



Brussels, 26.2.2013
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COMMISSION DECISION

of 26.2.2013

**financing humanitarian actions in the Caribbean from the 10th European Development
Fund (EDF)**

(ECHO/-CR/EDF/2013/01000)

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THE EUROPEAN COMMISSION,

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

Having regard to the ACP-EC Partnership Agreement signed in Cotonou on 23 June 2000¹, as first amended in Luxembourg on 25 June 2005² and as amended for the second time in Ouagadougou on 22 June 2010³, and in particular Article 72 thereof,

Having regard to Council Regulation (EC) No 617/2007 of 14 May 2007 on the implementation of the 10th European Development Fund under the ACP-EC Partnership Agreement⁴, and in particular Articles 5.4 and 8 thereof;

Whereas:

- (1) On 24 October 2012, Hurricane Sandy (Category 1 on the Samir-Simpson scale) hit Jamaica. Although outside of the direct track of eye of the hurricane, the Dominican Republic received heavy rainfall causing significant flooding and damage;
- (2) Approximately 485,621 people have been severely affected by the event, with damage to 28,559 houses in both countries. Many key parts of infrastructure such as government buildings, schools, health centres, bridges, aqueducts and telecommunication have been seriously affected;
- (3) The southern Dominican province of Azua (population of around 200,000) declared a state of emergency and requested assistance;
- (4) Mission of the ECHO⁵ office in Santo Domingo was deployed to the southern province of Azua to assess the humanitarian situation and needs;
- (5) The first humanitarian actions of the European Commission responding to the hurricane were implemented on 3 November 2012 under a DREF⁶ operation and a small scale humanitarian response in the Dominican Republic. At a moment when the scale of the disaster was still unknown, the purpose of these operations was to address the most urgent needs in the water, sanitation, health and relief items sectors. No actions have yet been supported in Jamaica. Despite these interventions, there is a need for further humanitarian assistance which will be covered by this Decision;

¹ OJ L 317, 15.12.2000, p.3.

² OJ L 209 of 11.08.2005, p.27

³ OJ L 287 of 4.11.2010, p.3.

⁴ OJ L 152 of 13.06.2007, p.1.

⁵ Directorate General Humanitarian Aid and Civil Protection

⁶ Disaster Response Emergency Fund managed by IFRC, International Federation of the Red Cross

- (6) To reach populations in need, aid should be channelled through non-governmental organisations (NGOs) or international organisations including United Nations (UN) agencies. Therefore the European Commission should implement the budget by direct centralised management or by joint management;
- (7) For the purposes of this Decision, the Caribbean countries involved are Jamaica and Dominican Republic;
- (8) An assessment of the humanitarian situation leads to the conclusion that humanitarian aid actions should be financed by the European Union for a period of 18 months;
- (9) The use of the 10th European Development Fund is necessary as all the funds for ACP countries in the general budget are entirely allocated;
- (10) It is estimated that an amount of EUR 1,500,000 (EUR 1.000.000 for the Dominican Republic and EUR 500.000 for Jamaica) from the Caribbean's allocation for unforeseen needs (B-envelope) of the 10th European Development Fund is necessary to provide humanitarian assistance to populations directly affected by the hurricane. The activities covered by this Decision may be financed in full in accordance with Article 103.3 of the Financial Regulation applicable to the 10th EDF⁷, together with Article 277 of 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('the Rules of Application of the Financial Regulation')⁸;
- (11) The Commission will inform the EDF Committee within one month of the adoption of the Decision and this in conformity with Article 8 of the Council Regulation (EC) No 617/2007.

HAS DECIDED AS FOLLOWS:

Article 1

1. In accordance with the objectives and general principles of humanitarian aid, the Commission hereby approves a total amount of EUR 1,500,000 from the 10th European Development Fund for humanitarian aid actions to assist the Caribbean population affected by natural disasters and especially the population of Jamaica and Dominican Republic affected by hurricane Sandy.

2. In accordance with Article 72 of the ACP-EC Partnership Agreement, the principal objective of this Decision is to meet remaining humanitarian needs of vulnerable people affected by recent natural disasters in the Caribbean. The humanitarian aid actions shall be implemented in pursuance of the following specific objective:

- To provide relief assistance and to facilitate resettlement and early recovery of people affected by natural disasters, especially hurricane Sandy.

The full amount of this Decision is allocated to this specific objective.

⁷ OJ L 78 of 19.03.2008, p.1.

⁸ OJ L 362 of 31.12.2012, p.1.

Article 2

1. The period for the implementation of the actions financed under this Decision shall start on 15 February 2013 and shall run for 18 months. Eligible expenditure shall be committed during the implementation period of this Decision.
2. If the implementation of individual actions is suspended owing to force majeure or other exceptional circumstances, the period of suspension shall not be taken into account in the implementing period of the Decision in respect of the action suspended.
3. In accordance with the contractual provisions ruling the Agreements financed under this Decision, the Commission may consider eligible those costs arising and incurred after the end of the implementing period of the action which are necessary for its winding-up.

Article 3

1. In accordance with Article 103.3 of the Financial Regulation applicable to the 10th EDF, together with Article 277 of the Rules of Application of the Financial Regulation, and having regard to the urgency of the action, the availability of other donors and other relevant operational circumstances, funds under this Decision may finance humanitarian aid actions in full.
2. Actions supported by this Decision will be implemented either by non-profit-making organisations which fulfil the eligibility and suitability criteria established in Article 7 of Council Regulation (EC) No 1257/96 or by international organisations.
3. The Commission shall implement the budget:
 - * either by direct management, with non-governmental organisations
 - * or by joint management with international organisations that are signatories to the Framework Partnership Agreements (FPA) or the Financial Administrative Framework Agreement with the UN (FAFA) and which were subject to the four pillar assessment in line with Article 29 of the Financial Regulation applicable to the 10th EDF.

Article 4

The Decision shall take effect on the date of its adoption.

Done at Brussels, 26.2.2013

For the Commission
Claus Sørensen, Director-General



