



## **Humanitarian Aid Decision**

23.02.01

Location of operation: All countries

Amount of decision: €18.750.000

Title: Commission Decision to finance technical assistance and operational support for ECHO's activities

Decision reference number: ECHO/TAS/BUD/2005/02000

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### **1. Reminder of the context**

The Directorate General for Humanitarian Aid - ECHO is the Commission service responsible for the management and financing of the Community's humanitarian aid, the conditions for which are laid down in Council Regulation (EC) No 1257/96 of 20.06.96.

In line with article 4 of this regulation, ECHO's mandate includes, in particular, the following activities:

- preparatory and feasibility studies for humanitarian operations and the assessment of humanitarian projects and plans;
- operations to monitor humanitarian projects and plans;
- measures to strengthen the Community's co-ordination with the Member States, other donor countries, international humanitarian organisations and institutions, non-governmental organisations and organisations representing them;
- the technical assistance necessary for the implementation of humanitarian projects.

In this context, such technical assistance in the theatre of operations and crises is of crucial importance as it covers essential tasks such as the identification and evaluation of need and also the supervision of ongoing operations. It also maximises the impact of aid to victims and helps to improve ECHO's capacity to fix priorities for the use of this aid. The added value gained through this expertise derives from the objectives listed in point 3 of this explanatory memorandum. The presence in the field of technical assistance which is ready to intervene immediately in a humanitarian crisis situation considerably increases the Commission's rapid reaction capacity and the implementation and follow-up of aid programmes financed by ECHO.

To this end ECHO employs about 70 individual experts. The system of individual experts was introduced in 1998 to replace the technical assistants managed at the time by the European Association for Co-operation (AEC) which was a common system to all the Directorates General of the RELEX family. These experts are recruited through direct employment contracts with the Commission from a list of experts drawn up following a call for applications published in the Official Journal of the EC<sup>1</sup>. They are employed to undertake technical assistance missions in various sectors including humanitarian aid and work exclusively in third countries outside the European Union.

## **2. Contractual and financial conditions**

In order to be recruited as an individual expert, candidates must be registered in the “individual experts” database. Candidates for a technical assistance mission must reply to a call for applications published in the OJEC and on the Internet (EuropeAid website). They may apply at any time but the Commission reserves the right to exclude candidates from this call for applications or restrict it to certain areas.

Those wishing to be included in the list must satisfy the following conditions:

- hold a higher education diploma (degree or masters level) or secondary school leaving certificate;
- possess a minimum of three years’ professional experience in their chosen areas or sub-areas, including at least two years outside the European Union and other industrialised countries (where professional experience is considered relevant for the purposes of this call for applications). Domain 11 is reserved for humanitarian aid;
- be proficient in at least one of the following three languages: English, French or Spanish.

Only experts of less than 65 years of age who are nationals of countries eligible for Community projects and programmes may apply for inclusion in the list.

After examination by a panel, candidates satisfying the admission criteria are registered in the database made up of various domains including humanitarian aid. Inclusion on the list does not imply entitlement to a contract.

Experts included on the list must update their CVs annually on their own initiative or their names will be expunged from the list after two years. The Commission must also be notified of any change of address or extended periods (over 12 months) of non-availability.

When a post becomes available, ECHO organises a selection panel and, where necessary, calls available candidates for interview. Representatives of several ECHO units take part in the interview.

The assignment of missions gives rise to employment contracts between the Commission and the experts. The contracts are governed by Belgian law and, in particular, the law of 3

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<sup>1</sup> OJ C 274/11, 26.09.2000

July 1978 relating to employment contracts. The contracts are for a fixed term for specific missions, defined by the expert's Terms of Reference, and carried out under the authority of the employer (power of authority and supervision). In order to maintain the nature of the fixed-term contract, the Commission limits on the one hand the number of consecutive contracts for a defined mission to 2 (application of Belgian law) and on the other hand imposes an interruption between 2 missions accompanied by a new selection procedure. ECHO has decided that this interruption should be for an absolute minimum of one month.

Such employment contracts entitle experts to monthly pay which is fixed on the basis of guidance brackets published in the call for applications. Social security cover (sickness, accident) and insurance policies (incapacity, death, pension) are fixed by the contractual provisions and the legislation applicable (Belgian law).

Experts' basic salary is fixed according to years of professional experience (4 categories) and other criteria such as the level of training, quality of professional experience and the degree of difficulty or responsibility of the assignment.

The categories, which are determined in relation both to the very restricted market for technical assistance in third countries and to the conditions of employment for Commission non-permanent staff, are:

Category I: 3 to 5 years' professional experience: from EUR 2 675 to 3 750 per month;

Category II: 5 to 10 years' professional experience: from EUR 3 210 to 5 350 per month;

Category III: 10 to 20 years' professional experience: from EUR 4 280 to 6 950 per month;

Category IV: over 20 years' professional experience: from EUR 5 350 to 8 550 per month.

According to their personal situation, these amounts will be increased by:

- 0 to 25% of a reference amount (EUR 4 492 per month) according to living conditions at the location of the mission;
- 5% of basic pay as a head-of-family allowance;
- EUR 219 per month for each dependent child up to a maximum of EUR 878 per month;
- a daily settling-in allowance fixed according to the place of work and payable for up to two months.

Pay and allowances will be adjusted at regular intervals.

Experts benefit also from:

- social security cover (sickness, accident) and other insurance policies (incapacity, death and pension) fixed by the contractual provisions and the legislation applicable;
- annual travel expenses (for the expert and any family members);
- the payment of their accommodation in the place of assignment (including insurance and any security costs);

- transport of their personal effects (removal).

In accordance with contractual conditions, experts are entitled to annual paid leave of 45 calendar days plus any official holidays in the country of assignment.

The system is co-ordinated by EuropeAid<sup>2</sup>, while the administrative and financial management of the individual experts' contracts has been undertaken since 1 January 2003 directly by ECHO. In this context ECHO undertakes, in particular, the direct payment of its individual experts (salaries) as well as other related expenditure (e.g. insurance, accommodation, security etc.).

This decision is, therefore, intended to cover the expenditure related to the contracts which will be concluded between the Commission and its individual experts as well as other contracts covering, for example, insurance policies, leases (including any deposits) and security contracts linked to the experts.

### **3. Identified objectives**

This Commission decision is intended to meet the objective of maintaining appropriate and effective technical assistance in the field to discharge the following tasks:

- to respond positively to the concerns of the Council (CAGRE 07.01.2005) in relation to improving humanitarian aid response mechanisms: identification and evaluation of the situation, causes, consequences and humanitarian needs as well as the logistical and security constraints relating to access to groups of beneficiaries;
- participation in the selection of projects presented by NGOs and International Organisations and the formulation of recommendations to ECHO Brussels;
- facilitation of the decision-making process (programming of humanitarian aid, strategic planning and participation in the preparation of funding decisions) through the formulation of recommendations to ECHO Brussels;
- co-ordination and supervision of financed operations through field missions;
- participation in the evaluation of the intermediate and final reports submitted by NGOs and International Organisations and the formulation of recommendations to ECHO Brussels;
- gathering and making available information on humanitarian aid and the implementation of visibility actions;
- participation and/or organisation in the field of meetings relating to humanitarian aid;
- optimising collaboration with EC Delegations in order to ensure that humanitarian activities financed by ECHO are as far as possible compatible and/or complementary with other programmes financed by the Commission;

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<sup>2</sup> In the sense that ECHO uses the same database as the other Services belonging to the RELEX family

- maximising the impact of humanitarian aid operations financed by the Commission through ECHO.

In addition, individual experts working in Regional Support Offices will carry out the following tasks and functions<sup>3</sup>:

- provide sectoral expertise to conventional offices;
- provide a rapid response and evaluation capacity in the framework of new crises;
- ensure the supervision of security aspects in the region covered;
- ensure operational support (back-up) to other ECHO offices;
- ensure logistical and administrative support for the efficient running of offices in the region;
- provide support for communication and visibility activities;
- support the dissemination of knowledge between headquarters and the field;
- support for training activities;
- ensure - through sub-offices or missions - the standard tasks of an ECHO office where it is impossible for political, security or other reasons to open an ECHO office.

The current Commission decision (ECHO/TAS/BUD/2004/03000 of 17 June 2004 - €13.5 million) has, up to 18 January 2005, allowed ECHO to recruit and/or to renew 23 individual experts (for a total of 540 man/months). This decision is sufficient to cover the recruitment and/or renewal of about 22 individual experts (for an estimated total of 340 man/months<sup>4</sup>) and, therefore, to cover ECHO's needs until the end of May 2005.

Once the budget of the 2004 decision has been exhausted and until May 2006, it is estimated that about 60 contracts (for a total of about 1,250 man/months) will be renewed with experts already under contract or concluded with new experts. This will bring the total number of individual experts to about 100.

This significant increase in the number of experts working in the area of humanitarian aid responds to the concerns of the Commission to reinforce its operational capacity to be able to send technical assistants to the field and, where necessary, for them to be integrated in the Office for the Co-ordination of Humanitarian Affairs teams (BCAH – UNDAC Teams) and in the Emergency Response Units (ERU) as a European contribution to the efforts of the United Nations and the Red Cross. It will also ensure the close monitoring of the use and management of aid by ECHO's partners. The crisis resulting from the earthquakes and tsunami in the Indian Ocean have once again

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<sup>3</sup> The content of these various functions is set out in the (draft) Commission decisions (ECHO/TAS/BUD/2005/01000) relating to the financing of ECHO's Regional Support Offices in the field.

<sup>4</sup> This is an estimate given the uncertainties relating to the level of salary and allowances for new experts to be recruited.

demonstrated the pressing need to have such a rapid response and evaluation capacity. This decision also represents the Commission's positive response to the Council's (CAGRE 07.01.2005) wish to improve humanitarian aid mechanisms.

#### **4. Duration foreseen for actions within the framework of the proposed decision**

Given the uncertainties relating to the precise number of individual experts, the length of their contracts and the level of their salaries and allowances, the duration of this action is fixed from the date of adoption of this decision until the respective global commitment has been expended. However, in accordance with the rules relating to global commitments, the maximum duration of this action is fixed at 31 December 2006 (final date for the conclusion of contracts covered by this decision).

#### **5. Amount of the decision**

The amount of this decision has been calculated on the basis of an estimate of ECHO's need to renew existing experts' contracts and to employ new individual experts in the coming months<sup>5</sup>.

##### 5.1. – Budgetary impact on budget line 23.02.01

	EC
Initial budget 2004	476.500.000
Supplementary budgets	0
Transfers	0
Reinforcement of the Emergency Aid Reserve	100.000.000
<b>Total credits available</b>	<b>576.500.000</b>
Credits executed up to 27.01.2005	284.341.734
Balance	292.158.266
<b>Total amount of the decision</b>	<b>18.750.000</b>

##### 5.2. – Budget breakdown:

- Financing the renewal of contracts and/or new recruitments: €18.750.000

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<sup>5</sup> This amount has been calculated on the basis of an average expenditure by existing individual experts over the years 2003/2004 (monthly average per expert = €15.000).

## COMMISSION DECISION

of

**on the financing of technical assistance and operational support for ECHO's activities**

### THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Communities,

Having regard to Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid<sup>6</sup>, and in particular Article 15(2) thereof,

Whereas:

1. In order to maximise the impact of humanitarian aid for the victims, it is necessary to have an efficient, adequate and effective technical assistance capacity in the field;
2. The Commission must also respond positively to the concerns of the Council (CAGRE 07.01.2005) to improve humanitarian aid mechanisms through reinforcement of its capacity to send experts to the field and to increase its rapid response capacity;
3. It is estimated that an amount of €18.7500.000 from budget line 23.02.01 of the 2005 general budget of the European Union is required to ensure the continuity of the system of individual experts;
4. In accordance with Article 17 (3) of Regulation (EC) No 1257/96 the Humanitarian Aid Committee gave a favourable opinion on 23 February 2005.

HAS DECIDED AS FOLLOWS:

#### *Article 1*

1. In accordance with the objectives and general principles of humanitarian aid, the Commission hereby approves a budget of €18.750.000 from budget line 23.02.01 of the 2005 general budget of the European Union.
2. In accordance with Articles 2, 3 and 4 of Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid, this initiative falls within the framework of the following objective:
  - financing of technical assistance operating only in third countries outside the European Union intended to maximise the impact of aid to victims and to improve the Humanitarian Aid Office's capacity to fix priorities for the use of this aid.

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

## *Article 2*

1. The duration for the implementation of this decision is fixed from the date of adoption of this Decision until the respective global commitment has been expended. In accordance with the rules relating to global commitments<sup>7</sup>, the associated individual commitments (with a maximum duration of three years) will be concluded before 31 December 2006.
2. These experts will be recruited according to the terms and procedures defined in its call for applications published in the Official Journal<sup>8</sup> and will be offered employment contracts subject to Belgian law by the Directorate General for Humanitarian Aid - ECHO to carry out technical assistance missions.
3. Expenditure under this Decision shall be eligible from the date of adoption of this Decision.

## *Article 3*

This Decision shall take effect on the date of its adoption

Done at Brussels,

*For the Commission*

*Member of the Commission*

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<sup>7</sup> In particular article 77.2 of the Financial Regulation applicable to the General Budget of the European Communities (Regulation 1605/2002 of 25.6.2002).

<sup>8</sup> OJ C 274, 26.9.2000, p. 11-12 (Call for applications from individual experts for technical assistance to third countries in the context of the European Community's external co-operation)