



Brussels, 21.12.2023
C(2023) 9183 final

COMMISSION IMPLEMENTING DECISION

of 21.12.2023

on an exceptional assistance measure regarding Israel and Palestine*

* This designation shall not be construed as recognition of a State of Palestine and is without prejudice to the individual positions of the Member States on this issue.

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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) 2018/1046 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 966/2012¹, and in particular Article 110 thereof,

Having regard to Regulation (EU) 2021/947 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 480/2009², and in particular Article 23(6) thereof,

Whereas:

- (1) The current conflict in Israel and Palestine is marked by unprecedented violence, loss of life, injury and destruction. Numerous medical facilities have been damaged and affected by severe lack of even basic necessities for their operation. Furthermore, the conflict continues to exact a heavy toll on the mental health of people living in Israel and Palestine. Disinformation and lack of trust fuel violence and pose a challenge to maintain hope for peace efforts that depend on access to reliable information. Furthermore, given the unprecedented levels of munitions deployed, the need for effective mine action will remain a challenge to human security, reconstruction and economic activity throughout the foreseeable future and will require international support. At the same time, the continued escalation of violence in the West Bank underlines the risk of the conflict spreading and underlines the importance of continued engagement to protect civilian populations' physical and mental safety as well as their legal rights. The present situation makes it necessary to adopt an exceptional assistance measure regarding Israel and Palestine.
- (2) In order to ensure the implementation of the measure, it is necessary to adopt a financing decision. Article 110 of Regulation (EU, Euratom) 2018/1046 ('the Financial Regulation') establishes detailed rules on financing decisions.

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¹ OJ L 193, 30.7.2018, p. 1.

² OJ L 209, 14.6.2021, p. 1.

- (3) The planned assistance is to comply with the conditions and procedures set out by the restrictive measures³ adopted pursuant to Article 215 TFEU.
- (4) The objective of the measure set out in this Decision is to enhance protection of civilians in Palestine and Israel while advancing peaceful conflict resolution and peacebuilding, in order to remedy exceptional and unforeseen situations as referred to in Article 4(4)(a) of Regulation (EU) 2021/947.
- (5) In accordance with points (a), (g), (j), (l), (m), (n), (p) and (q) of Annex IV, paragraph 1, second paragraph of Regulation (EU) 2021/947, the activities set out in this Decision will support efforts that alleviate the suffering of the most affected communities and assist in promoting lasting peace, by improving access to healthcare services, promoting peaceful conflict resolution, increasing awareness about risks and safety related to unexploded remnants of war and strengthening protection of civilians in West Bank.
- (6) The effectiveness of the Union response to the situation referred to in recital 1 depends on the rapid and flexible implementation of an exceptional assistance measure of limited duration in accordance with Article 23(6) of Regulation (EU) 2021/947.
- (7) The measure provided for in this Decision is complementary to assistance provided under other Union short-term or long-term external assistance instruments. No fully adequate response can be provided under those instruments to the specific needs being addressed. Therefore, an effective response is required to enable early action in accordance with Article 4(4) of Regulation (EU) 2021/947.
- (8) The measure provided for in this Decision is consistent with the Union strategic policy framework for Israel and Palestine. Synergies and complementarities are expected with other Union interventions, as detailed in point 7 of the Annex.
- (9) In order to ensure the effective implementation of the measure, it is necessary to use indirect management for the implementation of the measure.
- (10) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (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 define changes which should not be considered substantial for the purposes of Article 110(5) of the Financial Regulation.
- (13) The European Parliament and the Council have been informed of the exceptional assistance measure to be adopted by this Decision, in accordance with Article 25(3) of Regulation (EU) 2021/947,

HAS DECIDED AS FOLLOWS:

Article 1
The measure

The financing decision for the implementation of the exceptional assistance measure regarding Israel and Palestine for 2023, as set out in the Annex, is adopted.

³ www.sanctionsmap.eu. 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, the OJ prevails.

The measure shall include the following action: *‘Protection of civilians in Palestine and Israel’*.

Article 2
Union contribution

The maximum Union contribution for the implementation of the measure 2023 is set at EUR 20 000 000, and shall be financed from the appropriations entered in the budget line 14 02 03 10 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 Annex, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 6 of that Annex.

Article 4
Grants

Grants may be awarded without a call for proposals in accordance with the conditions set out in point 6 of the Annex. Grants may be awarded to the body/bodies selected in accordance with point 6 of the Annex.

Article 5
Duration of the measure

The maximum duration of the exceptional assistance measure adopted under this Decision shall be 18 months. The authorising officer responsible may decide to extend this period twice by a further period of up to six months, up to a total maximum duration of 30 months, under the conditions laid down in Article 23(6) of Regulation (EU) 2021/947.

If the implementation of this measure or any of its components is suspended owing to ‘force majeure’ or circumstances beyond the control of the contracting authority and its implementing partner(s), the period of suspension shall not be taken into account for the calculation of the duration of the implementation of this measure.

Article 6
Flexibility clause

Increases 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 changes⁴ 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 for the purposes of Article 110(5) of the Financial Regulation provided that these changes do not significantly affect the nature and objectives of the actions.

⁴ These changes can come from assigned revenue made available after the adoption of the financing decision.

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

Done at Brussels, 21.12.2023

For the Commission
Josep BORRELL FONTELLES
High Representative / Vice-President