



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels
C(2009) XXX final

COMMISSION DECISION

of

**on the financing of humanitarian Actions in Algeria from the general budget of the
European Communities**

(ECHO/DZA/BUD/2009/02000)

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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 and Article 15(2) thereof;

Whereas:

- (1) Sahrawi refugees have been living in camps located in the desert region of Tindouf (south-west Algeria) for over three decades, enduring very harsh climatic conditions and having access to very few resources apart from international aid;
- (2) The situation of the Sahrawi refugees can be qualified as a forgotten crisis, to which few institutional donors are responding;
- (3) Sahrawi refugees remain largely dependent on international aid for their survival, notably for securing basic food and tackling nutritional problems;
- (4) However the current food storage facilities are both inadequate and insufficient to cover the needs and request to be upgraded and improved.
- (5) To reach populations in need, humanitarian aid should be channelled through International Organisations including United Nations (UN) agencies. Therefore the European Commission should implement the budget by joint management;
- (6) An assessment of the humanitarian situation leads to the conclusion that humanitarian aid Actions should be financed by the Community for a period of 15 months;
- (7) It is estimated that an amount of EUR 975,000 from budget article 23 02 01 of the general budget of the European Communities is necessary to provide humanitarian assistance to tens of thousands of Sahrawi refugees taking into account the available budget, other donors' contributions and other factors. The activities covered by this Decision may be financed in full in accordance with Article 253 of the Implementing Rules of the Financial Regulation;
- (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

¹ OJ L 163, 2.7.1996, p. 1.

² OJ L 248, 16.9.2002, p.1.

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 975,000 for the financing of humanitarian Actions in Algeria from budget article 23.02.01 of the 2009 general budget of the European Communities.
2. In accordance with Article 2 of Council Regulation No.1257/96, the principal objective of this Decision is to facilitate the delivery of food assistance to the Sahrawi refugees. The humanitarian Actions shall be implemented in the pursuance of the following specific objective:
 - To improve the quality and quantity of food delivered to the refugees through an upgrade of warehousing.

The full amount of this Decision is allocated to this specific objective.

Article 2

1. The period for the implementation of the Actions financed under this Decision shall start on 1 December 2009 and shall run for 15 months. Eligible expenditure shall be committed during the implementing period of the Decision.
2. If the implementation of individual actions is suspended owing to force majeure or other exceptional circumstances, the period of suspension shall not be taken into account in the implementing period of the Decision in respect of the Action suspended.
3. In accordance with the contractual provisions ruling the Agreements financed under this Decision, the Commission may consider eligible those costs arising and incurred after the end of the implementing period of the Action which are necessary for its winding-up.
4. The Authorising Officer may, where this is justified by the humanitarian situation, extend the duration of the Decision for a maximum of 6 months provided that the total duration of the Decision does not exceed 18 months, in accordance with Article 90.4 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

Article 3

1. In accordance with Article 253 of the Implementing Rules and having regard to the urgency of the Action, the availability of other donors and other relevant operational circumstances, funds under this Decision may finance humanitarian Actions in full.
2. Actions supported by this Decision will be implemented by International organisations.
3. The Commission shall implement the budget by joint management with international organisations that are signatories to the Framework Partnership Agreements (FPA) or the EC/UN Financial Administrative Framework Agreement (FAFA) and which were subject to the four pillar assessment in line with Article 53d of the Financial Regulation

Article 4

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

Done at Brussels,

For the Commission
Member of the Commission



Humanitarian Aid Decision
23 02 01

Title: Commission Decision on the financing of humanitarian Actions in Algeria from the general budget of the European Communities

Description: Humanitarian aid for the Sahrawi refugees

Location of Action: Algeria

Amount of Decision: EUR 975,000

Decision reference number: ECHO/DZA/BUD/2009/02000

Supporting Document

1 - Rationale, needs and target population.

1.1. - Rationale :

Since 1975, tens of thousands of Sahrawi refugees have been hosted by Algeria in camps situated in the South-Western region of Tindouf. The presence of the refugees results from the conflict opposing Morocco to the Polisario Front over the former Spanish colony of Western Sahara. Several negotiation attempts between the parties were led by the United Nations, however they were unsuccessful. The arrival of the new personal representative of the United Nations Secretary-General provided a new impetus to the negotiations.

It is, however, unlikely that the situation of the refugees in the camps will change in the short-term. The living conditions of the Sahrawi refugees, who have been living in these camps for more than 30 years, are extremely difficult. Refugees depend completely on humanitarian aid to meet their basic needs in various sectors: food, nutrition, health, water and sanitation, shelter, hygiene and education.

1.2. - Identified needs :

Logistics

In response to the levels of chronic malnutrition and iron deficiency observed since 2005, the 2007 UNHCR/WFP⁵ Joint Assessment Mission (JAM) and subsequent joint nutrition missions (2008 and 2009) recommended the continuation of food assistance to the most vulnerable refugees with a general food ration aimed at providing 2,100 kilocalories complemented by supplementary feeding to malnourished children/pregnant and nursing mothers.

However the current storage facilities at Rabouni in Tindouf, built by WFP between 2002 and 2004, are both inadequate and insufficient to cover the needs and request to be upgraded and improved.

In addition, losses and micro nutrient deterioration resulting from high storage temperatures are daily realities. Various missions, including from donors, recommend the repair of the damaged open-air platforms, stopping the use of containers for storage and the construction of new, well-ventilated storage facilities to meet WFP and international standards. At dispensary level, the conclusion was the need to improve storage facilities of the Corn Soya Blend (CSB) necessary for the supplementary Feeding Programme (SFP), and prioritising those clinics with no existing storage or storage that is currently very dilapidated⁶.

1.3. - Target population and regions concerned :

The target population is the Sahrawi refugees, living in four camps located in the Tindouf region of South-Western Algeria. Three camps are within 50 km from the town of Tindouf whereas a fourth one, Dakhla, is located 150 km south.

1.4. - Risk assessment and possible constraints :

In contrast to other refugee situations, the areas supported by international aid, including distribution of food and non-food products, are managed by structures set up by the refugees themselves or their representatives. The local Sahrawi organisations and structures, who act as the local counterparts of the international agencies and NGOs involved in humanitarian aid, manage matters for themselves. This is a positive factor in the success of the projects (ownership, lower cost of humanitarian operations due to the participation of beneficiary communities) but can also be a constraint (insufficient local capacity) and a risk, particularly as regards monitoring. The quality of aid monitoring by international agencies and NGOs - both to measure impact and to ensure the appropriate use of public funds - is dependent on the arrangements that they reach with their Sahrawi counterparts, and the latter's acceptance of accountability and control requirements. Since 2005, DG ECHO⁷ has noted an improvement in this respect, especially following an agreement between DG ECHO and the Sahrawi authorities in 2004. These improvements need to be

⁵ WFP: World Food Programme; UNHCR: United Nations' High Commission for Refugees.

⁶ Source : WFP, September 2009.

⁷ Directorate-General for humanitarian aid - ECHO

maintained and consolidated, both to ensure transparency in the use of public funds and to improve the quality of the aid delivered to the refugees.

Further, the climate conditions and the hostile natural environment may have a negative effect on the expected results. Floods and sandstorms may obliterate rehabilitation efforts.

2 - Objectives and components of the humanitarian intervention proposed:

2.1. - Objectives :

Principal objective: To facilitate the delivery of food assistance to the Sahrawi refugees.

Specific objective:

To improve the quality and quantity of food delivered to the refugees through an upgrade of warehousing.

2.2. - Components :

Rehabilitation, upgrading and construction of the food warehouses used by the WFP are envisaged with a view to increasing current storage capacity.

Rehabilitation and construction of storage capacities in camps' health clinics are foreseen in order to improve storage and distribution conditions for supplementary feeding and nutrition products at dispensary levels.

3 - Duration expected for Actions in the proposed Decision:

The duration for the implementation of this Decision shall be 15 months.

The foreseen operation to be implemented by WFP has a duration of 12 months. It cannot be excluded, however, considering the specific Sahrawi context, that some delays may be encountered. A duration until the beginning of 2011 should allow those delays to be "absorbed".

Humanitarian Actions funded by this Decision must be implemented within this period.

Expenditure under this Decision shall be eligible from 1 December 2009.

Start Date : 1 December 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

5 - Overview of donors' contributions

| Donors in ALGERIA the last 12 months | | | | | |
|--------------------------------------|---------|------------------------|------------|-----------|-----|
| 1. EU Members States (*) | | 2. European Commission | | 3. Others | |
| | EUR | | EUR | | EUR |
| | | | | | |
| Austria | | DG ECHO | 10,000,000 | | |
| Belgium | | Other services | | | |
| Bulgaria | | | | | |
| Cyprus | | | | | |
| Czech republic | | | | | |
| Denmark | | | | | |
| Estonia | | | | | |
| Finland | 400,000 | | | | |
| France | | | | | |
| Germany | | | | | |
| Greece | | | | | |
| Hungary | | | | | |
| Ireland | | | | | |
| Italy | 554,332 | | | | |
| Latvia | | | | | |
| Lithuania | | | | | |
| Luxemburg | | | | | |
| Malta | | | | | |
| Netherlands | | | | | |
| Poland | | | | | |
| Portugal | | | | | |
| Romania | | | | | |
| Slovakia | | | | | |
| Slovenie | | | | | |
| Spain | | | | | |
| Sweden | | | | | |
| United kingdom | | | | | |
| Subtotal | 954,332 | Subtotal | 10,000,000 | Subtotal | 0 |
| | | Grand total | 10,954,332 | | |

Dated : 09 October 2009

(*) 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 975,000

6.2. - Budget breakdown by specific objective

| Principal objective: <i>To facilitate the delivery of food assistance to the Sahrawi refugees</i> | | | | |
|--|---|---|---|---------------------------------------|
| Specific objective | Allocated amount by specific objective (EUR) | Geographical area of operation | Activities | Potential partners⁸ |
| Specific objective 1: To improve the quality and quantity of food delivered to the refugees through an upgrade of warehousing | 975,000 | Sahrawi Refugee Camps near Tindouf, Algeria | - Rehabilitation and construction of food warehouses. - Rehabilitation and construction of storage rooms in health facilities. | <u>Joint management</u> - WFP-PAM |
| TOTAL: | 975,000 | | | |

⁸ 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/policies/evaluation/introduction_en.htm.

8. Management issues

Humanitarian aid Actions funded by the Commission are implemented by NGOs and the Red Cross National Societies on the basis of Framework Partnership Agreements (FPA), by Specialised Agencies of the Member States 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/about/actors/partners_en.htm.

For NGOs, Specialised Agencies of the Member States, Red Cross National Societies and International Organisations not complying with the requirements set up in the Financial Regulation applicable to the general budget of the European Communities for joint management, actions will be managed by direct centralised management.

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.