



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels
C(2008) XXX final

COMMISSION DECISION

of

**on the financing of humanitarian Actions from the general budget of the European
Communities in Yemen (South)**

(ECHO/YEM/BUD/2008/03000)

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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, Euratom) No.1257/96 of 20 June 1996 concerning humanitarian aid¹, and in particular Article 2 and Article 15(2) thereof:

Whereas:

- (1) In the year 2008, the number of migrants from the Horn of Africa has been exacerbated by the ongoing conflict in Central and Southern Somalia, droughts and flash floods that have severely affected the capacity of vulnerable rural households to cope with their basic needs. As of mid-November 2008, the estimated number of new Somalis and Ethiopian (Oromos) arrivals since 1 January, stood over 43,000, in a net progression from last years.
- (2) The camp capacity of the UNHCR (United Nations High Commissioner for Refugees) al Kharaz camp is currently overstretched and requires immediate expansion in order to accommodate newcomers otherwise settling in and around the camp in makeshift shelters.
- (3) An assessment of the humanitarian situation leads to the conclusion that humanitarian aid Actions should be financed by the Community for a period of 12 months.
- (4) To reach populations in need, aid should be channelled through International Organisations including United Nations (UN) agencies. Therefore the European Commission should implement the budget by joint management;
- (5) It is estimated that an amount of EUR 500,000 from budget line 23 02 01 of the general budget of the European Communities is necessary to provide humanitarian assistance to over 11,000 refugees, taking into account the available budget, other donors' contributions and other factors. Therefore the activities covered by this Decision may be financed in full in accordance with Article 253 of the Implementing Rules of the Financial Regulation;
- (6) 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

¹ OJ L 163, 2.7.1996, p. 1.

² OJ L 248, 16.9.2002, p.1.

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 500,000 for humanitarian aid Actions to the most vulnerable refugee population in South Yemen by using line 23 02 01 of the 2008 general budget of the European Communities.
2. In accordance Article 2 of Council Regulation No.1257/96, the humanitarian Actions shall be implemented in the pursuance of the following specific objective:
 - To improve the living conditions in the refugees camps in South Yemen.

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

Article 2

1. The duration for the implementation of this Decision shall be for a maximum period of 12 months, starting on 1 January 2009.
2. Expenditure under this Decision shall be eligible from 1 January 2009.
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 implementation of this Decision.

Article 3

1. The Commission shall implement the budget by joint management with international organisations.
2. Actions supported by this Decision will be implemented by International organisations.
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.

³ OJ L 357, 31.12.2002, , p.1.

⁴ Commission Decision of 5.3.2008, C/2008/773

Done at Brussels

*For the Commission
Member of the Commission*



Humanitarian Aid Decision
23 02 01

Title: Humanitarian Aid to the most vulnerable refugee population in South Yemen

Location of Action: Yemen (South)

Amount of Decision: EUR 500,000

Decision reference number: ECHO/YEM/BUD/2008/03000

Supporting Document

1 - Rationale, needs and target population.

1.1. - Rationale :

The mixed migration across the Gulf of Aden and to lesser extent across the Red Sea, brings an ever increasing flow of refugees, asylum seekers and migrants from Somalia to the southern coast of Yemen.

Refugees and migrants leaving the coasts of Somalia are fleeing the ongoing conflict in Central and Southern Somalia while many are in search of a better life in Yemen and further away in Gulf Countries and up to Europe. Many of these migrants had suffered torture, abuse and exploitation. At the end of 2007, Yemen was host to some 118,000 refugees and asylum seekers.

In the year 2008, the number of migrants has been exacerbated by the ongoing conflict in Central and Southern Somalia, droughts and flash floods that have severely affected the capacity of vulnerable rural households to cope with their basic needs. As of mid-November 2008, the estimated number of new Somalis and Ethiopian (Oromos) arrivals since January 1st, stood over 41,000, in a net progression from last years.

Transit route through Djibouti has become very difficult for migrants and refugees who have to revert to departure points from Somalia, implying long crossing (up to 48 hours) in terrible conditions. UNHCR (United Nations High Commissioner for Refugees) estimates at 677⁵ the number of deaths since the beginning of the year.

⁵ UNHCR Aden statistics as of 08 November 2008

UNHCR reception and registration capacity in Yemen has improved with the opening of the Ahwar reception centre located on the coast, on 18 March. UNHCR however was not allowed to open up new reception centres along the coast (two are operational). After the recent regional discussions on mixed migration, UNHCR has installed mobile reception centres along the Red Sea coastline in order to intercept a larger number of arrivals.

A small portion of Somali and Ethiopian refugees decide to stay in the UNHCR al Kharaz camp, located on the coast in a remote and isolated area. The camp capacity is currently overstretched and requires immediate expansion in order to accommodate newcomers who are otherwise settling in and around the camp in makeshift shelters.

1.2. - Identified needs :

A net increase in the number of new arrivals was observed in 2008: UNHCR estimates that 41,747 have reached the Yemeni coast in the period 1 January – 8 November 2008, more than doubling the amount reported for the same period of previous year. Local partners (United Nations High Commissioner for Refugees (UNHCR), Society for Humanitarian Solidarity (SHS) and Médecins Sans Frontières - Spain (MSF-Spain) analyse the situation as follows:

- There is an increased number of Somali migrants and refugees. While the Somali / Ethiopian ratio among new arrivals used to be 50%-50%, a 66%-33% trend is now observed.
- Interviews with new arrivals (UNHCR Mayfa and MSF-Spain sources) indicate that Somali increasingly leave their country because of the deteriorating security situation in Southern Somalia and in Mogadishu and "the lack of ability to find a job in the country due to ongoing war". Some also report the loss of crops and livestock due to poor rainfalls in some parts of the country.
- There is an improved UN capacity to detect new arrivals. UNHCR additional reception/registration centre in Ahwar was opened on 18 March.

This increase in the number of new arrivals occurs in a period when Djibouti authorities have adopted new measures to control the transit of migrants and refugees through their territory. As a result, crossing through the Red Sea from Djiboutian departure points became almost impossible and migrants have to revert to the infamous Gulf routes which implies up to 48-hour trips in inhuman conditions.

The increased flow of refugees, asylum seekers and migrants is reflected in the number of refugees, mostly Somali, approaching UNHCR to settle in al-Kharaz camp. Camp population has increased from 9,491 to 11,000 refugees since the beginning of the year, which remains hardly manageable in spite of recent efforts to improve services and infrastructure in the camp. In 2007 and 2008 Directorate General for Humanitarian Aid-ECHO (DG ECHO) funded the construction of 300 additional shelters with associated services. It is estimated that additional 150 concrete shelters are immediately necessary to offer decent accommodation to approximately 600 refugees in al Kharaz camp. In addition to that, the improvement of the existing shelters (repainting and repairing) is also necessary to upgrade the living conditions in the refugees camps.

1.3. - Target population and regions concerned :

Somalis and Ethiopian refugees who have settled in the UNHCR refugee camp "al Kharaz" on the southern coast of Yemen, Lahj Governorate.

1.4. - Risk assessment and possible constraints :

In 2008, Yemeni President al-Saleh instructed the Prime Minister to review the "prima facie" principle for Somali refugees. There is concern locally that Somalis are recruited by terrorist groups to destabilise Yemen and neighbouring countries. It is believed that Somalis have been recruited and fought in the Sadah conflict (North Yemen) on the side of the rebels.

The presence of Somalia refugees in Lahj Governorate has raised tensions in the past amongst local communities. Populations in the villages adjacent to al Kharaz camp are vulnerable and live in very precarious conditions. UNHCR must continuously pay attention not to fuel tensions such as competition for job opportunities (e.g. construction of concrete shelters for refugees, teachers..) and control the impact of the camp on the level of water tables.

2 - Objectives and components of the humanitarian intervention proposed:

2.1. - Objectives :

Principal objective: to improve the humanitarian situation of vulnerable refugees from Horn of Africa in South Yemen.

Specific objectives:

To improve the living conditions in the refugees camps in South Yemen

2.2. - Components :

Shelter and Non food items:

Immediate improvement of living conditions for refugees living in camp requires the construction of additional concrete shelters for which standard, design and specifications were determined in a previous DG ECHO intervention in the al Kharaz camp. These standards include individual latrines and a drinking water point (fountain) located no further than 200 metres from each concrete shelter.

New concrete shelters and those previously constructed will require some upgrading in standards such as

- Lowering inside temperature (up to 50°C) by painting all existing and new concrete shelters with white lime.
- Lowering mosquito and fly incidence by placing window and door plastic mosquito mesh in all new and old shelters.

Al Kharaz camp has a central polyclinic that includes a tuberculosis (TB) department where patients are treated against tuberculosis over a period of 8 months. Patients however can leave the TB ward much sooner (after 2 months) and continue their treatment at home, thus freeing space for new patients in the TB ward. The

construction of new shelter blocks will ease the move of treated patients back into the community.

3 - Duration expected for Actions in the proposed Decision:

The duration for the implementation of this Decision shall be 12 months.
Humanitarian Actions funded by this Decision must be implemented within this period.

Expenditure under this Decision shall be eligible from 1 January 2009

Start Date : 1 January 2009

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.

5 - Overview of donors' contributions

Donors in YEMEN the last 12 months					
1. EU Members States (*)		2. European Commission		3. Others	
	EUR		EUR		EUR
Austria		DG ECHO	1,600,000		
Belgium		Other services			
Bulgaria					
Cyprus					
Czech republic					
Denmark					
Estonia					
Finland					
France					
Germany	1,112,881				
Greece					
Hungary					
Ireland					
Italy	1,250,000				
Latvia					
Lithuania					
Luxemburg					
Malta					
Netherlands	1,500,240				
Poland					
Portugal					
Romania					
Slovakia					
Slovenie					
Spain					
Sweden	370,255				
United kingdom					
Subtotal	4,233,376	Subtotal	1,600,000	Subtotal	0
		Grand total	5,833,376		

Dated : 19 November 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 500,000

6.2. - Budget breakdown by specific objectives

Principal objective: <i>To improve the humanitarian situation of vulnerable refugees from Horn of Africa in South Yemen</i>				
Specific objectives	Allocated amount by specific objective (EUR)	Geographical area of operation	Activities	Potential partners⁶
Specific objective 1: to improve the living conditions in the refugees camps in South Yemen	500,000	South Yemen	Shelters/ non-food items	- UNHCR
TOTAL:	500,000			

⁶ UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES - BELGIUM

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.

For International Organisations identified as potential partners for implementing the Decision, actions will be managed under joint management.

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.