

COMMISSION DECISION
of
on the financing of emergency humanitarian actions from the general budget of the
European Communities in
GEORGIA/RUSSIAN FEDERATION
(ECHO/-EE/BUD/2008/03000)

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 Article 2(a) and Article 13 thereof,

Whereas:

- (1) The short but violent conflict in South Ossetia which led to a declaration of a state of war on 9 August 2008, involved the armed forces from Georgia and the Russian Federation. This conflict included heavy air strikes and has created a serious humanitarian crisis involving over 100,000 internally displaced people and refugees in Georgia and the Russian Federation.
- (2) The civilian population fled the fierce fighting which affected South Ossetia and in particular Tskhinvali, as well as other regions of Georgia, in particular Gori and the surroundings. The situation remains of concern in South Ossetia and other regions of Georgia where international aid agencies have no or limited access to affected populations.
- (3) It is estimated that the number of war-affected people goes beyond 100,000 displaced people. The humanitarian needs in the conflict areas are high but difficult to assess given the limited humanitarian access.
- (4) The influx of displaced people in Georgia, mainly to Tbilisi, coming in addition to the remaining caseload of internally displaced from previous conflicts, has generated needs for shelter and non-food items such as mattresses, beds, baby food, clothes, etc. Access to food and drinking water is also an issue, notably in the conflict areas. A difficult situation is reported concerning sanitation in the accommodation camps. Mines have been laid and unexploded ordnance, including cluster bombs, will be a danger for the returnees. Cases of human right violations such as rape and murder have been reported.
- (5) Access for international organizations to the conflict areas is gradually but slowly improving for international humanitarian organizations, except to South Ossetia. The main highway linking Tbilisi to West Georgia remains cut for humanitarian convoys at the level of Gori.
- (6) Humanitarian aid actions financed by this decision should have a maximum duration of 6 months;

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).

- (7) It is estimated that an amount of EUR 5,000,000 from budget line 23 02 01 of the general budget of the European Communities is necessary to provide humanitarian assistance to around 100,000 vulnerable victims of the conflict in South Ossetia taking into account the available budget, other donors' intervention and other factors;
- (8) 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.

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 5,000,000 for emergency humanitarian aid actions to provide the necessary assistance and relief to populations affected by the conflict in Georgia by using line 23 02 01 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 objectives :
 - To provide immediate relief assistance to the vulnerable victims of the conflict between Georgia and the Russian Federation, notably internally displaced people, refugees and returnees.

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 six months from their starting date.
2. Expenditure under this Decision shall be eligible from 9 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.

²- OJ L 248, 16.9.2002, p.1. Regulation as last amended 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 05.03.2008, C/2008/773

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

1. 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 01

Title: Emergency humanitarian assistance to victims of the conflict in Georgia and the Russian Federation

Location of action: Georgia and Russian Federation

Amount of Decision: EUR 5,000,000

Decision reference number: ECHO/-EE/BUD/2008/03000

Explanatory Memorandum

1 - Rationale, needs and target population.

1.1. - Rationale :

Following clashes between Georgian troops and separatist forces in early August 2008, Georgia launched an aerial bombardment and ground attack on South Ossetia on 7 August. By the next day, Georgian forces were reportedly in control of Tskhinvali, the main city of South Ossetia. The Russian Federation responded by sending thousands of troops into South Ossetia and in other parts of Georgia, such as Gori, the main city neighboring South Ossetia. Bombing raids were launched both over South Ossetia and on targets such as military bases and key infrastructure, ports, bridges, plane factory and aerodromes. In addition, attacks on zones in Abkhazia including the strategic upper Kodory valley were launched by Abkhaz militias. A declaration of a state of war was decided by the Georgian Parliament on 9 August.

Following mediation by the European Union Presidency, both parties agreed to a cease-fire on 12 August based on a six-point agreement which, notably, foresees the access for humanitarian assistance to the victims. On 16 August, the Russian Federation followed Georgia in signing a peace deal but indicated on 17 August that the withdrawal of its troops from Georgia would be gradual.

Although the number of casualties is still unclear, the civilian population is obviously paying a heavy toll to the conflict. According to Russian reports, the number of civilians killed in

South Ossetia stands at circa 1,600 people, while Georgian casualty figures are reported to be 150 people as of 16 August⁵.

In South Ossetia, the Organisation for Security and Cooperation in Europe (OSCE) has reported massive destruction in the town of Tskhinvali⁶.

The civilian population is fleeing the conflict zones. According to the United Nations High Commission for Refugees (UNHCR), over 100,000 people are estimated to have been uprooted by the conflict⁷. This figure includes 12,000 people displaced within South Ossetia, 30,000 people that have crossed into North Ossetia⁸, and 56,000 people reported to have been displaced from the town of Gori and surroundings. However a number of other locations have not yet been assessed by the United Nations agencies.

The estimation by the Ministry of Refugees and Accommodation (MRA) of long-term IDPs, who are ethnic Georgians from South Ossetia and from Kodori in Abkhazia is 15,000 to 20,000 as of 18 August.

The International Committee of the Red Cross (ICRC) launched a preliminary Appeal amounting to EUR 4.95 million on 11 August. The Appeal focuses on war surgery, protection and water and sanitation. ICRC intends to extend this Appeal.

On 18 August, the United Nations agencies issued a six-month duration Flash Appeal amounting to USD 58.5 million (EUR 37.5 million). The Appeal will essentially address short term emergency life-saving activities covering the needs of 158,700 affected people including 128,700 in Georgia and 30,000 in North Ossetia. Temporary shelter, food aid, protection and water and sanitation are the main components of the Appeal. The Appeal shall be revised after one month.

1.2. - Identified needs :

Because of the absence of access for international humanitarian organisations to South Ossetia, support cannot be provided yet to the people living there and who are probably most in need. Needs are supposed to be huge in South Ossetia, and notably in Tskhinvali.

As of 16 August 2008, aid agencies gained gradual but limited access to Gori city and surrounding village outside South Ossetia.

In Tbilisi and its surroundings, nearly 60 international organisations are providing relief assistance to IDPs who fled the conflict zone. However the number of people arriving in the capital is growing, as well as the needs to be covered.

The most urgent needs appear to be the following:

- Food: Essential food is needed to feed the IDPs in the accommodation centres in and around Tbilisi. The situation is probably worse in South Ossetia where access is

⁵ The OSCE put the figure of casualties among Georgian police special forces between 350 and 500. Casualties among Georgian soldiers are not released by the Ministry of Defence.

⁶ OCHA sitrep n° 3, 16/08/2008.

⁷ UNHCR, press release, 12/08/2008.

⁸ However over 12,000 refugees returned to South Ossetia according to the Russian Federal Operating Headquarters on the Elimination of Consequences of Armed Conflict in South Ossetia (source: ECHO sitrep n°6 of 16/08).

denied, and for those who stayed in other parts of Georgia where access remains limited.

- Shelter: IDPs, coming in addition to the remaining caseload of internally displaced from previous conflicts, and refugees are in dire need of shelter and camps are being installed.. Assistance to the Ministry for Refugees and Acomodation (MRA) in terms of camp management is necessary. The situation is certainly worse in Tskhinvali which has been badly damaged;
- Non-food items: affected households urgently need baby food, clothes, cooking and kitchen utensils, blankets, water containers, etc to replace lost items. Basic infrastructure such as collective kitchens, etc. may also be needed.
- Emergency water, sanitation and hygiene: A difficult situation is reported concerning water and sanitation in Tskhinvali. Water outlets may have been damaged or destroyed during the fighting in various rural locations. The facilities in the accommodations of and around Tbilisi need to be upgraded given the daily arrivals of displaced persons. Water trucking is needed, as well as latrines. Affected populations, especially those living in collectives centres and tent camps are in need of essential hygiene items.
- Mine clearance and mine risk education: The clearance, or at least demarcation, of unexploded ordnances (UXOs), mines and cluster bombs, is crucial to ensure a safe delivery of assistance in conflict-affected areas. Returnees and conflict-affected communities will have to be warned against the risk of UXOs There is need for mine risk education activities for the affected population, with some emphasis on child protection, as well as mine awareness training for aid agencies ahead of assessment and assistance missions.
- Health care: The Georgian Ministry of Health insisted from the beginning of the humanitarian response that there was no need for surgery kits, staff and field hospitals. Needs may be high in South Ossetia and ICRC is prepared to intervene but access was still denied as of 19 August while Russian reconstruction effort may be consequent. It has been reported that Russian authorities are covering health needs in North Ossetia.
- Logistics: Supply transport to Tbilisi by road and rail is very difficult. Once access is opened, international organisations may have to enter into long negotiations to reach South Ossetia as well as the Western part near Abkhazia in order to avoid serious gaps in the supply chain;
- Protection, notably for women and children: Cases of rape and killings by unidentified gunmen have been reported in Georgia. UNICEF estimates that up to 60% of the IDPs are under the age of 16⁹. Advocacy works towards the parties to allow access to the victims of the conflict is particularly needed. In the Republic of North Ossetia-Alania, Russian Federation, the basic needs of the around 30,000 refugees seem covered by the community who is hosting most of the refugees, and the assistance provided by the Ministry of Emergency Situations (EMERCOM). However, there are some protection cases that deserve close monitoring such us the Georgian population that had no choice but to flee to Russian territory and those that have requested refugee status in Russia because their personal security is threatened in South Ossetia. In addition, there are between 2,000 and 3,000 school children and their caretakers that will remain in NO-A for long time because their schools are

⁹ UNICEF proposal to DG ECHO, 14/08/2008.
ECHO-EE/BUD/2008/03000

totally destroyed, therefore longer support to cover their basic needs, including psychological trauma, will be covered.

1.3. - Target population and regions concerned :

The primary beneficiaries of this Decision are the war-affected populations: IDPs from South Ossetia, Gori and surrounding areas who are now living in accommodation centres in and around Tbilisi; IDPs accommodated with relatives and/or host families; IDPs from the western part of Georgia fleeing the fighting in Abkhazia; returnees. In addition, inhabitants of Tskhinvali in South Ossetia, refugees who fled South Ossetia to North Ossetia or who returned already to South Ossetia will be supported, if access allows, i.e. if the Russian Federation Authorities permit.

1.4. - Risk assessment and possible constraints:

The most serious constraints seen in the response to the conflict in South Ossetia are the following:

- Access to the conflict-affected areas controlled by the Russian forces is a major challenge.
- A worsening and spreading of the conflict cannot be excluded completely and could hamper the work of humanitarian organisations.

2 - Objectives and components of the humanitarian intervention proposed:

2.1. - Objectives :

Principal objective: To save and preserve lives of the populations affected by the conflict between Georgia and the Russian Federation.

Specific objective:

- To provide immediate relief assistance to the vulnerable victims of the conflict between Georgia and the Russian Federation, notably internally displaced people, refugees and returnees.

2.2. - Components :

- Emergency food distributions, high nutritional supplements for vulnerable groups;
- Clean water and sanitation;
- Emergency sanitation: latrines, washing points in IDP accommodation places, waste disposal management etc;
- Basic health care;
- Mine risk education and humanitarian demining;
- Shelter: provision of tents, tool kits, management, security...;
- Non food items: distribution of mattress, beds, linen, clothes, kitchen sets, hygiene and household kits;
- Psychosocial support.
- Logistics: transport, warehouses, etc;
- Any other integrated relief activity deemed necessary.

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 **9 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.

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

List of previous DG ECHO ¹⁰ actions in Georgia				
Decision Number	Decision Type	2006 EUR	2007 EUR	2008 EUR
ECHO/EE/BUD/2008/02000	Primary Emergency			1,000,000
Subtotal				1,000,000
Grand Total		1,000,000		

Dated : 19 August 2008
Source : HOPE

¹⁰ Directorate-General for humanitarian aid of the European Commission (DG ECHO)
ECHO/EE/BUD/2008/03000

5 - Overview of donors' contributions

Donors in Georgia					
1. EU Members States (*)		2. European Commission		3. Others	
	EUR		EUR		EUR
Austria		DG ECHO	1,000,000	USA	5,308,872
Belgium		Other services			
Bulgaria					
Cyprus					
Czech republic					
Denmark	402,247				
Estonia	168,205				
Finland					
France					
Germany	1,286,125				
Greece					
Hungary					
Ireland					
Italy	1,361,000				
Latvia					
Lithuania					
Luxemburg					
Malta					
Netherlands					
Poland					
Portugal					
Romania					
Slovakia					
Slovenie					
Spain					
Sweden	611,325				
United kingdom					
Subtotal	3,828,902	Subtotal	1,000,000	Subtotal	5,308,872
		Grand total	10,137,774		

Dated : 19 August 2008

(*) Source : DG ECHO 14 Points reporting for Members States.

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 5,000,000

6.2. - Budget breakdown by specific objectives

Principal objective: <i>To save and preserve lives of the populations affected by the conflict between Georgia and the Russian Federation.</i>			
Specific objectives	Allocated amount by specific objective (EUR)	Geographical area of operation	Potential partners¹¹
Specific objective 1: To provide immediate relief assistance to the vulnerable victims of the conflict between Georgia and the Russian Federation, notably internally displaced people, refugees and returnees.	5,000,000	Georgia	<ul style="list-style-type: none"> - ACH - CARE - AUT - DRC - HALO - ICRC-CICR - IRW - MERCY CORPS SCOTLAND - NRC - OXFAM GB - TSF - SC(UK) - UNHCR - UNICEF - WFP-PAM - WVD
TOTAL:5,000,000			

¹¹ ACCION CONTRA EL HAMBRE, (ESP), CARE ÖSTERREICH - VEREIN FÜR ENTWICKLUNGSZUSAMMENARBEIT UND HUMANITÄRE HILFE, COMITE INTERNATIONAL DE LA CROIX-ROUGE (CICR), DANSK FLYGTNINGEHJÆLP, ISLAMIC RELIEF WORLDWIDE, MERCY CORPS SCOTLAND (GBR), NORWEGIAN REFUGEE COUNCIL (NOR), OXFAM (GB), TELECOMS SANS FRONTIERES, THE HALO TRUST (GBR), THE SAVE THE CHILDREN FUND (GBR), UNICEF, UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES - BELGIUM, WORLD FOOD PROGRAM, WORLD VISION

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 01

-	CE (EUR)
Initial Available Appropriations for 2008	486.095.000,00
Supplementary Budgets	3.934.954,07
Transfers	40.000.000,00
Total Available Credits	530.029.954,07
Total executed to date (by 18 August 2008)	440.650.000,00
Available remaining	89.379.954,07
Total amount of the Decision	5,000,000

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.