

COMMISSION DECISION

on the financing of humanitarian operations from the budget of the European Communities

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,
Having regard to Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid¹, and in particular Article 15.2 thereof,

Whereas:

- (1) Since 2002 over 5,000,000 Afghans have returned home from Pakistan and Iran.
- (2) In the autumn of 2006 the Government of Pakistan and UNHCR² registered 2,153,088 Afghans. The original planning figure for the registration was set at 2,400,000 indicating that some 250,000 Afghans in Pakistan did not register.
- (3) On an exceptional and time-limited basis, UNHCR agreed to assist unregistered Afghans opting to return to their country and to increase the level of repatriation assistance from USD 60 to USD 100 per person. The unregistered Afghans should, as the registered Afghans, also receive this enhanced repatriation assistance.
- (4) Supporting the return of the unexpectedly high number of 206,000 unregistered Afghans with an enhanced repatriation package of USD 100 per person has had a serious impact on UNHCR's budgetary resources. In addition, the pace of repatriation of registered Afghan refugees has been increasing, and as of the end of June 2007 it had already easily exceeded the UNHCR 2007 planned figure of 250,000 (with a repatriation package of USD 60 as initially planned).
- (5) As a result, on 2 July 2007, the UNHCR operational reserve had to be drawn upon as an emergency measure in order to ensure the continuation of its repatriation programme. UNHCR now estimates that some 400,000 people will return to Afghanistan in 2007. In order to assure that the voluntary repatriation programme can continue to address these additional needs in 2007, on 7 August 2007, UNHCR launched a revised Appeal for USD 25,000,000. UNHCR requests a contribution to this appeal from the Commission of EUR 3,000,000 and the Directorate-General for Humanitarian Aid (ECHO) considers that such a contribution is appropriate.

¹ OJ L 163, 2.7.1996, p. 1-6

² United Nations High Commissioner for Refugees

- (6) It is therefore necessary to increase the budget of the decision of 6 February 2007 concerning the financing of Humanitarian aid for vulnerable people affected by the consequences of the Afghan conflict and natural hazard in Afghanistan, Iran and Pakistan for an amount of EUR 18,000,000 from article 23 02 01 of the general budget of the European Communities, by EUR 3,000,000.
- (7) In accordance with Article 17 (3) of Council Regulation (EC) No.1257/96 of 20 June 1996 concerning humanitarian aid, the Humanitarian Aid Committee gave a favourable opinion on 11th September 2007.

HAS DECIDED AS FOLLOWS:

Article 1

The Commission hereby approves the modification of Decision ECHO/-AS/BUD/2007/01000, adopted on 6 February 2007, as stated in Article 2.

Article 2

1. Article 1.1 of the original decision is modified as follows:

"In accordance with the objectives and general principles of humanitarian aid, the Commission hereby approves a total amount of EUR 21,000,000 for the Global plan for humanitarian aid operations for vulnerable people affected by the consequences of the Afghan conflict and natural hazard in Afghanistan, Iran and Pakistan from article 23 02 01 of the 2007 general budget of the European Communities"

2. The table in the annex to Decision ECHO/-AS/BUD/2007/01000 listing the amounts allocated for each specific objective is replaced by the table annexed to this Decision.

Done at Brussels,

For the Commission

Member of the Commission

Annex: Breakdown of allocations by specific objectives

Specific objectives	Amount per specific objective (EUR)
To facilitate the return and reintegration of vulnerable Afghan refugees and Internally Displaced Persons, both during and post return, and provide protection to vulnerable civilians and detainees affected by the Afghan crisis by providing assistance in accordance with current international agreements.	10,725,000
To provide multi-sectorial humanitarian assistance to vulnerable populations, comprising, displaced people, refugees, returnees and host communities	8,180,000
To provide essential support services to humanitarian aid organisations, with a focus on the provision of air transport and security information/advice.	1,595,000
to [create/maintain] a technical assistance capacity in the field, to assess needs, appraise project proposals and to coordinate and monitor the implementation of operations	500,000
TOTAL	21,000,000

Decision to modify a humanitarian aid decision
23 02 01

Decision subject to the proposed modifications.

<u>Identification of the decision:</u>	ECHO/-AS/BUD/2007/01000
<u>Location of the operation :</u>	Afghanistan, Iran and Pakistan
<u>Title:</u>	Humanitarian aid for vulnerable people affected by the consequences of the Afghan conflict and natural hazard in Afghanistan, Iran and Pakistan, GLOBAL PLAN 2007
<u>Amount of the decision:</u>	EUR 18,000,000
<u>New amount of the decision:</u>	EUR 21,000,000
<u>Date of the decision:</u>	6 February 2007

Explanatory Memorandum

Rationale for the modification.

Since 2002 over 5,000,000 Afghans have returned home from Pakistan (3,200,000) and Iran (1,800,000) respectively. Assisted voluntary repatriation takes place within the framework of Tripartite Agreements between UNHCR³, the Government of Afghanistan, Pakistan and Iran.

In 2005 the Government of Pakistan and UNHCR carried out a census and registration of Afghans still remaining in Pakistan which enumerated over 3,000,000 Afghans. In a further joint exercise in the autumn of 2006, the Government of Pakistan and UNHCR registered 2,153,088 Afghans. The original planning figure for the registration was set at 2,400,000, indicating that some 250,000 Afghans in Pakistan did not register.

Registered Afghans received a 'Proof of Registration' card (POR) that gives them the right to a 'temporary stay' in Pakistan for a further three years until the end of 2009. The Government of Pakistan declared that those Afghans who did not register (participation was mandatory) would be subject to the national laws for foreigners (and face potential deportation). However, it offered a one-off opportunity – a grace period - for those who chose to return home before mid-April 2007.

³ United Nations High Commissioner for Refugees

In 2007 UNHCR's repatriation grant was increased from USD 60 to USD 100 per person in order to encourage further returns and meet initial reintegration targets. Following further consultations between the Governments of Pakistan, Afghanistan and UNHCR, it was decided that on an exceptional and time-limited basis (until mid-April 2007) unregistered Afghans opting to return should also receive the enhanced repatriation assistance. As from 15 April 2007 only registered Afghans in Pakistan are eligible for the repatriation grant.

The policy changes affecting the repatriation grant and the return of unregistered Afghans were introduced in February 2007 at the request of the concerned governments. They were not budgeted for in UNHCR's 2007 Afghanistan Operation which had originally foreseen a regional repatriation figure of 250,000 within a total budget of USD 15,000,000 at a cash grant of USD 60 per person.

During the grace period, 206,128 unregistered Afghans returned from Pakistan to Afghanistan and received the enhanced repatriation assistance of USD 100 per person which was way above what was anticipated. This measure has exhausted the UNHCR budget as it came on top of the foreseen assisted voluntary repatriation of 250,000 registered Refugees with an initially planned repatriation package of USD 60 in 2007.

UNHCR now urgently requires additional funds for the regular voluntary repatriation programme which started on 30 April 2007. The revised planning figures for the voluntary repatriation of registered Afghans from both Pakistan and Iran were set at an initial figure of 100,000 people in April, which would require an additional USD 15,000,000. To this end, an official request for additional funding was sent to donors on 25 April 2007. By the end of June, it became clear that the pace of repatriation was increasing, and consequently it had already easily exceeded the UNHCR 2007 planned figure of 250,000. As a result, the resource requirement of the operation surpassed the planned budget, and on 2 July, the UNHCR operational reserve had to be drawn upon as an emergency measure in order to ensure the continuation of the programme.

UNHCR now estimates that some 400,000 people will return to Afghanistan in 2007. In order to assure that the voluntary repatriation programme can continue to address these additional needs in 2007, on 7 August 2007, UNHCR launched a revised Appeal for USD 25,000,000. UNHCR requests a contribution to this appeal from the Commission of EUR 3,000,000 and the Directorate-General for Humanitarian Aid (ECHO) considers that such a contribution is appropriate.

Proposed modification:

In order to support the voluntary repatriation programme of the Afghanistan operation, it is proposed that an additional EUR 3,000,000 from heading 23 02 01 of the 2007 budget be used to increase the allocated amount for specific objective 1, thus increasing the overall budget for the decision to EUR 21,000,000.

The new breakdown of allocations by specific objectives will be as follows

Principal objective	<i>In accordance with Articles 2(b), 2(d) and 2(e) of Council Regulation (RC) No. 1257/96 of 20 June 1996 concerning humanitarian aid, the overall objective of this decision is to provide humanitarian aid for vulnerable people affected by the consequences of the Afghan crisis and natural hazard in Afghanistan, Pakistan and Iran.</i>				
Specific objectives	Allocated amount (EUR)	Geographical area of operation	Activities proposed	Expected outputs / indicators	Potential partners
<p>Specific objective 1: To facilitate the return and reintegration of vulnerable Afghan refugees and Internally Displaced Persons, both during and post return, and provide protection to vulnerable civilians and detainees affected by the Afghan crisis by providing assistance in accordance with current international agreements.</p>	10,725,000	Afghanistan, Iran, Pakistan	<p><u>Return and reintegration activities:</u></p> <ul style="list-style-type: none"> - Distribution of information about areas of return. - Screening and registration of refugees - allocation of transport and repatriation payment at arrival points - provision of shelter and other essential services as required. <p><u>Protection activities:</u></p> <ul style="list-style-type: none"> - visits and monitoring mission - access to the Red Cross messaging service - advocacy for vulnerable civilians and detainees - follow up possible violations of international humanitarian law - where needed, provide material relief. 	<ul style="list-style-type: none"> - Return and reintegration of 400,000 refugees - Approximately 6,000 detainees in 60 different locations visited and monitored. - Over 12,000 Red Cross Messages treated - Related tracing and restoration of family links achieved. - dissemination of International Humanitarian Law to relevant authorities. 	<ul style="list-style-type: none"> - UN - UNHCR - BEL - CROIX-ROUGE - CICR- ICRC - CH

Specific objective2: To provide multi-sectorial humanitarian assistance to vulnerable populations, comprising, displaced people, refugees, returnees and host communities	8,180,000	Afghanistan countrywide, but mainly focused on main areas of refugee return.	Integrated assistance to vulnerable populations including: - Water and sanitation - Shelter - emergency disaster preparedness	- Ensure adequate water, sanitation and shelter provision for returnees and host communities according to Sphere/context specific indicators of water quantity and quality, and access ratios for sanitation and shelter. - reduction in morbidity and mortality arising from localised disasters. -increased local coping capacity to face natural disasters	- ACF - AKF(UK) - CARE - UK - CROIX-ROUGE - CICR-ICRC - CH - CROIX-ROUGE - FICR-IFCR-CH - DRC - GERMAN AGRO ACTION - IRC-UK - MADERA - MEDAIR UK - MISSION OST - DNK - NRC - OI - OXFAM GB - PIN - SC(UK) - SOLIDARITES - UN - UNDP - BEL - WVUK
Specific objective 3: To provide essential support services to humanitarian aid organisations, with a focus on the provision of air transport and security information/advice.	1,595,000	Afghanistan	- air transport for humanitarian organizations - advice and information provision of security	- 5 aircraft used for humanitarian scheduled and chartered flights - Improved knowledge on security situation and improved security policy of partners	- CARE - UK - GERMAN AGRO ACTION
Specific objective 4: to maintain a technical assistance capacity in the field, to assess needs, appraise project proposals and to coordinate and monitor the implementation of operations	500,000	Afghanistan, Pakistan, Iran			
Risk assessment	<i>Security situation/logistical constraints may hinder/delay operations; pressures may be exercised over the refugees in Iran and Pakistan.</i>				
Assumptions	<i>Security situation does not drastically deteriorate.</i>				
Total cost	21,000,000				

Budget impact article 23 02 01

	CE (EUR)
Initial available appropriations for 2007	485,00,000.00
Transfers Commission	-
Total available appropriations	485,000,000.00
Total executed to date (23 August 2007)	406,645,694.95
Available remaining	78,354,305.05
Initial amount of the Decision already foreseen	18,000,000.00
Increase with an impact on the budget	3,000,000.00
Total amount of the Decision	21,000,000.00

The Commission shall implement the budget by direct centralised management or by joint management with international organisations.

The actions supported by this decision will be implemented by humanitarian aid organisations that are signatories to the Framework Partnership Agreements (FPA) or the EC/UN Financial Administrative Framework Agreement (FAFA).

Taking account of the specificities of humanitarian aid, the nature of the activities to be undertaken, the specific location constraints and the level of urgency, the activities covered by this decision may be financed in full in accordance with Article 253 of the Implementing Rules of the Financial Regulation. This means that in case of co-financing, the possible rate of co-financing can go up to 99% if needed.

Management issues

Humanitarian aid actions funded by the Commission are implemented by NGOs, Specialised Agencies of the Member States, and the Red Cross organisations on the basis of Framework Partnership Agreements (FPA) and by United Nations agencies based on the EC/UN Financial and Administrative Framework Agreement (FAFA) in conformity with Article 163 of the Implementing Rules of the Financial Regulation. These Framework agreements define the criteria for attributing grant agreements and financing agreements in accordance with Article 90 of the Implementing Rules and may be found at http://europa.eu/comm/echo/partners/index_en.htm. Individual grants are awarded on the basis of the criteria enumerated in Article 7.2 of the Humanitarian Aid Regulation, such as the technical and financial capacity, readiness and experience, and results of previous interventions.