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**COMMISSION DECISION**

**of 9.6.2015**

**Financing humanitarian actions in Nigeria, Niger, Cameroon and Chad from the 11<sup>th</sup>  
European Development Fund**

**(ECHO/-AF/EDF/2015/01000)**

## COMMISSION DECISION

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### **Financing humanitarian actions in Nigeria, Niger, Cameroon and Chad from the 11<sup>th</sup> European Development Fund**

**(ECHO/-AF/EDF/2015/01000)**

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 Fund<sup>1</sup> and in particular Article 9(3) thereof,

Having regard to Council Regulation (EU) 2015/323 of 2 March 2015 on the financial regulation applicable to the 11th European Development Fund<sup>2</sup> and in particular Article 26 thereof,

Whereas:

- (1) Since 2014 there has been a dramatic increase in acts of violence in Nigeria, conducted by the militant islamist group Boko Haram, targeting mainly the civilian population. Recently, attacks have also been carried out in the neighbouring countries. This has caused both internal displacement and population movements across the border into Cameroon, Niger and Chad.
- (2) The increased violence has caused serious humanitarian consequences for the population of North-East Nigeria and those of neighbouring Niger, Chad and Cameroon. An estimated 1.5 million people are internally displaced in Nigeria and over 230 000 have sought refuge in neighbouring countries, creating shortage of food and increasing the risk of outbreaks of infectious diseases such as cholera. Protection, food, shelter, health and water, hygiene and sanitation (WASH) needs remain largely unmet in the affected areas.
- (3) 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 management or by indirect management, as the case may be.
- (4) For the purposes of this Decision, the countries involved are Nigeria, Niger, Cameroon and Chad.

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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.

- (5) Pursuant to Article 37 of Regulation (EU) 2015/323 and Article 130 of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union<sup>3</sup>, and in view of the specific nature of humanitarian aid, expenditure incurred before the date of submission of a proposal can be eligible for Union funding.
- (6) The use of the 11<sup>th</sup> European Development Fund is necessary as all the funds for ACP countries in the general budget are entirely allocated.
- (7) It is estimated that an amount of EUR 21 million from the reserve for unforeseen needs (B-envelope) of the 11<sup>th</sup> European Development Fund is necessary to provide humanitarian assistance to populations directly affected by the Boko Haram crisis. Although as a general rule actions funded by this Decision should be co-financed, the Authorising Officer, in accordance with Article 37(1) of Regulation (EU) 2015/323, together with Article 277 of 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<sup>4</sup> (hereinafter referred to as 'the Rules of Application'), may agree to the full financing of actions.
- (8) The measures provided for in this Decision are in accordance with the opinion of the European Development Fund Committee set up by Article 8 of the 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<sup>5</sup>.

HAS DECIDED AS FOLLOWS:

#### *Article 1*

1. A total amount of EUR 21 million from the 11<sup>th</sup> European Development Fund for humanitarian aid actions is hereby approved in order to scale up the delivery of a multi-sectorial assistance to address an effective level of needs for internally displaced persons (IDPs), refugees and local communities in North-East Nigeria, Niger, Cameroon and Chad.

The humanitarian aid actions shall be implemented in order to ensure a coordinated and effective humanitarian assistance for those most affected by the Boko Haram crisis in Nigeria, Niger, Cameroon and Chad.

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<sup>3</sup> OJ L 298, 26.10.2012, p. 1.

<sup>4</sup> OJ L 362, 31.12.2012, p. 1.

<sup>5</sup> OJ L 210, 6.8.2013, p. 1.

## *Article 2*

1. The period for the implementation of the actions financed under this Decision shall start on the date specified in the relevant Agreements financed under this Decision.
2. Pursuant to Article 37 of Regulation (EU) 2015/323 and Article 130 of Regulation (EU, Euratom) No 966/2012, and in view of the specific nature of humanitarian aid, expenditure incurred before the date of submission of a proposal can be eligible for Union funding.
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. As a general rule, actions funded by this Decision should be co-financed.

The Authorising Officer by delegation, in accordance with Article 37 of Regulation (EU) 2015/323, together with Article 277 of the Rules of Application, may agree to the full financing of actions when this will be necessary to achieve the objectives of this Decision and with due consideration to the nature of the activities to be undertaken, the availability of other donors and other relevant operational circumstances.

2. Actions supported by this Decision will be implemented either by non-governmental organisations which fulfil the eligibility and suitability criteria established in Article 7 of Council Regulation (EC) No 1257/96 concerning humanitarian aid<sup>6</sup> or by international organisations.
3. The Commission shall implement the budget:
  - (a) either by direct management, with non-governmental organisations;
  - (b) or by indirect 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 institutional compliance assessment ('six pillar assessment') in line with Article 61 of Regulation (EU, Euratom) No 966/2012.

## *Article 4*

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

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<sup>6</sup> OJ L 163, 2.7.1996, p. 1.

Done at Brussels, 9.6.2015

*For the Commission*  
*Christos STYLIANIDES*  
*Member of the Commission*