



Brussels, 4.10.2019
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COMMISSION DECISION

of 4.10.2019

**adopting a special measure on the financing of humanitarian actions in favour of
Mozambique to be financed from the European Development Fund (EDF) -
ECHO/MOZ/EDF/2019/01000**

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adopting a special measure on the financing of humanitarian actions in favour of Mozambique to be financed from the European Development Fund (EDF) - ECHO/MOZ/EDF/2019/01000

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 11th European Development Fund¹, and in particular Article 9(3) and (4) thereof,

Having regard to Council Regulation (EU) 2018/1877 of 26 November 2018 on the financial regulation applicable to the 11th European Development Fund, and repealing Regulation (EU) 2015/323², and in particular Article 24 thereof,

Whereas:

- (1) In 2019, Mozambique has faced unprecedented destruction by natural disasters. It is the first time in recorded history that two strong cyclones, Idai and Kenneth, hit the country during the same cyclone season – one of which became the strongest cyclone to hit the African continent. Moreover, the cyclones took place in a context of high vulnerability, where the population is already struggling with drought and low agricultural yields leading to increasing humanitarian needs.
- (2) Tropical cyclone Idai made landfall during the night of 14/15 March 2019 near Beira City, in the central part of Mozambique. Just six weeks later, on 25 April 2019, tropical cyclone Kenneth made landfall in Cabo Delgado province, in the northern part of the country. Winds ranged from 180 to 220 km/h, accompanied by heavy and persistent rainfall and storm surges. The two cyclones caused the death of more than 650 people and directly affected about 2 million people in the provinces of Sofala, Manica, Tete, Zambezia, Inhambane, Cabo Delgado and Nampula. More than 750 000 individuals were estimated to be in need of urgent assistance.
- (3) The cyclones damaged important infrastructure, destroyed houses, shops and other buildings. 89 health facilities were partly destroyed (including Beira Hospital and its referral system) and three health facilities were completely destroyed. Crops and livestock were also severely affected. An estimated 715 378 hectares of cultivated land were flooded, as a result of Idai. In Cabo Delgado, 34 804 hectares of agricultural lands were lost. Both cyclones also affected other sources of livelihoods such as fishing boats and equipment of communities living along the coastline.
- (4) Due to drought and crop pests, food insecurity levels were already high before the cyclones. The IPC report of 2 July 2019 indicates 1.64 million people in IPC phase 3 (Crisis) and 4 (Emergency) who currently need urgent humanitarian assistance. The IPC predicts that from October 2019 until February 2020, the number of persons in IPC phases 3 and 4 will increase up to 1.99 million. Approximately 67 500 children

¹ OJ L 58, 3.3.2015, p. 1.

² OJ L 307, 3.12.2018, p. 1

under five in the 31 districts assessed need treatment for acute malnutrition (61 000 MAM and 6 500 SAM cases).

- (5) This already fragile humanitarian situation has been exacerbated by the cyclones that hit just before the harvest began, and thus, a deterioration of the food security situation is expected.
- (6) Given this context, there are unforeseen and significant humanitarian needs in Mozambique due to the exceptional circumstances. Such humanitarian needs may be addressed through the adoption of special measures to provide funding under the 11th European Development Fund (EDF), in line with Article 9 of Regulation (EU) 2015/322.
- (7) In order to ensure the implementation of humanitarian actions in favour of Mozambique, it is necessary to adopt a financing decision. Article 110 of Regulation (EU, Euratom) 2018/1046, applicable in accordance with Article 24(1) of Regulation (EU) 2018/1877, establishes detailed rules on financing decisions.
- (8) Humanitarian actions to be funded under this Decision should address the increasing food insecurity, health needs and emergency repositioning, to mitigate against the impact of the cyclones and the food insecurity crisis, to restore livelihoods and to ensure preparedness for similar natural disasters.
- (9) The envisaged assistance is to comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU³. The needs-based and impartial nature of humanitarian aid implies that the Union may be called on to finance humanitarian assistance in crises and countries covered by Union restrictive measures. In such situations, and in keeping with the relevant principles of international law, which include the fundamental humanitarian principles of humanity, impartiality, independence and neutrality, the Union should allow and facilitate rapid and unimpeded access to humanitarian relief by civilians in need. The relevant Union restrictive measures should therefore be interpreted and implemented in such a manner as not to preclude the delivery of humanitarian assistance to the intended beneficiaries.
- (10) Pursuant to Article 193 of Regulation (EU, Euratom) 2018/1046, applicable in accordance with Article 32 of Regulation (EU) 2018/1877, costs incurred prior to the date of submission of a grant application shall be eligible as grants to be awarded under this Decision seek to provide humanitarian aid in a situation of extreme urgency where an early intervention by the Union would be of major importance.
- (11) Pursuant to Article 195 of Regulation (EU, Euratom) 2018/1046, applicable in accordance with Article 32 of Regulation (EU) 2018/1877, it is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants in light of the humanitarian nature of the assistance to be provided under this Decision.
- (12) Pursuant to Article 15 of Regulation (EU) 2018/1877 indirect management is to be used for the implementation of the programme.
- (13) The Commission is to ensure a level of protection of the financial interests of the Union with regards to entities and persons entrusted with the implementation of Union funds by indirect management as provided for in Article 154(3) of Regulation (EU,

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.

Euratom) 2018/1046 applicable in accordance with Article 30(1) of Regulation (EU) 2018/1877. To this end, such entities and persons are to be subject to an assessment of their systems and procedures in accordance with Article 154(4) of Regulation (EU, Euratom) 2018/1046⁴ and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of Regulation (EU, Euratom) 2018/1046 before a contribution agreement can be signed.

- (14) It is necessary to allow for the payment of interest due for late payment on the basis of Article 116(5) of Regulation (EU, Euratom) 2018/1046 applicable in accordance with Article 24(2) and Article 25 of Regulation (EU) 2018/1877.
- (15) 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 Regulation (EU, Euratom) 2018/1046.
- (16) The measure provided for in this Decision does not fall within the categories of measures for which the prior opinion of the Committee is required. The EDF Committee, established under Article 8 of the Internal Agreement, shall be informed of this Decision within one month of its adoption,

HAS DECIDED AS FOLLOWS:

Article 1
The measure

The special measure on the financing of humanitarian actions in favour of Mozambique, as set out in the Annex, is hereby adopted.

Article 2
Union contribution

The maximum Union contribution for the implementation of the measure is set at EUR 10 000 000, and shall be financed from the 11th European Development Fund.

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 humanitarian actions carried out by way of direct and indirect management, as set out in the Annex and in accordance with the modalities specified therein, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 5 of the Annex.

Article 4
Flexibility clause

Increases or decreases of up to EUR 10 000 000 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 shall not be considered substantial for the purposes of Article 110(5) of Regulation (EU, Euratom) 2018/1046, applicable in accordance with Article

⁴ Except for the cases of Article 154(6) of Regulation (EU, Euratom) 2018/1046, where the Commission may decide, not to require an ex-ante assessment

24(2) of Regulation (EU) 2018/1877, 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.

Done at Brussels, 4.10.2019

For the Commission
Christos STYLIANIDES
Member of the Commission