

10.5 SUSPENSION OF THE ACTION⁹⁰

A suspension of the implementation of the humanitarian action is a temporary stopping of all or part of the activities of the action, due to circumstances which make it impossible or excessively difficult to continue. When such circumstances no longer apply, the suspension is to be lifted and the partner will resume the implementation of the action. In some cases, it will be possible for the partner to continue implementing a part of the action during the suspension period. This has to be defined in the exchange of information between ECHO and the partner.

10.5.1 SUSPENSION BY THE PARTNER

The partner may have to suspend the implementation of the action if changes in circumstances in the field are likely to make it excessively difficult to continue the implementation of the action, notably in cases of:

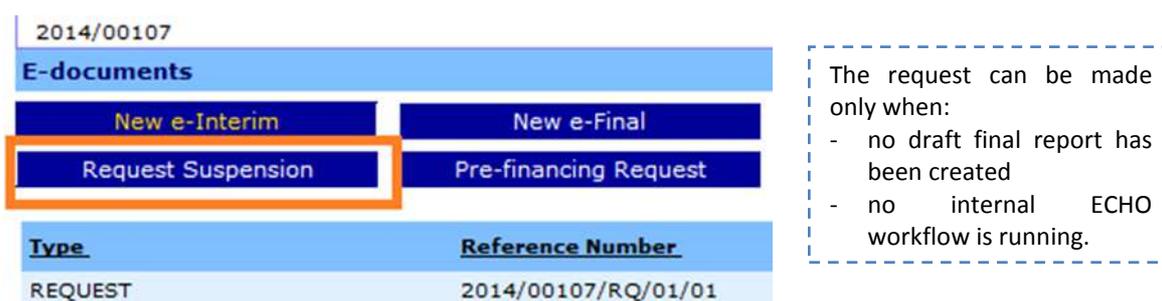
- Force majeure as described in section 10.4,
- Serious threat to the safety of humanitarian workers,
- Incompatibility between the implementation of the action and compliance with humanitarian principles or conflict of interests.

A) SUSPENSION PROCEDURE

TOTAL SUSPENSION

As soon as an event occurs in the field that could lead to a suspension of the action, the partner will inform ECHO (Desk or TA) by email, even if the partner is not sure yet that a suspension will be needed. This first message is important to set the possible start date of the suspension.

1. When the decision to suspend the action is taken, the partner will inform immediately ECHO via APPEL, using the "**Request suspension**" functionality in the eDocument result list screen



Type	Reference Number
REQUEST	2014/00107/RQ/01/01

The request can be made only when:

- no draft final report has been created
- no internal ECHO workflow is running.

The partner is requested to provide the information supporting the suspension, i.e:

⁹⁰ Article 14 of the General Conditions FPA NGO

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- a. Reasons for the suspension
- b. The expenses connected to the suspended activities during the suspension period.(e.g. the running costs of the local office). The eligibility rules continue to apply during the suspension.
- c. The proposed start date of the suspension and the estimated duration (in days).

The partner can add supporting documents if deemed necessary.

2. ECHO will review the grounds for suspension and inform the partner of its decision concerning the suspension by email to the official address of the partner. ECHO's letter will confirm the start date of the suspension, the duration and the nature of the expenses considered as eligible.
3. As soon as the suspension is approved in APPEL, the action will change from '**ongoing**' to '**suspended**'. **No further activity in APPEL will be possible during the suspension process.**
4. As soon as circumstances allow, the partner will resume the activities and inform immediately ECHO via APPEL, by clicking on the button "**Terminate Suspension**" in the eDocument result list screen. The partner will have to provide the following information:
 - a. The end date of the suspension.
 - b. Other modifications necessary to adapt the action to new implementation conditions. (e.g. duration, results, budget)
 - c. Any other supporting documents if deemed necessary.
5. ECHO will analyse the information provided and inform the partner of its decision via a pdf letter sent via email to the official address of the partner:
 - a. When the resumption has no impact on any basic element of the agreement, ECHO will confirm the resumption and will give the new end date of the action.
 - b. When the resumption entails changes of the agreement's articles or of the basic elements of the action (e.g. results, end date, indicators), ECHO will have to agree first on these changes and will confirm its agreement.
 - c. When the suspension was longer than 1/3 of the implementation period, ECHO will have to decide whether to resume or terminate the action.

PARTIAL SUSPENSION

When the suspension is partial (concerning one or several results), the partner **should not use** the functionality "Request suspension" as this would suspend the entire action but the **modification request** functionality (MR).

1. The partner should inform ECHO immediately in writing of the risks of partial suspension to set the start date of the partial suspension.
2. Once the partial suspension is confirmed, the partner will provide detailed information on the suspension through a Modification request in APPEL. In **section 13** of the Single form, the partner will provide information on:

- a. - the reasons for the partial suspension
 - b. - the conditions and dates foreseen for the resumption of the activities
 - c. - the expenses connected to the suspended activities.
3. ECHO will review the grounds for suspension and inform the partner of its decision by email to the official address of the partner. ECHO's letter will confirm the start date of the suspension, the duration and the nature of the expenses considered as eligible.
 4. As soon as circumstances allow, the partner will resume the activities and inform immediately ECHO via APPEL by introducing a Modification request. The partner will explain which elements of the specific grant agreement, if any, have to be modified as a result of the partial suspension. The partner will have to provide the following information:
 - a. The end date of the suspension.
 - b. Other modifications necessary to adapt the action to new implementation conditions. (e.g. duration, results, budget)
 - c. Any other supporting documents if deemed necessary.
 5. ECHO will analyse the information provided about proposed changes and inform the partner of its decision via a pdf letter sent via email to the official address of the partners.

TO SUMMARISE

SUSPENSION & APPEL	
Total Suspension ↓	Partial suspension ↓
Suspension request	Modification request

10.5.2 SUSPENSION BY ECHO

ECHO may suspend the action when it has evidence or suspect that the partner:

- committed substantial errors, irregularities or fraud in the implementation of the action,
- failed to comply with its obligations under the Specific Grant Agreement
- has committed recurrent errors, irregularities, fraud or breach of obligations under other grants which have a material impact on the action

It may also suspend when it considers that exceptional circumstances make the implementation excessively difficult or dangerous for the humanitarian workers or where there is an incompatibility between the implementation of the action and compliance with humanitarian principles.

A) SUSPENSION PROCEDURE

1. ECHO will formally notify (Postal delivery with return receipt and e-mail) the partner of its intention to suspend and explaining the reasons for the suspension.

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2. The partner will have 15 calendar days⁹¹ to submit observations.
 - a. If the partner fails to submit observation, the suspension will take effect on the expiry of the 15 calendar days.
 - b. If the partner submits observations, ECHO will consider them and notify the partner of its decision on the suspension.

10.5.3 IMPORTANT INFORMATION ABOUT SUSPENSION

- During the suspension period, the Partners must take all necessary measures to limit the duration of the suspension, to reduce potential damage, to limit the expenses.
- When the suspension risks to prolong more than 1/3 of the initial implementation period, ECHO must be informed.
- The Agreement might be terminated if the causes of the suspension are such that it is not possible to envisage a resumption of the activities or if the causes for suspension last longer than 1/3 of the implementation period.

⁹¹ The time-limits may be shortened according to the urgency of the matter.

⁹² Article 15 of the General Conditions FPA NGO