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**COMMISSION IMPLEMENTING DECISION**

**of 8.12.2020**

**on an exceptional assistance measure in favour of Mozambique**

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## on an exceptional assistance measure in favour of Mozambique

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 230/2014 of the European Parliament and of the Council of 11 March 2014 establishing an instrument contributing to stability and peace<sup>1</sup>, and in particular Article 7 thereof,

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 966/2012<sup>2</sup>, and in particular Article 110 thereof,

Whereas:

- (1) Since the onset of an armed insurgency in 2017, the security, socio-economic and humanitarian situation in the Cabo Delgado province of Mozambique has further deteriorated. More than 630 attacks by armed groups claiming affiliation with the Islamic State, have resulted in around 2,100 fatalities among civilians and security forces and over 400,000 internally displaced persons. The violence has dramatically increased in 2020. In addition, in 2019, cyclone Kenneth deeply affected the province and the COVID-19 crisis has further exacerbated the situation. Large parts of the local population mistrust the authorities and are frustrated by the lack of basic services and job opportunities, especially as this stands in stark contrast to large investments in the oil and gas sector in the region. These feelings were amplified by a heavy-handed response from the Government of Mozambique's security forces. Both the police and military have been accused of serious human rights violations and of not providing adequate protection to the civilian population. The promotion of a peaceful coexistence and confidence building between the authorities and communities is critical to avoid a dangerous spillover of violence into other provinces and to tackle the threat to stability. The present situation makes it necessary to adopt an exceptional assistance measure to support Mozambique.
- (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 establishes detailed rules on financing decisions.

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<sup>1</sup> OJ L 77, 15.3.2014, p. 1.

<sup>2</sup> OJ L 193, 30.7.2018, p. 1.

- (3) The planned assistance is to comply with the conditions and procedures set out by the restrictive measures<sup>3</sup> adopted pursuant to Article 215 TFEU.
- (4) The objective of the measure set out in this Decision is to provide an initial EU contribution to promote peace and stabilisation in Cabo Delgado and its surrounding provinces by increasing confidence between the government and communities, and strengthening social cohesion in order to remedy exceptional and unforeseen situations as referred to in points (a), (b) and (c) of Article 3(1) of Regulation (EU) No 230/2014.
- (5) In accordance with points (a), (f), (k), (m) and (o) of Article 3(2) of Regulation (EU) No 230/2014, the activities set out in this Decision will include the enhancement of community engagement, small stabilisation projects identified by local communities to promote confidence building between local communities and the authorities, including the police; and the establishment of local dialogues involving key community, religious and political stakeholders to find collaborative solutions that promote peaceful coexistence. Particular attention will be given to women's engagement.
- (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 7(2) of Regulation (EU) No 230/2014.
- (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 adequate and effective response requires the mobilisation of the instrument contributing to stability and peace, in accordance with Article 2(3) of Regulation (EU) No 230/2014.
- (8) The measure provided for in this Decision is consistent with the Union strategic policy framework for Mozambique. Synergies and complementarities are expected with other Union interventions, as detailed in point 7 of the Annex.
- (9) In order to carry out the activities indicated in recital 5, it is necessary to use indirect management for the implementation of the measure.
- (10) The Commission is to ensure a level of protection of the financial interests of the Union with regard 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. 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) 2018/1046<sup>4</sup> 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.
- (11) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (12) 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.

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<sup>3</sup> [www.sanctionsmap.eu](http://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.

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

- (13) 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 Regulation (EU, Euratom) 2018/1046.
- (14) The Council has been informed of the exceptional assistance measure to be adopted by this Decision, in accordance with Article 7(4) of Regulation (EU) No 230/2014,

HAS DECIDED AS FOLLOWS:

*Article 1*  
*The measure*

The financing decision for the implementation of the exceptional assistance measure in favour of Mozambique, as set out in the Annex, is adopted.

The measure shall include the following action: Annex: ‘Support to stability and peace in Cabo Delgado’.

*Article 2*  
*Union contribution*

The maximum Union contribution for the implementation of the measure is set at EUR 5 000 000, and shall be financed from the appropriations entered in the budget line 19 02 01 of the general budget of the Union for 2020.

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 the Annex. Grants may be awarded to the 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 7(2) of Regulation (EU) No 230/2014. 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 not exceeding 20 % of the contribution set in the first paragraph of Article 2 of this Decision, 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 for the purposes of Article 110(5) of Regulation (EU, Euratom) 2018/1046 where those 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. Those changes shall be applied in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 8.12.2020

*For the Commission*  
*Josep BORRELL FONTELLES*  
*Vice-President*