



## Humanitarian Aid Decision

23 02 01

Title: Humanitarian assistance for vulnerable refugees from Iraq in neighbouring countries

Location of operation: Syria, Jordan, Lebanon, Turkey and Egypt

Amount of Decision: 6,200,000 EUR

Decision reference number: ECHO/-ME/BUD/2007/02000

### **Explanatory Memorandum**

#### **1 - Rationale needs and target population.**

##### 1.1. - Rationale:

Following the 2003 war and the fall of the Hussein regime, the Republic of Iraq is facing a dire security situation characterized by growing sectarian violence and an ongoing asymmetric warfare. In particular, Central and South Iraq suffer from significant instability, where clashes between Sunni and Shi'a communities as well as among the Shi'ites continue unabated. Civil strife, anarchy, the targeting of minorities and sectarian bloodshed threaten to engulf the country into a fully fledged civil war that could have severe consequences on the whole region. According to the Baker Report, some 3,000 Iraqi civilians are killed every month in Iraq and violence is increasing in scope, complexity and lethality.<sup>1</sup> This insecure environment has triggered mass internal and external displacement affecting much of the surrounding region<sup>2</sup>.

The United Nations High Commissioner for Refugees (UNHCR) estimates that out of a total population of 26 million, 1.7 million Iraqis are displaced internally and up to 2 million people have fled Iraq to seek refuge in nearby countries, in particular Jordan, Lebanon, Syria, Egypt and Turkey.<sup>3</sup> While many were displaced already before 2003, increasing population movements have been registered following the bombing of Samarra shrine in February 2006, an event that triggered ethno-religious violence and expulsions affecting most parts of the

<sup>1</sup> Baker A. James III and Hamilton H. Lee (co-chairs), *The Iraq Study Group Report*, December 2006.

<sup>2</sup> UNHCR, *UNHCR launches new appeal for Iraq operations*, Press Release, 8 January 2007.

<sup>3</sup> UNHCR, *Supplementary Appeal. Iraq Situation Response. Protection and Assistance to Iraqi refugees in neighbouring States and to IDPs and non-Iraqi refugees in Iraq*, January 2007.

country. An additional 50,000 people are currently estimated to flee the country every month. The UNHCR estimates that Syria hosts between 500,000 and 1,000,000 Iraqis, Jordan up to 700,000, Egypt between 20,000 to 80,000 and Lebanon up to 40,000. Many of them belonged to the Iraqi middle class with a variety of religious and ethnic backgrounds (Sunni, Shi'a, Christian, Mandaean, Iranian Kurds and Palestinians)<sup>4</sup>. They have fled Iraq for a mixture of reasons but first and foremost to escape violence and targeted aggressions, namely kidnappings and death threats.<sup>5</sup> Although none of the three countries hosting most of the refugees from Iraq (Syria, Jordan, Lebanon) have acceded to the refugee instruments or acknowledge the temporary protection regime for Iraqis (as per UNHCR advice following the fall of the Baath regime in Iraq), Jordan and Syria nevertheless have shown a considerable degree of tolerance by keeping open their borders for the refugees. However, the pressure from a continuously growing number of refugees<sup>6</sup> on host communities and governments is enormous and, since 2004, UNHCR has witnessed a severe worsening of the protection climate in the region. This is reflected in the recurrence of serious protection incidents, including an increase in the number of asylum seekers detained and the number of deportations, sometimes amounting to *refoulement*. Furthermore, since the onset of 2007, immigration policies are changing with visa procedures becoming very strict and deportation practices/expulsion becoming more common, particularly for 18-35 year old males.

Most refugees lack proper legal status and live in their host country 'illegally'. Out of fear of being expelled and/or deported back to Iraq, many families conduct a hidden life. This undocumented status has plunged them into a subsistence existence as they do not have the right to work, often have no access to health care, education and other social services. Living conditions of vulnerable families are extremely poor: they generally live in urban areas in very limited spaces (6-8 people in one room) without electricity or water. The costs of rent and life have become prohibitive, and for a significant proportion of Iraqis have eroded their coping mechanisms. The UNHCR reports that the number of Iraqi refugees approaching UNHCR (despite the fear of being 'discovered' as illegal) has significantly increased since mid-2006, and that among the newly registered is a high proportion with acute protection and/or assistance needs. There are increasing cases of women forced to resort to prostitution, as well as growing child labour problems.<sup>7</sup>

## 1.2. - Identified needs:

The following identification of needs is based on the ongoing assessments of DG ECHO<sup>8</sup>'s experts in Jordan, Syria, Lebanon and Turkey, as well as first assessments provided by UNHCR and other DG ECHO implementing partners present in the field. Due to the above described situation in which many Iraqis hide out of fear for detention or deportation, it is difficult to quantify in detail the needs arising from the conflict. However, the following most urgent needs have been identified as to be addressed immediately<sup>9</sup>:

---

<sup>4</sup> Human Rights Watch, *The Silent Treatment. Fleeing Iraq, Surviving in Jordan*, VOL 18 N. 10(E), November 2006, available at: <http://www.hrw.org/reports/2006/jordan1106/>

<sup>5</sup> Refugees International, *Iraqi Refugees: Critical Needs Remain Unmet*, 8 December 2006, available at: <http://refintl.org/content/article/detail/9707/>

<sup>6</sup> Whilst host countries do not acknowledge Iraqi nationals as refugees, the UNHCR registers Iraqi nationals as refugees 'prima facie'.

<sup>7</sup> UNHCR, *Supplementary Appeal. Iraq Situation Response. Protection and Assistance to Iraqi refugees in neighbouring States and to IDPs and non-Iraqi refugees in Iraq*, January 2007.

<sup>8</sup> Directorate General for Humanitarian Aid-ECHO.

<sup>9</sup> DG ECHO stays ready to either adapt its response under the present decision or to increase its assistance and support beyond this decision should additional needs  
ECHO-ME/BUD/2007/02000

## Protection

Large numbers of refugees from Iraq entered their host country on short term visas that have now expired or that will soon expire. They risk being detained, expelled from the host country and deported back to Iraq. Registration and determination of refugee status is therefore necessary.

The deteriorating protection climate also makes displaced Iraqis more susceptible to various forms of exploitation and abuse, e. g. child labour, prostitution, harassment by the police, low pay, unregulated and often exploitative working conditions. Assessments have shown that 50% of the refugees have encountered at least one protection related problem.

## Health

Surveys and assessments commissioned by UNHCR in Lebanon and Syria have shown that more than 50% of the Iraqis (whether or not registered with UNHCR) have no access to basic health services. Many families lack medicines and basic hygiene items including diapers and sanitary towels.

## Education

While access to education is formally still granted in Syria, many Iraqi children are not attending school as they need to work as bread winners, or face practical obstacles to school enrolment (such as headmasters arguing that schools are “full”). Many Iraqis there as well as in Lebanon are, due to financial constraints, unable to send their children to school. In Jordan access to education for Iraqi children is extremely limited as residence permits are required for school enrolment.

## Non-Food Items

Large numbers of displaced are living in extremely poor conditions. There is an urgent need for a wide range of non-food items such as blankets, mattresses and household items.

## Food

Targeted food aid is needed for extremely vulnerable refugees.

## Co-ordination

In order to put into place the necessary resources to address the immediate needs of the civilian population suffering from the current crisis in Iraq and to address the crisis from a regional perspective so as to ensure that neighbouring countries are involved and co-ordinate their responses to the displacement crisis, effective co-ordination of any humanitarian action undertaken is necessary.

### 1.3. - Target population and regions concerned :

This decision targets the approximately 2 million externally displaced people from Iraq, including Iraqi nationals as well as former residents of Iraq, in particular Palestinians.

### 1.4. - Risk assessment and possible constraints :

There are two pre-conditions to the full implementation of the present financial decision: First, neighbouring countries continue to host refugees from Iraq and secondly, DG ECHO implementing partners are allowed to continue implementing their programmes in the neighbouring countries.

---

come to its attention during the course of implementation of the present financial decision.

As described above, neighbouring countries are tightening their immigration regimes and may at any moment decide not to allow refugees to remain in the country of asylum beyond the currently applicable time-spans. Regional political developments present another risk to a full implementation of this decision. Furthermore, the respective host governments may not necessarily approve proposed humanitarian aid projects and strategies.

## **2 - Objectives and components of the humanitarian intervention proposed:**

### 2.1. - Objectives :

#### Principal objective

To provide protection and assistance to vulnerable refugees from Iraq in neighbouring countries.

#### Specific objectives

- 1) To provide protection for vulnerable refugees from Iraq.
- 2) To assist the refugees from Iraq through the provision of health, food, education, psycho-social and non-food item support.
- 3) To mobilise effective co-ordination mechanisms in order to efficiently address the humanitarian needs arising from the crisis in Iraq.

### 2.2. - Components :

This decision will largely, but not exclusively, respond to the Supplementary Appeal for the Iraq Situation of the United Nations High Commissioner for Refugees launched in January 2007. This decision will be complemented by a separate funding decision in favour of the victims of the conflict inside Iraq. The present decision will fund activities in neighbouring countries, notably Syria, Jordan and Lebanon, without excluding the possibility of funding operations in Turkey and Egypt. Funding under the present Decision will include, inter alia, the following activities:

#### Protection

Registration as a means of identifying the most vulnerable Iraqis will be a priority component of this objective. The purpose of registration will be to identify people with special protection and/or assistance needs. Additional protection interventions will include legal aid and interventions in detention. Integrated assistance (basic health care and education) will be provided for individual cases.

#### Health

DG ECHO envisages supporting the provision of basic health care services, drugs and medical supplies for the most vulnerable refugees.

#### Education

Vulnerable Iraqi children who cannot currently attend school will be supported through the provision of transport assistance, school books and attestation letters to facilitate enrolment of children in primary and lower secondary schools. School fees and uniforms will be paid for most vulnerable children. Facilitating access to school is both a means of protection of children against exploitation and a way to mitigate the impact of the conflict and of the exile

on the future development of these children. Additional psychosocial activities (school based or extra-curricular) could be envisaged.

#### Co-ordination

DG ECHO will support the establishment of effective co-ordination mechanisms in order to efficiently address the humanitarian needs of vulnerable refugees from Iraq through supporting the mandated UN Agency (UNOCHA).

#### Non-Food Items

Operations will include the distribution of non-food items such as mattresses, blankets, and basic household items.

#### Food

Implementing partners will provide targeted food aid to the most needy segments of the refugee population.

### **3 - Duration expected for actions in the proposed Decision:**

Given the overall volatile political and security situation in the affected areas, and the above described risks which can seriously hamper the implementation of humanitarian operations and the movement of humanitarian personnel, it is crucial that the implementation period covered by this decision is adequate to ensure the completion of all operations taking into account possible delays or halt of the activities. Therefore, the duration for the implementation of this decision will be 18 months from 1 April 2007. Humanitarian operations funded by this decision must be implemented within this period.

Expenditure under this decision shall be eligible from 1 April 2007.

If the implementation of the actions envisaged in this Decision is suspended due to *force majeure* or any comparable circumstance, the period of suspension will not be taken into account for the calculation of the duration of the humanitarian aid operations.

Depending on the evolution of the situation in the field, the Commission reserves the right to terminate the agreements signed with the implementing humanitarian organisations where the suspension of activities is for a period of more than one third of the total planned duration of the action. In this respect, the procedure established in the general conditions of the specific agreement will be applied.

### **4 - Previous interventions/Decisions of the Commission within the context of the current crisis**

Whilst there have been decisions in favour of IDPs inside Iraq, there have been no interventions/decisions within the context of the refugee crisis.

### **5 - Other donors and donor co-ordination mechanisms.**

Not yet applicable, as to date there was hardly any funding available for this crisis. With DG ECHO addressing the humanitarian situation of the refugees from Iraq, it will promote active donor co-ordination and actively contribute to it through supporting the establishment of effective co-ordination mechanisms (e. g. UN-OCHA).

## **6 - 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 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](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.

## 7 - Amount of decision and distribution by specific objectives:

7.1. - Total amount of the decision: EUR 6,200,000

7.2. - Budget breakdown by specific objectives

Principal objective: To provide assistance and protection to vulnerable refugees from Iraq in neighbouring countries.				
Specific objectives	Allocated amount by specific objective (EUR)	Geographical area of operation	Activities	Potential partners <sup>10</sup>
Specific objective 1: To provide protection for vulnerable refugees from Iraq	3,100,000	Lebanon, Jordan, Syria, Turkey, Egypt	Protection	UN – UNHCR
Specific objective 2: To assist the refugees from Iraq through the provision of health, food, education, psychosocial and non-food item support.	2,000,000	Lebanon, Jordan, Syria, Turkey, Egypt	Health, education psychosocial, food and non-food item assistance	- CARITAS – AUT - DRC - CARE – AUT - ICMC - TDH - PU - MPDL
Specific objective 3 : To mobilise effective co-ordination mechanisms in order to efficiently address the humanitarian needs arising from the crisis in Iraq.	500,000		Co-ordination	OCHA
Contingency reserve, max. 10% of the total amount	600,000			
<b>TOTAL:</b>	<b>6,200,000</b>			

<sup>10</sup> CARE OESTERREICH - VEREIN FÜR ENTWICKLUNGSZUSAMMENARBEIT UND HUMANITÄRE HILFE, CARITAS AUSTRIA, (AUT), DANSK FLYGTNINGEJÆLP, FONDAZIONE TERRE DES HOMMES ITALIA ONLUS, THE INTERNATIONAL CATHOLIC MIGRATION COMMISSION (CHE), UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES – BELGIUM – UN-OCHA

## 8 - Evaluation

Under article 18 of Council Regulation (EC) No.1257/96 of 20 June 1996 concerning humanitarian aid the Commission is required to "regularly assess humanitarian aid operations financed by the EU in order to establish whether they have achieved their objectives and to produce guidelines for improving the effectiveness of subsequent operations." These evaluations are structured and organised in overarching and cross cutting issues forming part of DG ECHO's Annual Strategy such as child-related issues, the security of relief workers, respect for human rights, gender. Each year, an indicative Evaluation Programme is established after a consultative process. This programme is flexible and can be adapted to include evaluations not foreseen in the initial programme, in response to particular events or changing circumstances. More information can be obtained at:

[http://ec.europa.eu/echo/evaluation/index\\_en.htm](http://ec.europa.eu/echo/evaluation/index_en.htm).

## 9 - Budget Impact article 23 02 01

	CE (EUR)
Initial Available Appropriations for 2007	485,000,000.00
Transfers Commission	
<b>Total Available Appropriations</b>	<b>485,000,000.00</b>
Total executed to date (13 February 2007)	253,195,694.95
Available remaining	231,804,305.05
<b>Total amount of the Decision</b>	<b>6,200,000.00</b>

**COMMISSION DECISION**  
**of**  
**on the financing of humanitarian operations from the general budget of the European Communities in favour of the refugees from Iraq in neighbouring countries**

**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 aid<sup>11</sup>, and in particular Article 15(2) thereof,

Whereas:

- (1) Unremitting violence in Iraq has led to continued mass internal and external displacement affecting much of the surrounding region;
- (2) Out of a total population of 26 million up to 2 million have fled to nearby countries and 50,000 Iraqis continue to flee their homes every month;
- (3) A significant proportion of the displaced has run out of resources, leaving them and their host communities increasingly vulnerable;
- (4) In January 2007, the United Nations High Commissioner for Refugees has issued a Supplementary Appeal for USD 60,000,000 to provide assistance to IDPs within Iraq and 200,000 refugees from Iraq in neighbouring countries
- (5) An assessment of the humanitarian situation leads to the conclusion that humanitarian aid operations should be financed by the European Union for a period of 18 months;
- (6) It is estimated that an amount of EUR 6,200,000 from budget line 23 02 01 of the general budget of the European Communities is necessary to provide humanitarian assistance to the most vulnerable refugees from Iraq in neighbouring countries, taking into account the available budget, other donors' contributions and other factors;
- (7) The present decision constitutes a financing decision in the sense of Article 75 of the Financial Regulation (EC, Euratom) No 1605/2002<sup>12</sup>, Article 90 of the detailed rules for the implementation of the Financial Regulation determined by Regulation (EC, Euratom) No 2342/2002<sup>13</sup> and Article 15 of the Internal Rules of the Implementation of the General Budget of the European Communities<sup>14</sup>.
- (8) In accordance with Article 17 (3) of Regulation (EC) No.1257/96, the Humanitarian Aid Committee gave a favourable opinion on 30 March 2007.

---

<sup>11</sup> OJ L 163, 2.7.1996, p. 1-6

<sup>12</sup> OJ L 248, 16.9.2002, p. 1

<sup>13</sup> OJ L 357, 31.12.2002, p. 1. Regulation as last amended by Regulation (EC, Euratom) N°1248/2006, OJ L 227, 19.8.2006, p. 3.

<sup>14</sup> Commission Decision of 6.2.2006, SEC (2006) 131

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 6,200,000 for humanitarian aid operations to refugees affected by the conflict in Iraq by using line 23 02 01 of the 2007 general budget of the European Communities.
2. In accordance with article 2 of Council Regulation No.1257/96, the humanitarian operations shall be implemented in the pursuance of the following specific objectives:
  - 1) To provide protection for vulnerable refugees from Iraq.
  - 2) To assist the refugees from Iraq through the provision of health, food, education, psycho-social and non-food item support.
  - 3) To mobilise effective co-ordination mechanisms in order to efficiently address the humanitarian needs arising from the crisis in Iraq.

The amounts allocated to each of these specific objectives and to the contingency reserve are listed in the annex to this decision

*Article 2*

Without prejudice to the use of the contingency reserve, the Commission may, where this is justified by the humanitarian situation, re-allocate the funding levels established for one of the specific objectives set out in Article 1(2) to another objective mentioned therein, provided that the re-allocated amount represents less than 20% of the global amount covered by this Decision.

*Article 3*

1. The duration for the implementation of this decision shall be for a maximum period of 18 months, starting on 1 April 2007.
2. Expenditure under this Decision shall be eligible from 1 April 2007.
3. If the operations envisaged in this Decision are suspended owing to *force majeure* or comparable circumstances, the period of suspension shall not be taken into account for the calculation of the duration of the implementation of this Decision.

*Article 4*

1. The Commission shall implement the budget by Central Direct Management.
2. The actions supported by this decision will be implemented by humanitarian aid organisations that are signatories to the Framework Partnership Agreements and the FAFA.

3. Where it is essential in order to carry out particular humanitarian aid activities and depending on 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 169 of the Financial Regulation.

*Article 5*

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

Done at Brussels,

For the Commission

Member of the Commission

## Annex: Breakdown of allocations by specific objectives

<b>Principal objective: To provide assistance and protection to vulnerable refugees from Iraq in neighbouring countries</b>	
<b>Specific objectives</b>	<b>Amount per specific objective (EUR)</b>
To provide protection for vulnerable refugees from Iraq.	3,100,000
To assist the refugees from Iraq through the provision of health, food, education, psychosocial and non-food item support.	2,000,000
To mobilise effective co-ordination mechanisms in order to efficiently address the humanitarian needs arising from the crisis in Iraq.	500,000
Contingency reserve	600,000
<b>TOTAL</b>	<b>6,200,000</b>