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**COMMISSION DECISION**

**of 28.11.2017**

**financing humanitarian actions in the Caribbean from the 11<sup>th</sup> European Development  
Fund (ECHO/-CR/EDF/2017/02000)**

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### **financing humanitarian actions in the Caribbean from the 11<sup>th</sup> European Development Fund (ECHO/-CR/EDF/2017/02000)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EU) 2015/322 of 2 March 2015 on the implementation of the 11<sup>th</sup> European Development Fund<sup>1</sup>, and in particular Article 9(3) thereof,

Having regard to Council Regulation (EU) 2015/323 of 2 March 2015 on the financial regulation applicable to the 11<sup>th</sup> European Development Fund<sup>2</sup>, and in particular Article 26 thereof,

Whereas:

- (1) Between 5 and 8 September 2017, category 5 Hurricane Irma hit the Caribbean with maximum sustained winds of 296 km/h, causing widespread devastation. The most affected countries were Cuba, Antigua and Barbuda, Turks and Caicos Islands, Saint Kitts and Nevis, Anguilla, British Virgin Islands, Saint Martin, Sint Maarten and Saint Barthélemy. Irma was the longest lived storm of such intensity anywhere around the globe for the past 50 years. Shortly after, on 19 September, category 5 Hurricane Maria made landfall in Dominica with maximum sustained winds of 260 km/h causing massive destruction; it subsequently headed towards Puerto Rico, devastating the island. Between 19 and 24 September, storm surges also affected the rest of the Leeward Islands, the Dominican Republic, Haiti, Turks and Caicos Islands and the Bahamas.
- (2) Despite the prompt mobilisation of local, national and international relief efforts, including EU humanitarian and civil protection response, some weeks after the disaster, significant gaps remain to be covered in a number of areas, particularly in terms of shelter, food, access to safe water, resumption of basic services (health, education), and early recovery of livelihoods.
- (3) In Dominica, around 65 000 people are still in need of humanitarian assistance, including 18 251 children and adolescents, and 2 911 people living in collective centers. In Cuba, it is estimated that 2.1 million people are in need of humanitarian assistance. In Saint Kitts and Nevis, more than 1000 people required non-food items and livelihood support, and stocks of first emergency essentials have been depleted.
- (4) In all the affected countries, it is crucial to respond to immediate relief needs while applying a practical resilience approach to decrease vulnerability and to support preparedness, mitigation and coping capacities across the region in anticipation of future shocks.

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<sup>1</sup> OJ L 88, 03.03.2015, p. 1

<sup>2</sup> OJ L 58, 03.03.2015, p. 17

- (5) Humanitarian actions need therefore to be implemented to address the needs outlined above in the form of a special measure under Article 9(3) of Council Regulation (EU) 2015/322. The said humanitarian actions should more specifically seek to mitigate the impact of Hurricanes Maria and Irma in Dominica, Cuba, Saint Kitts and Nevis.
- (6) It is necessary to adopt a financing decision, the detailed rules of which are set out in Article 94 of Commission Delegated Regulation (EU) No 1268/2012<sup>3</sup>, applicable in accordance with Article 2(1) and Article 26 of Regulation (EU) 2015/323.
- (7) The Commission should entrust budget-implementation tasks under indirect management. This should be subject to the conclusion of delegation agreements, to international organisations that are signatories of the Framework Partnership Agreements or the Financial Administrative Framework Agreement with the UN and have been subject to the ex-ante pillar assessment in accordance with Article 17 of Regulation (EU) 2015/323, together with Article 61 of Regulation (EU, Euratom) No 966/2012. In accordance with Article 60(1)(c) and Article 60 (2) of Regulation (EU, Euratom) No 966/2012, applicable in accordance with Article 2(1) and Article 17 of Regulation (EU) No 2015/323, the authorising officer responsible needs to ensure that these entities guarantee a level of protection of the financial interests of the Union equivalent to that required when the Commission manages Union funds.
- (8) Entities for which the new pillar assessment is already in place, comply with the conditions set out in points (a) to (d) of the first subparagraph of Article 60(2) of Regulation (EU, Euratom) No 966/2012 and the supervisory and support measures are in place as necessary.
- (9) Where at the stage of signing delegation agreements the entities to be awarded funding are currently undergoing the assessment provided for in Article 61 of Regulation (EU, Euratom) No 966/2012, in anticipation of the results of this review, funding may nonetheless be awarded to said entities, provided that the authorising officer responsible deems that, based on the entities' previous positive assessment, including any assessment carried out prior to the entry into force of Regulation (EU, Euratom) No 966/2012, and based on the long-standing and problem-free cooperation with these entities, budget-implementation tasks can be entrusted to the mentioned entities.
- (10) The authorising officer responsible should be able to award grants without a call for proposals only in the exceptional cases set out in Article 190 of Delegated Regulation (EU) No 1268/2012, applicable in accordance with Article 2(1) and Article 37(1) of Regulation (EU) No 2015/323.
- (11) The Commission should authorise the eligibility of costs as of a date preceding that of submission of a grant application for reasons of extreme urgency in humanitarian aid operations.
- (12) It is necessary to allow for the payment of interest due for late payment on the basis of Article 92 of Regulation (EU, Euratom) No 966/2012 and Article 111(4) of Delegated Regulation (EU) No 1268/2012, applicable in accordance with Article 2(1) and Article 29(1) of Regulation (EU) No 2015/323.
- (13) Pursuant to Article 94(4) of Delegated Regulation (EU) No 1268/2012, applicable in accordance with Article 2(1) and Article 26 of Regulation (EU) No 2015/323, any substantial change to a financing decision that has already been adopted should follow

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<sup>3</sup> Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 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).

the same procedure as the initial decision. It is therefore appropriate that the Commission defines the changes of this Decision that are considered non substantial in order to ensure that such changes can be adopted by the authorising officer responsible.

- (14) The Commission will inform the EDF Committee established under Article 8 of the Internal Agreement<sup>4</sup> within one month of the adoption of the Decision,

HAS DECIDED AS FOLLOWS:

*Article 1*  
***Adoption of the measure***

The financing of humanitarian actions in Dominica, Cuba and Saint Kitts and Nevis impacted by Hurricanes Irma and Maria to be financed from the 11th European Development Fund (EDF) is adopted.

These actions shall pursue the following objectives:

- (a) Mitigate the impact of Hurricane Maria in Dominica by ensuring coordinated and effective assistance for those most affected in order to cover their immediate needs, in particular shelter, education, health and WASH and Disaster Risk Reduction, establishing relevant synergies and complementarity with longer-term development dynamics.
- (b) Mitigate the impact of Hurricane Irma in Cuba by ensuring coordinated and effective assistance for those most affected in order to cover their immediate needs, in particular shelter and food security, and Disaster Risk Reduction, establishing relevant synergies and complementarity with longer-term development dynamics.
- (c) Mitigate the impact of Hurricanes Irma and Maria in Saint Kitts and Nevis by ensuring coordinated and effective assistance for those most affected in order to cover their immediate needs, in particular shelter, food security and livelihoods support and Disaster Risk Reduction establishing relevant synergies and complementarity with longer-term development dynamics.

*Article 2*  
***Financial contribution***

The maximum contribution of the European Union for the implementation of the actions referred to in Article 1 is set at EUR 5 million and shall be financed from the 11<sup>th</sup> European Development Fund.

A total of EUR 2 600 000 from the 11<sup>th</sup> European Development Fund is allocated to the objective referred to in point a) of Article 1.

A total of EUR 2 300 000 from the 11<sup>th</sup> European Development Fund is allocated to the objective referred to in point b) of Article 1.

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<sup>4</sup> Internal Agreement between the Representatives of the Governments of the Member States of the European Union, meeting within the Council, on the financing of European Union aid under the multiannual financial framework for the period 2014 to 2020, in accordance with the ACP-EU Partnership Agreement, and on the allocation of financial assistance for the Overseas Countries and Territories to which Part Four of the Treaty on the Functioning of the European Union applies (OJ L 210, 6.8.2013, p. 1).

A total of EUR 100 000 from the 11<sup>th</sup> European Development Fund is allocated to the objective referred to in point c) of Article 1.

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

### *Article 3*

#### ***Methods of implementation***

Budget-implementation tasks under indirect management may be entrusted, subject to the conclusion of the relevant delegation agreements, to international organisations that are signatories to the Framework Partnership Agreements or the Financial Administrative Framework Agreement with the UN and have been subject to the ex-ante pillars assessment in accordance with Article 17 of Regulation (EU) 2015/323, together with Article 61 of Regulation (EU, Euratom) No 966/2012.

Grants may be awarded to non-governmental organisations which fulfil the eligibility and suitability criteria laid down in Article 7 of Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid, international organisations or Member States' specialised services without a call for proposals by the authorising officer responsible in accordance with Article 190 of Delegated Regulation (EU) No 1268/2012, applicable in accordance with Article 2(1) and Article 37(1) of Regulation (EU) 2015/323.

The eligibility of costs prior to the submission of grant applications shall be authorised as of 5 September 2017, date of Hurricane Irma's impact.

### *Article 4*

#### ***Non-substantial changes***

Increases or decreases of up to EUR 10 million not exceeding 20 % of the contribution set in the first paragraph of Article 2, or cumulated changes to the allocations to the objectives set in Article 2 not exceeding 20 % of that contribution, as well as extensions of the implementation period shall not be considered substantial within the meaning of Article 94(4) of Delegated Regulation (EU) No 1268/2012, applicable in accordance with Article 2(1) and Article 26 of Regulation (EU) 2015/323, 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, 28.11.2017

*For the Commission*

*Christos STYLIANIDES*

*Member of the Commission*