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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels,
C(2008)

Draft

COMMISSION DECISION

of

**on the financing of emergency humanitarian actions from the general budget of the
European Communities in Nepal**

ECHO/-FA/BUD/2008/04000

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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 2(a) and Article 13 thereof,

Whereas:

- (1) Due to heavy monsoon rains on 17-18 August 2008, the Koshi River broke through a bank heavily flooding several villages in Sunsari and Saptari districts of Nepal.
- (2) The total population affected is estimated at around 50,000 people. At least 8,000 families (35,000 people) have been displaced from their homes.
- (3) Basic social infrastructure and private property were damaged or destroyed and many areas have been cut off from the delivery of basic supplies (water, electricity, food).
- (4) The Government of Nepal issued an official request for international assistance on 19 August 2008.
- (5) Humanitarian aid actions financed by this Decision should be of a maximum duration of 6 months.
- (6) It is estimated that an amount of EUR 1,000,000 from budget line 23 02 02 of the general budget of the European Communities is necessary to provide humanitarian assistance to an approximately 50,000 persons, taking into account the available budget, other donors' contributions and other factors.
- (7) The present Decision constitutes a financing Decision within the meaning of Article 75 of the Financial Regulation (EC, Euratom) No 1605/2002², Article 90 of the detailed rules for the implementation of the Financial Regulation determined by Regulation (EC, Euratom) No 2342/2002³, and Article 15 of the Internal Rules on the Implementation of the general budget of the European Communities⁴.

¹ OJ L 163, 2.7.1996, p. 1. Regulation as amended by Regulation (EC, Euratom) No 1882/2003 (OJ L 284, 31.10.2003, p. 1).

² OJ L 248, 16.9.2002, p.1. Regulation as last amended by Regulation (EC, Euratom) No 1995/2006, OJ L 390, 30.12.2006, p.1 and by Regulation (EC, Euratom) No 1525/2007 of 17 December 2007, OJ L 343 of 27.12.2007, p. 9.

³ OJ L 357, 31.12.2002, p.1 Regulation as last amended by Commission Regulation (EC Euratom) No. 478/2007, OJ L 111 of 28.4.2007, P. 13

⁴ Commission Decision of 5.3.2008, C/2008/773

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 1,000,000 for emergency humanitarian aid actions to provide the necessary assistance and relief to victims of monsoon floods in Nepal by using line 23 02 02 of the 2008 general budget of the European Communities.
2. In accordance with Article 2(a) of Council Regulation No.1257/96, the humanitarian actions shall be implemented in the pursuance of the following specific objective:
 - To provide humanitarian food aid to flood or landslide victims in Nepal.

The total amount of this Decision is allocated to this objective.

Article 2

1. The implementation of humanitarian aid actions funded by this Decision shall have a maximum duration of 6 months from their starting date.
2. Expenditure under this Decision shall be eligible from 18 August 2008.
3. If the actions 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 humanitarian aid actions.

Article 3

1. The Commission shall implement the budget by direct centralised management or by joint management with international organisations.
2. 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).
3. 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.

Article 4

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

Done at Brussels,

For the Commission

Member of the Commission



Emergency Humanitarian Aid Decision

23 02 02

Title: Humanitarian Aid to flood victims in Nepal

Location of action: Nepal

Amount of Decision: EUR 1,000,000

Decision reference number: ECHO/-FA/BUD/2008/04000

Explanatory Memorandum

1 - Rationale, needs and target population.

1.1. - Rationale :

Due to the heavy monsoon rains on 17-18 August 2008, the Koshi River broke through a bank in Sunsari district, heavily flooding some seven villages in Sunsari and Saptari districts. The total population affected is estimated at around 50,000 people.

The floods caused significant damage to the local infrastructure. The East-West Highway was damaged and at least one stretch of 3 km remains impassable due to high flood waters. Drinking water facilities, electricity supplies, schools and other public buildings, private houses and property were damaged or destroyed and many areas have been cut off from the delivery of basic supplies (water, electricity, food). At least six people have died after being swept away in high flood waters. At least 8,000 families (35,000 people) have been displaced from their homes. Some of these families are residing in 18 spontaneous camps. Other families are camped out along the East-West Highway.

1.2. - Identified needs :

At this stage needs have not yet been precisely quantified, but include food, shelter, water and sanitation and primary health care¹. The most immediate needs are being covered by local and national authorities, the Nepal Red Cross Society and local branches of UN² agencies and international NGOs³.

¹ Source: OCHA Nepal SitRep N°2

² United Nations

³ Non-governmental Organisations

Based on initial estimates, the Government of Nepal sent an official request to WFP on 19 August 2008, including food for 30,000 people for 15 days; however, a subsequent verification exercise led by UN OCHA⁴ suggest that, due to the extent of flooding, it is likely that some people in the affected areas may be displaced for up to one month and will thus need longer-term food assistance.

The most vulnerable will also need early recovery assistance, given that crops have been damaged by the flooding and livestock have been killed (10,000 hectares of agriculture land were flooded).

1.3. - Target population and regions concerned :

Victims of flooding and landslides caused by the monsoon rains in Nepal. The total population affected at this stage is estimated at around 50,000 people.

1.4. - Risk assessment and possible constraints :

The flooding of the main road access (the East-West Highway) constitutes a major constraint to the delivery of humanitarian assistance. The extent of this challenge will depend on how the rain and floods situation evolves until the end of the monsoon season. More heavy rains would certainly impact negatively on the humanitarian response capacity.

The East Terai, where Sunsari and Saptari districts are located, has been affected by ethnic/political strife over the past couple of years and thus security is a concern. Access by humanitarian partners could, at times, become difficult for these reasons.

2 - Objectives and components of the humanitarian intervention proposed:

2.1. - Objectives :

Principal objective: to provide humanitarian assistance to flood or landslide victims in Nepal.

Specific objectives: to provide humanitarian food aid to flood or landslide victims in Nepal.

2.2. - Components :

Food aid

Delivery of an emergency food basket comprising cereals, pulses, oil, and salt, to the needy victims of monsoon rains. Wheat soya blend may be provided as part of the general ration or through supplementary feeding centers for vulnerable children under five years.

Food for work activities may be implemented focusing on the rehabilitation of community assets damaged by the floods, or on assets that will protect the lives and livelihoods of affected populations from future floods.

3 - Duration expected for actions in the proposed Decision:

The duration of humanitarian aid actions shall be 6 months.

Expenditure under this Decision shall be eligible from 18 August 2008.

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 actions.

⁴ UN Office for Coordination of Humanitarian Assistance

5 - Overview of donors' contributions

Donors in NEPAL the last 12 months					
1. EU Members States (*)		2. European Commission		3. Others	
	EUR		EUR		EUR
Austria		DG ECHO	8,500,000		
Belgium	965,480	Other services			
Bulgaria					
Cyprus					
Czech republic					
Denmark	267,124				
Estonia					
Finland					
France	200,000				
Germany	1,500,000				
Greece					
Hungary					
Ireland	386,878				
Italy	100,000				
Latvia					
Lithuania					
Luxemburg	353,250				
Malta					
Netherlands	3,014,102				
Poland					
Portugal					
Romania					
Slovakia					
Slovenie					
Spain					
Sweden	155,430				
United kingdom					
Subtotal	6,942,264	Subtotal	8,500,000	Subtotal	0
		Grand total	15,442,264		

Dated : 22 August 2008

(*) Source : DG ECHO 14 Points reporting for Members States. <https://webgate.ec.europa.eu/hac>

Empty cells means either no information is available or no contribution.

6 - Amount of Decision and distribution by specific objectives:

6.1. - Total amount of the Decision: EUR 1,000,000

6.2. - Budget breakdown by specific objectives

Principal objective: <i>to provide humanitarian assistance to flood or landslide victims in Nepal</i>			
Specific objectives	Allocated amount by specific objective (EUR)	Geographical area of operation	Potential partners⁵
Specific objective : to provide humanitarian food aid to flood or landslide victims in Nepal	1,000,000	Sunsari, Saptari and other flood affected districts in Nepal	- WFP-PAM
TOTAL:1,000,000			

⁵ WORLD FOOD PROGRAM

7 - 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 actions financed by the Community in order to establish whether they have achieved their objectives and to produce guidelines for improving the effectiveness of subsequent actions." 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.

8 - Budget Impact article 23 02 02

-	CE (EUR)
Initial Available Appropriations for 2008	223,251,000
Supplementary Budgets	-
Transfers Commission	100,000,000
Total Available Appropriations	323,251,000
Total executed to date (by 25/08/2008)	298,251,000
Available remaining	25,000,000
Total amount of the Decision	1,000,000

Payment schedule (amounts in EUR):

2008	2009
800,000	200,000

9. 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://ec.europa.eu/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.