

COMMISSION DECISION

of

on the financing of an emergency humanitarian action from the general budget of the European Communities in Nepal and India

(ECHO/-SA/BUD/2008/02000)

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) On 18 August 2008 the Koshi River, the largest river in Nepal, broke through a bank heavily flooding hundreds of villages in Nepal and India (State of Bihar).
- (2) The total population affected is estimated at 4 million people. The number of displaced is close to 2 million and over 150,000 hectares of crops were destroyed.
- (3) Basic social infrastructure and private property have been damaged or destroyed and some areas are still cut off from the delivery of basic supplies (water, electricity, food).
- (4) Local and national authorities are endeavouring to address the most immediate needs but the extent of the flooding is such that resources are largely insufficient. The Federal Government of India declared it a "Stage 3 natural calamity", which means it is beyond the coping capacity of the state concerned in terms of financial and logistical relief, and the Government of Nepal issued an official request for international assistance on 19 August.
- (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 4,500,000 from budget line 23 02 01 of the general budget of the European Communities is necessary to provide humanitarian assistance to over 1 million victims of the flood in Nepal and India (State of Bihar), taking into account the available budget, other donors' contributions and other factors.

¹ OJ L 163, 2.7.1996, p. 1.

- (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.

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 4,500,000 to provide the necessary emergency assistance and relief to victims of the flood in India and Nepal 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 action shall be implemented in the pursuance of the following specific objectives:
 - To provide emergency multi-sectoral humanitarian assistance to flood victims in Nepal
 - An amount of EUR 1,000,000 is allocated to this specific objective.
 - To provide emergency multi-sectoral humanitarian assistance to flood victims in India

An amount of EUR 3,500,000 is allocated to this specific objective.

Article 2

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 implementation of humanitarian assistance 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.

² OJ L 248, 16.9.2002, p.1..

³ OJ L 357, 31.12.2002, p.

⁴ Commission Decision of 5.3.2008, C/2008/773

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 4

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 5

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 flood victims in India and Nepal

Location of action: South Asia

Amount of Decision: EUR 4,500,000

Decision reference number: ECHO/-SA/BUD/2008/02000

Explanatory Memorandum

1 - Rationale, needs and target population.

On 18 August 2008, the Koshi River broke through a bank, suddenly and heavily flooding hundreds of villages in Nepal and in the Indian State of Bihar. The total population affected is estimated at around 4 million people¹.

Subsequently the river shifted its course about 100km eastwards. The floods caused significant damage to the local economic and social infrastructure: transport networks, drinking water facilities, electricity supplies, schools and other public buildings. Hundreds of thousands of private houses were damaged or destroyed and many areas are still cut off from the delivery of basic supplies (water, food, medicines). Over 150,000 hectares of crops were destroyed and hundreds of thousands of cattle perished in the floods².

The number of dead is still unknown, the displaced are believed to be close to 2 million staying in 350 official camps³ and in makeshift camps in a unknown number of elevated locations.

DG ECHO⁴ has already contributed EUR 2,080,000 for this crisis, under an Emergency Decision (EUR 1,000,000) for food aid for the victims on the Nepal side and the balance for the victims in India (Bihar). But the magnitude of the catastrophe far exceeds the resources mobilized so far - the Indian Prime Minister declared it a Stage 3 natural calamity, which

¹ Source: United Nations Children Fund (UNICEF) 10/09/2008

² Sources: ECHO and partners' SitReps

³ Source: UNICEF 10/09/2008

⁴ Directorate-General for Humanitarian Aid - ECHO

means it is beyond the coping capacity of the state affected in terms of financial and logistical relief – and additional humanitarian assistance is needed.

It is feared that further assistance may be needed beyond the immediate emergency phase, because it will take several months (estimates vary widely) to repair the embankment breach and these works can only start after the monsoon season, which runs until mid-October. Until the breach is repaired the displaced cannot return to their villages and when they do return most will have no house left to live in, no standing crops and no livestock. Much of the flooded agricultural land will be sand casted and will need extensive digging to become arable again. And ultimately some areas may become permanently waterlogged and people will have to look for new re-settlement locations, with all the challenges that entails.

1.2. - Identified needs⁵ :

Food, both for those remaining marooned in the villages (in most cases their food stocks were damaged by the flood and/or they may not have enough dry ground and utensils to cook) and for those in camps. Some particularly vulnerable people (such as pregnant and lactating women, children, the sick) need supplementary food. The surviving livestock will also need fodder.

Shelter and items to protect the victims from the rain and other weather conditions. The winter can be cold in these areas and most will remain displaced for months. Many people fled their villages with only the clothes they had on them and they need at least a change.

Water and sanitation – in the camp sites there are no or not enough water pumps. In the villages, pumps were contaminated by the flood and need to be cleaned and repaired. In the meantime people will continue to drink the contaminated river flood waters and will therefore need water purification materials and containers to carry and store water safely.

In the camps, large numbers of people are living in very close proximity with no appropriate place to defecate. To avoid the spread of diseases, latrines are an urgent need, together with disinfecting and cleaning substances.

Primary health care to prevent the spread of diseases, treat the ill or injured and control any possible outbreak of epidemics.

Protection – several sources report that bandits are looting the affected villages, even when some inhabitants stayed behind and attack displacement sites. The affected areas are known for human trafficking (women and children) in normal times, as people are much more vulnerable after the flood this risk it even higher.

It is likely that these needs will continue for several months, as many hundred thousands will remain displaced until the breach is repaired and therefore unable to resume their livelihood and totally dependent on humanitarian assistance.

At a later stage the most vulnerable will also need early recovery assistance, given that crops and houses have been destroyed by the flooding and livestock have been killed.

⁵ Sources: partners' and ECHO field reports
ECHO/-SA/BUD/2008/02000

1.3. - Target population and regions concerned :

Victims of flooding in India and Nepal. The total population affected at this stage is estimated at 4 million people.

1.4. - Risk assessment and possible constraints :

The high level of water and the destruction of main roads and railroads constitute 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 and on how fast the embankment breach is repaired. More heavy rains would certainly impact negatively on the humanitarian response capacity.

Security is a also concern, as there are reports⁶ of looting, criminal gangs operating and attacks by angry victims against officials.

2 - Objectives and components of the humanitarian intervention proposed:

2.1. - Objectives :

Principal objective: to provide emergency humanitarian relief assistance to flood victims in India and Nepal.

Specific objectives:

- to provide emergency multi-sectoral humanitarian assistance to flood victims in Nepal
- to provide emergency multi-sectoral humanitarian assistance to flood victims in India

2.2. - Components :

Food aid – dry rations will be provided for those remaining in the villages and in informal camps without access to cooking facilities, culturally appropriate food packs and cooking materials, if needed, will be provided for those in more stable conditions. Supplementary food for particularly vulnerable people (such as pregnant and lactating women, children, the sick). Livestock fodder.

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

Shelter – emergency shelter such as tents and tarpaulins, mattresses and blankets, clothes.

Water and sanitation – installation of hand pumps were necessary and feasible in both official and makeshift camps, cleaning of existing pumps that were affected by the flood. Provision of water purification materials and containers to carry and store water safely. Provision of latrines and disinfecting/cleaning substances (bleaching powder and similar).

Primary health – in both static and mobile camps, complementing the government medical camps and including preventive measures such as vaccination, provision of cold chain for medicines, etc.

⁶ Sources: local media, partners' reports, ECHO field report
ECHO/-SA/BUD/2008/02000

Protection – physical means such as barriers around camps to protect against bandits and looters, lighting in displacement areas, family reunification, child-safe areas, special measures for particularly vulnerable people (such as women, children, people living with HIV).

3 - Duration expected for actions in the proposed Decision:

The duration of humanitarian aid actions shall be 6 months maximum.

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.

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 operations in INDIA/NEPAL				
Decision Number	Decision Type	2006 EUR	2007 EUR	2008 EUR
ECHO/-SA/BUD/2006/01000 (*)	Emergency	300,000		
ECHO/-SA/BUD/2006/02000 (*)	Emergency	3,000,000		
ECHO/IND/BUD/2006/01000	Non Emergency	2,000,000		
ECHO/-SA/BUD/2007/01000 (*)	Global Plan		500,000	
ECHO/-SA/BUD/2007/02000 (*)	Emergency		5,000,000	
ECHO/-SA/BUD/2007/03000 (*)	Non Emergency		6,000,000	
ECHO/DIP/BUD/2007/04000 (*)	Non Emergency		0	
ECHO/IND/BUD/2007/01000	Non Emergency		2,000,000	
ECHO/IND/BUD/2007/02000	Non Emergency		630,000	
ECHO/-FA/BUD/2008/01000 (*)	Non Emergency			3,140,000
ECHO/-SA/BUD/2008/01000 (*)	Global Plan			500,000
ECHO/IND/BUD/2008/01000	Non Emergency			2,000,000
Subtotal		5,300,000	14,130,000	5,640,000
Grand Total		25,070,000		

Dated : 12 September 2008
Source : HOPE

(*) decisions with more than one country

5 - Overview of donors' contributions

Donors in INDIA/NEPAL the last 12 months					
1. EU Members States (*)		2. European Commission		3. Others	
	EUR		EUR		EUR
Austria		DG ECHO	19,770,000		
Belgium	965,480	Other services			
Bulgaria					
Cyprus					
Czech republic					
Denmark	267,124				
Estonia					
Finland					
France	200,000				
Germany	750,000				
Greece					
Hungary					
Ireland	250,000				
Italy	200,000				
Latvia					
Lithuania					
Luxemburg	599,659				
Malta					
Netherlands	3,014,102				
Poland					
Portugal					
Romania					
Slovakia					
Slovenie					
Spain					
Sweden	804,267				
United kingdom					
Subtotal	7,050,632	Subtotal	19,770,000	Subtotal	0
		Grand total	26,820,632		

Dated : 12 September 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 4,500,000

6.2. - Budget breakdown by specific objectives

Principal objective: <i>to provide emergency humanitarian relief assistance to flood victims in India and Nepal.</i>			
Specific objectives	Allocated amount by specific objective (EUR)	Geographical area of operation	Potential partners⁷
Specific objective 1: to provide emergency multi-sectoral humanitarian assistance to flood victims in Nepal	1,000,000	Flood affected areas	<ul style="list-style-type: none"> - ACTIONAID - ADRA Deutschland - CARE – AUT - CW - DCV - IFRC-FICR - IRC-UK - MDM - FRA - MERLIN - MSF-NLD - OXFAM GB - Plan UK - SC(UK) - UNICEF - WFP-PAM - WVUK

⁷ ACTIONAID (GBR), AGENCE D'AIDE A LA COOPERATION TECHNIQUE ET AU DEVELOPPEMENT, (FR), ARTSEN ZONDER GRENZEN (NLD), Adventistische Entwicklungs- und Katastrophenhilfe e.V., CARE INTERNATIONAL UK, CARE ÖSTERREICH - VEREIN FÜR ENTWICKLUNGSZUSAMMENARBEIT UND HUMANITÄRE HILFE, CHRISTIAN AID (GBR), CONCERN WORLDWIDE, (IRL), DEUTSCHE WELTHUNGERHILFE e.V., DEUTSCHER CARITASVERBAND e.V. (DEU), FEDERATION INTERNATIONALE DES SOCIETES DE LA CROIX-ROUGE ET DU CROISSANT ROUGE, FOLKEKIRKENS NODHJAELP, (FKN), HANDICAP INTERNATIONAL (FR), HELP- HILFE ZUR SELBSTHILFE E.V. (DEU), HELPAGE INTERNATIONAL (GBR), ISLAMIC RELIEF WORLDWIDE, International Rescue Committee UK, MALTESER HILFSDIENST e.V., (DEU), MEDECINS DU MONDE, MEDICAL EMERGENCY RELIEF INTERNATIONAL (GBR), MEDICOS SIN FRONTERAS, (E), OXFAM (GB), PLAN INTERNATIONAL (UK), SOS-KINDERDORF INTERNATIONAL (AUT), THE SAVE THE CHILDREN FUND (GBR), UNICEF, WORLD FOOD PROGRAM, WORLD VISION - UK

<p>Specific objective 2: to provide emergency multi-sectoral humanitarian assistance to flood victims in India</p>	<p>3,500,000</p>	<p>Flood affected areas</p>	<ul style="list-style-type: none"> - ACTED - ACTIONAID - CARE – UK - CW - DCV - CHRISTIAN AID - UK - FKN / DCA - Welthungerhilfe - HI - HELP - HAI - IRW - MALTESER HILFSDIENST - MSF-Esp - MSF-NLD - OXFAM GB - Plan UK - SC (UK) - SOS-KINDERDORF INTERNATIONAL (AUT) - UNICEF - WFP-PAM - WV (UK)
<p style="text-align: right;">TOTAL: 4,500,000</p>			

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. 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.