



Brussels, 24.7.2018
C(2018) 4959 final

COMMISSION DECISION

of 24.7.2018

on the Facility for Refugees in Turkey amending Commission Decision C(2015)9500 as regards the contribution to the Facility for Refugees in Turkey

EXPLANATORY MEMORANDUM

Adoption of the Commission Decision on the Facility for Refugees in Turkey amending Commission Decision C(2015)9500 as regards the contribution to the Facility for Refugees in Turkey

The Facility for Refugees in Turkey was set up in 2015 as a powerful demonstration of the EU's commitment to supporting refugees in Turkey. It combined both humanitarian and non-humanitarian support to assist Turkey in its efforts to host refugees. The first tranche of funding under the Facility amounted to EUR 3 billion for 2016 and 2017.

The mobilisation of the first tranche of the Facility for Refugees in Turkey has been a success. The full operational envelope of the EUR 3 billion has been programmed, committed and contracted in the space of 21 months since the EU-Turkey Statement of March 2016. The 2nd Annual Report on the Facility¹ includes detailed information on the achievements and the implementation of a total of 72 projects. The report confirms tangible results. This includes the delivery of monthly income support to almost 1.2 million of the most vulnerable refugees with monthly cash transfers under the Emergency Social Safety Net; the provision of Turkish language training to 312 000 refugee children and educational materials to 500 000 students; and primary health care consultations for almost 764 000 refugees and the vaccination of more than 217 000 Syrian refugee infants. The governance of the Facility also allowed a partnership approach between the EU and the Member States, and joint governance would not be possible with funding coming exclusively from the Union budget.

The EU has a strong interest in continuing what has proved to work well. This Commission Decision aims to ensure that the valuable work of the Facility can continue, as set out in the EU-Turkey Statement.

The EU-Turkey Statement confirmed that the EU will mobilise an additional EUR 3 billion for the Facility by end-2018 if the relevant conditions were met. With a view to ensuring the continuity of Facility projects and uninterrupted support to refugees, and persons eligible for subsidiary protection, a decision on additional funding is therefore required. Therefore, the Commission is adopting a decision on a second allocation of EUR 3 billion for the Facility for Refugees in Turkey. The 2016 and 2017 budget mobilised under the Facility was made up of EUR 1 billion from the Union budget and EUR 2 billion from Member States contributions as external assigned revenue. In its Decision of 14 March 2018² the Commission maintained the same split between the Union budget and EU Member States' contribution for the second tranche. Following further discussion, the Commission has decided that for 2018-2019 it will contribute EUR 2 billion from the Union budget. Member States will make EUR 1 billion contributions as external assigned revenue. On 18 July the Common Understanding was updated, which provides the framework within which the Member States contributions can be mobilised.

¹ Commission Communication COM(2018)91 of 14 March 2018

² Commission Decision of 14 March 2018 on the Facility for Refugees in Turkey amending Commission Decision C(2015) 9500 as regards the contribution to the Facility for Refugees in Turkey, 2018/C 106/05, OJ C 106/4 of 21.3.2018

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular its Articles 210(2) and Article 214(6),

Whereas:

- (1) Point 6 of the EU-Turkey Statement of 18 March 2016 (the 'Statement') stated that the Union would mobilise funding for the Facility for Refugees in Turkey (the "Facility") of an additional EUR 3 000 000 000 up to the end of 2018 once the initially allocated EUR 3 000 000 000 under the Facility are about to be used to the full and provided the relevant conditions are met.
- (2) The Representatives of the Governments of the Member States drew up on 3 February 2016 a 'Common Understanding establishing a governance and conditionality framework for the Refugee Facility for Turkey between the EU Member States and the Commission' (the 'Common Understanding'). The Common Understanding was updated on 18 July 2018.
- (3) The distribution of contributions in the first tranche was EUR 1 000 000 000 from the Union budget and EUR 2 000 000 000 from Member States.
- (4) The Commission should provide EUR 2 000 000 000 from the Union budget for the second tranche. EUR 1 000 000 000 will be provided from Member States' contributions.
- (5) The progressive delivery of the assistance is conditional on the continued implementation of the understanding between the European Union and the Republic of Turkey to step up their cooperation on support of persons under temporary protection and migration management in a coordinated effort to address the crisis.
- (6) The individual financial contributions from Member States should be included in the Union's budget as external assigned revenue in accordance with Article 21(2)(b) of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council³. The Commission, as having the sole responsibility for implementing the Union's budget in accordance with Article 317 of the Treaty, should be provided, on behalf of the Union, with contribution certificates by the Member States. Each contribution certificate expressed in euro has the effect of allowing the Commission to make the relevant commitment appropriation available upon receiving that certificate, in line with Article 7(2) of Commission Delegated Regulation (EU) No 1268/2012⁴.

³ 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 Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p. 1).

⁴ OJ L 362, 31.12.2012, p. 1.

The individual contribution certificates are to be based on a single template allowing for adaptation, where necessary, to specific needs.

- (7) Decisions relating to and actions providing humanitarian assistance will be implemented in line with Council Regulation (EC) No 1257/96⁵ and according to the principles laid down in the European Consensus on Humanitarian Aid⁶.
- (8) For the above reasons it is necessary to amend Commission Decision C(2015) 9500 accordingly⁷,

HAS DECIDED AS FOLLOWS:

Article 1

Commission Decision C(2015) 9500 is amended as follows:

Article 4 is replaced by the following:

- 1. The Facility shall coordinate an amount of EUR 3 000 000 000 for 2016- 2017, and an additional amount of EUR 3 000 000 000 for 2018-2019.

EU budget contribution

- 2. EUR 1 000 000 000 out of the overall amount of EUR 3 000 000 000 for 2016-2017 and EUR 2 000 000 000 out of the overall amount of EUR 3 000 000 000 for 2018-2019, shall be financed from the Union budget, subject to subsequent individual financing decisions in accordance with Article 84(2) of Regulation (EU, Euratom) No 966/2012 and in accordance with its financial rules and the requirements of the respective basic act.

Member States' contributions

- 3. On the basis of their pledged financial contributions, Member States will provide an amount of EUR 2 000 000 000 for 2016–2017 on the basis of the breakdown of contributions based on the Gross National Income (GNI) key based on the 2015 Union budget and an amount of EUR 1 000 000 000 for 2018-2019 on the basis of the breakdown of contributions based on the GNI key based on the 2018 Union budget.'

Article 2

- 1. This Decision enters into force on the day of its adoption.

⁵ Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid (OJ L163, 2.7.1996, p. 1).

⁶ Joint Statement by the Council and the Representatives of the Governments of the Member States meeting within the Council, the European Parliament and the European Commission ' The European Consensus on Humanitarian Aid' (OJ C25, 30.1.2008, p. 1).

⁷ As amended by Commission Decision C(2016) 855 of 10 February 2016, Commission Decision C(2017) 2293 of 18 April 2017 and Commission Decision C(2018) 1500 of 14 March 2018

2. It will be published in the Official Journal.

Done at Brussels, 24.7.2018

For the Commission
Johannes HAHN
Member of the Commission