 June 2021 establishing the Neighbourhood, Development and International Cooperation Instrument - Global Europe, amending and repealing Decision No 466/2014/EU and repealing Regulation (EU) 2017/1601 and Council Regulation (EC, Euratom) No 480/2009, and in particular Article 23(3) and 23(5) thereof,

Whereas:

- (1) In order to ensure the implementation of the individual measure to continue support for basic needs and transition to livelihoods opportunities for refugees in Türkiye, it is necessary to adopt an annual financing Decision, which constitutes the annual work programme, for 2022. Article 110 of Regulation (EU, Euratom) 2018/1046 ('the Financial Regulation') establishes detailed rules on financing decisions.
- (2) The envisaged assistance should comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU³.
- (3) The objectives pursued by the individual measure to be financed under the rapid response actions of Regulation (EU) 2021/947 are to contribute to improving socio-economic conditions of refugees and their host communities in Türkiye.
- (4) The measure is justified as a rapid response action as it is part of the Commission proposal to provide EUR 3 billion of further EU support to refugees and host communities in Türkiye, following the European Council conclusions of June 2021⁴. It represents a continuation of the assistance provided in the context of the Facility for Refugees in Turkey, specifically in the sector of basic needs and socio-economic support, also ensuring a longer-term transition from humanitarian to development

¹ OJ L 193, 30.7.2018, p.1.

² OJ L 209, 14.6.2021, p.1.

³ www.sanctionsmap.eu Please 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 between the published legal acts and the updates on the website it is the OJ version that prevails.

⁴ European Council meeting of 24 and 25 June 2021 – EUCO 7/21

assistance, in line with the nexus approach. As such, it falls outside the scope of the programming framework of Regulation (EU) 2021/947.

- (5) The action entitled ‘Emergency Social Safety Net (ESSN) IV’ has as overall objective to support refugees in Türkiye to meet their basic needs. The specific objective is to provide efficiently and effectively regular resource transfers to eligible refugees to meet their basic needs, while enabling pathways to protection responses and referrals to sustainable livelihood opportunities.
- (6) The action ‘Support to socio-economic development for refugees and host communities in Türkiye’ has an overall objective to improve income-generation opportunities for refugees and host communities in Türkiye. The specific objectives of the actions are (i) an increased level of enterprise start up and expansion by refugees and host community members in high-refugee-concentration provinces; (ii) an increased level of employability of refugees and host community members in high-refugee-concentration provinces.
- (7) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (8) Pursuant to Article 26(1) of Regulation (EU) 2021/947, indirect management is to be used for the implementation of the measure.
- (9) The Commission is to ensure a level of protection of the financial interests of the Union with regard to entities and persons entrusted with the implementation of Union funds by indirect management as provided for in Article 154(3) of the Financial Regulation.
- (10) To this end, such entities and persons are to be subject of an assessment of their systems and procedures in accordance with Article 154(4)⁵ of the Financial Regulation and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) thereof before a contribution agreement can be signed.
- (11) It is necessary to allow for the payment of interest due for late payment on the basis of Article 116(5) of the Financial Regulation.
- (12) 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 the Financial Regulation.
- (13) The measure provided for in this decision is in accordance with the opinion of the Committee established under Article 45 of Regulation (EU) 2021/947.

HAS DECIDED AS FOLLOWS:

Article 1
The measure

The annual financing decision, constituting the annual work programme for the implementation of the individual measure to continue support for basic needs and transition to livelihoods opportunities for refugees in Türkiye, as set out in the annexes, is adopted.

The measure shall include the following actions:

⁵ Except for the cases referred to in Article 154(6) of the Financial Regulation, where the Commission may decide, not to require an ex-ante assessment.

- ‘Emergency Social Safety Net (ESSN) IV’ as set out in Annex I;
- ‘Support to socio-economic development for refugees and host communities in Türkiye’ as set out in Annex II.

Article 2
Union contribution

The maximum Union contribution for the implementation of the measure for 2022 is set at EUR 634 000 000 and shall be financed from the appropriations entered in budget line 14.020320 of the general budget of the Union.

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

Article 3
Methods of implementation and entrusted entities or persons

The implementation of the actions carried out by way of indirect management, as set out in the Annexes, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 4.3.2 of the Annex I and in point 4.3.1 of the Annex II.

Article 4
Flexibility clause

Increases⁶ or decreases of up to EUR 10 million and not exceeding 20% of the contribution set in the first paragraph of Article 2, or cumulated changes to the allocations of specific actions not exceeding 20% of that contribution, as well as extensions of the implementation period shall not be considered substantial within the meaning of Article 110(5) of the Financial Regulation, provided that these changes do not significantly affect the nature and objectives of the actions.

The authorising officer responsible may apply the changes referred to in the first paragraph acting in accordance with the principles of sound financial management and proportionality.

Article 5
Grants

Grants may be awarded without a call for proposals in accordance with the conditions set out in the Annex I. Grants may be awarded to the bodies referred to in the Annex I selected in accordance with point 4.3.1 of the Annex I.

Done at Brussels, 7.12.2022

For the Commission
Olivér VÁRHELYI
Member of the Commission

⁶ These changes can come from external assigned revenue made available after the adoption of the financing Decision.