



Brussels, 6.6.2016  
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**COMMISSION DECISION**

**of 6.6.2016**

**on the Annual Action Programme 2016 (part 1) in favour of the Republic of  
Mozambique to be financed from the 11<sup>th</sup> European Development Fund**

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### on the Annual Action Programme 2016 (part 1) in favour of the Republic of Mozambique to be financed from the 11<sup>th</sup> European Development Fund

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 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) The Commission has adopted the 11<sup>th</sup> European Development Fund (EDF) National Indicative Programme for the period 2014-2020<sup>3</sup> for co-operation between the Republic of Mozambique and the European Union, points 1.2 and 3.2 of which provide as one of the priorities improvement of the food security and nutrition status.
- (2) The objectives pursued by the Annual Action Programme to be financed under the 11<sup>th</sup> European Development Fund (EDF) Internal Agreement ('Internal Agreement')<sup>4</sup> is to contribute to the achievement of Government targets in the reduction of chronic undernutrition in children under 5 years of age in Mozambique.
- (3) Action entitled "Nutrition Support Programme in Mozambique" aims at improving the capacity of the Government of Mozambique for planning, coordinating and implementing nutrition interventions based on reliable multi-sector nutrition information, while scaling-up specific-nutrition actions to improve nutritional status of children under 5 years in the provinces of Zambezia and Nampula. The Action will be implemented through indirect management with UNICEF and with the Republic of Mozambique.
- (4) 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>5</sup> applicable in accordance with Article 2(1) and Article 26 of Regulation (EU) 2015/323.

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<sup>1</sup> OJ L 58, 3.3.2015, p. 1

<sup>2</sup> OJ L 58, 3.3.2015, p. 17

<sup>3</sup> Commission Decision of 28 August 2015 on the adoption of the National Indicative Programme between the European Union and the Republic of Mozambique (C(2015)5996 final of 28.8.2015)

<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;

<sup>5</sup> Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation 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).

- (5) The Commission should entrust budget-implementation tasks under indirect management to UNICEF, subject to the conclusion of a delegation agreement. In accordance with Article 60(1) and (2) of Regulation (EU, Euratom) No 966/2012, applicable in accordance with Articles 2(1) and 17 of Regulation (EU) 2015/323, the authorising officer responsible needs to ensure that this entity guarantees a level of protection of the financial interests of the Union equivalent to that required when the Commission manages Union funds. This entity complies with the conditions of 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.
- (6) The Commission should entrust budget-implementation tasks under indirect management to the Republic of Mozambique, subject to the conclusion of a financing agreement. In accordance with Article 60(1)(c) of Regulation (EU, Euratom) No 966/2012 applicable in accordance with Articles 2(1) and 17 of Regulation (EU) No 2015/323, the authorising officer responsible needs to ensure that measures are taken to supervise and support the implementation of the entrusted tasks. A description of these measures and the entrusted tasks are laid down in the Annex to this Decision.
- (7) The authorising officer responsible should be able to award grants without a call for proposals provided that the conditions for an exception to a call for proposals in accordance with Article 190 of Delegated Regulation (EU) No 1268/2012, applicable in accordance with Article 37(1) of Regulation (EU) No 323/2015, are fulfilled.
- (8) It is necessary to allow 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 29(1) of Regulation (EU) 2015/323.
- (9) Pursuant to Article 94(4) of Delegated Regulation (EU) No 1268/2012, the Commission should define changes to this Decision which are not substantial in order to ensure that any such changes can be adopted by the authorising officer responsible.
- (10) The measure provided for in this Decision is in accordance with the opinion of the European Development Fund Committee set up by Article 8 of the Internal Agreement.

HAS DECIDED AS FOLLOWS:

#### *Article 1*

##### **Adoption of the measure**

The Annual Action Programme 2016 (part 1) in favour of the Republic of Mozambique to be financed from the 11<sup>th</sup> European Development Fund, as set out in the Annex, is approved.

The Programme shall include the following action:

- Annex : Nutrition Support Programme in Mozambique

#### *Article 2*

##### **Financial contribution**

The maximum contribution of the European Union for the implementation of the programme referred to in Article 1 is set at EUR 30 000 000 and shall be financed from the 11<sup>th</sup> European Development Fund.

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

### *Article 3*

#### **Implementation modalities**

Budget-implementation tasks under indirect management may be entrusted to the entities identified in the attached Annex, subject to the conclusion of the relevant agreements.

The elements required by Article 94(2) of Delegated Regulation (EU) No 1268/2012 applicable in accordance with Article 26 of Regulation (EU) 2015/323 are set out in the Annex.

Grants may be awarded without a call for proposals by the authorising officer responsible in accordance with Article 190 of Delegated Regulation (EU) No 1268/2012.

### *Article 4*

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

Increases or decreases of up to EUR 10 000 000 not exceeding 20% of the contribution set by the first paragraph of Article 2, or cumulated changes 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 within the meaning of Article 94(4) of Delegated Regulation (EU) No 1268/2012, applicable in accordance with Article 26 of Regulation (EU) 2015/323 provided that they 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 adopt such non-substantial changes in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 6.6.2016

*For the Commission*  
*Neven MIMICA*  
*Member of the Commission*