



Brussels, 29.11.2019
C(2019) 8622 final

COMMISSION DECISION

of 29.11.2019

on the financing of the special measure in favour of the Republic of Mozambique

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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) 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 order to ensure the implementation of the Recovery and Resilience Programme in Mozambique, it is necessary to adopt a financing decision. Article 24 of Regulation (EU) 2018/1877 establishes detailed rules on financing decisions.
- (2) The envisaged assistance is to comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 of the Treaty on the Functioning of the European Union³.
- (3) The objectives pursued by the special measure to be financed under the 11th European Development Fund (EDF) Internal Agreement⁴ ('Internal Agreement') are to contribute to the social and economic recovery of the provinces affected by the Cyclones Idai and Kenneth. The action entitled 'Recovery and Resilience Programme in Mozambique' aims at restored, resilient and inclusive livelihoods and economic empowerment of the affected women; restored and increased access to housing and community infrastructure by the affected population through their active engagement; increased sanitation coverage and improved public health and environmental conditions in the city of Beira; improved nutritional and WASH (Water, Sanitation and Hygiene) status in targeted affected districts and policies and systems put forward/developed by the Reconstruction Cabinet and other national and local actors for leading and coordinating the post-cyclone recovery implementation.
- (4) Pursuant to Article 15 of Regulation (EU) 2018/1877 indirect management is to be used for the implementation of the programme.

¹ OJ L 58, 3.3.2015, p. 1.

² OJ L 307, 3.12.2018, p. 1.

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.

⁴ 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.

- (5) 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, Euratom) 2018/1046,⁵ 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) 2018/1046⁶ and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of Regulation (EU, Euratom) 2018/1046, both applicable in accordance with Article 30(1) of Regulation (EU) 2018/1877, before a contribution agreement can be signed.

- (6) 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 Articles 24(2) and 25 of Regulation (EU) 2018/1877.
- (7) 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, applicable in accordance with Article 24(2) of Regulation (EU) 2018/1877.
- (8) The measure provided for in this Decision is in accordance with the opinion of the EDF Committee established under Article 8 of the Internal Agreement.

HAS DECIDED AS FOLLOWS:

Article 1
The measure

The financing decision on the special measure in favour of the Republic of Mozambique is adopted.

The measure shall include the following action: ‘Recovery and Resilience Programme in Mozambique’ set out in the Annex.

Article 2
Union contribution

The maximum Union contribution for the implementation of the measure is set at EUR 70 000 000 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.

⁵ 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 966/2012 (OJ L 193, 30.7.2018, p. 1).

⁶ 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.

Article 3
Methods of implementation and entrusted entities or persons

The implementation of the actions to be 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 points 5.4.1, 5.4.2. and 5.4.3. of the Annex.

Article
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 changes⁷ 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 Regulation (EU, Euratom) 2018/1046, applicable in accordance with Article 24(2) of Regulation (EU) 2018/1877, provided that these changes do not significantly affect the nature and objectives of the actions.

The use of contingencies shall be taken into account in the ceiling set by this Article.

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

Done at Brussels, 29.11.2019

For the Commission
Neven MIMICA
Member of the Commission

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