



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels
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COMMISSION DECISION

of

**on the financing of emergency humanitarian Actions from the general budget of the
European Communities in the occupied Palestinian territory
ECHO/PSE/BUD/2009/01000**

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on the financing of emergency humanitarian Actions from the general budget of the European Communities in the occupied Palestinian territory ECHO/PSE/BUD/2009/01000

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(a) and Article 13 thereof,

Whereas:

- (1) On 27 December 2008, at around 11:30 am, the Israeli Defence Forces (IDF) launched a large-scale attack on the Gaza strip codenamed "Cast Lead" in response to the escalation of the Palestinian militant rockets and mortar fire into Israel since the expiry of the Egyptian negotiated truce on 19 December 2008;
- (2) As a result of the uninterrupted bombardment and ground clashes on the entire Gaza Strip the number of fatalities is nearly 500 people, of which 100 are civilians and more than 2,400 injured;
- (3) The current hostilities led to an increase of humanitarian needs causing further suffering of the civilian population which is lacking all basic commodities as a result of the conflict and the blockade of the territory by the Israeli authorities. Given the volatility of the context, humanitarian needs are evolving on a daily basis and require a flexible response;
- (4) On 31 December 2008, the United Nations Relief and Works Agency issued a Flash Appeal for USD 34 Million to provide assistance to the people of the Gaza Strip for a duration of four months;
- (5) To reach populations in need emergency aid should be channelled through Non-Governmental Organisations (NGOs) and International Organisations including United Nations (UN) agencies. Therefore the European Commission should implement the budget by direct centralized management or by joint management;
- (6) Humanitarian aid Actions should be financed for a maximum duration of 6 months.
- (7) It is estimated that an amount of EUR 3,000,000 from budget line 23 02 01 of the general budget of the European Communities is necessary to provide emergency humanitarian assistance to over 1,400,000 people within the Gaza Strip and possibly at the Egyptian border, taking into account the available budget, other donors' contributions and other factors. Therefore the activities covered by this Decision may

¹ OJ L 163, 2.7.1996, p. 1.

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 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 3,000,000 for emergency humanitarian aid Actions to provide the necessary assistance and relief to the entire population of the Gaza Strip in the occupied Palestinian territory by using line 23 02 01 of the 2009 general budget of the European Communities.
2. In accordance with Article 2(a) of Council Regulation No.1257/96, the humanitarian Actions under this Decision shall be implemented in the pursuance of the following specific objectives:
 - To assist the victims of the crisis in the Gaza Strip with integrated relief.

An amount of EUR 3,000,000 is allocated to this specific 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 27 December 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. Actions supported by this Decision will be implemented either by:
 - Non-profit-making organisations which fulfil the eligibility and suitability criteria established in Article 7 of Council Regulation (EC) No. 1257/96 or International organisations

² OJ L 248, 16.9.2002, p.1.

³ OJ L 357, 31.12.2002, p.1.

⁴ Commission Decision of 5.3.2008, C/2008/773

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 01

Title: Emergency assistance to the Palestinian population victim of the conflict in the Gaza Strip

Location of Action: OCCUPIED PALESTINIAN TERRITORY

Amount of Decision: EUR 3,000,000

Decision reference number: ECHO/PSE/BUD/2009/01000

1 – Rationale, needs and target population.

1.1. - Rationale:

On 27 December 2008, at around 11:30 am, the Israeli Defence Forces (IDF) launched a large-scale attack on the Gaza strip called "Operation Cast Lead". According to the Government of Israel (GoI), the operation was in response to the escalation of the Palestinian militant rockets and mortar fire into Israel since the expiry of the Egyptian negotiated truce on 19 December 2008.

The hostilities have not ceased since 27 December 2008. An Israeli military ground operation commenced on 3 January 2009. Israeli forces are now deployed in several areas of the Gaza Strip with clashes taking place between Israeli forces and militants. As a result of the uninterrupted bombardment and ground clashes on the entire Gaza Strip the registered fatalities amount to 491 people killed and 2,400 injured⁵ according to the Ministry of Health (MoH), including around 40 fatalities since the beginning of the ground offensive. However, there are estimates of additional unregistered casualties. People are living in state of fear and panic. On the Israeli side, four people have been killed since 27 December.

The civilian population is paying the price for the conflict and the humanitarian situation continues to deteriorate. Gaza had been teetering on the edge of such a crisis even before the Israeli offensive as the humanitarian access to Gaza has been severely restricted by Israel since early November 2008. At that time, the United Nations (UN) had declared that the humanitarian crisis in the Gaza Strip was significant and could not be understated. It followed what they had described as an 18 month long "human

⁵ OCHA report 4 January 2009

dignity crisis" in the Gaza Strip, entailing a massive destruction of livelihoods and a significant deterioration of infrastructure and basic services.

The continued IDF strikes result in the damage and destruction of significant infrastructure in several areas leaving residents without electricity and water. Civilians' residences have also been affected. Whilst health, sanitation, food, water and other basic needs of the population are increasing, the UN agencies and other international agencies are facing huge challenges in ensuring the timely delivery of goods to the affected population due to the security situation on the ground and immense access constraints⁶. Gaza is virtually isolated with access being restricted or denied. International Non-Governmental Organisation (NGOs) expatriate staff has been banned from entering Gaza since 4 November 2008.

OCHA has set in place a "logistics cluster" to coordinate with COGAT for access of goods in the Strip. The aim of the cluster is to coordinate and prioritize access to the Strip according to their needs assessment.

There have been some diplomatic initiatives and efforts to call for an end to the hostilities and cease fire but they have failed. At this stage neither the duration nor the intensity of the hostilities can be predicted. Thus, the international community continues to call on both parties to cease violence and comply with International Humanitarian Law (IHL), namely the Geneva Conventions.

On 29 December 2008 and as a preliminary reaction to the humanitarian consequences of the current strikes, the European Commission allocated EUR 100,000 from its 2008 Humanitarian Aid Decision funding to meet the most urgent medical needs in Gaza. However, after few days of hostilities (which are not set to halt), the already low coping mechanisms of the population of Gaza are rapidly depleting.

1.2. - Identified needs:

The following identification of needs is based on the ongoing assessments provided by several UN agencies and other DG ECHO partners present in the Gaza Strip. For the time being, the situation still remains volatile and it is difficult to quantify in detail the needs arising from the conflict. However, the following most urgent needs have been identified as to be addressed immediately:

Shelter and Non-Food Items

It has been estimated that over 600 targets hit Gaza public infrastructure, private homes and businesses, leading to a massive degree of destruction in this highly urbanised and densely populated region. A local organisation in Gaza, Al Mezan, estimates that more than 13,000 people (2,000 families) have already been forcibly displaced while 1,200 more are staying in five emergency shelters set up and run by UNRWA. The majority appears to have some form of shelter with relatives/neighbours and is thus difficult to locate. OCHA in Gaza estimates tens of thousands of damaged homes. UNRWA has identified 91 locations to be used as temporary shelters with a maximum capacity of 40,000 displaced persons⁷. The UN organisation is also seeking to double its current stock of non-food items (NFIs) to cover up to 10,000 displaced persons. Local and International NGOs are also involved in the response to displacement. Thus, a coordination of the provision of shelter and

⁶ To date, Kerem Shalom is the only operational crossing point between Israel and Gaza, with a very limited capacity to cover the needs for transfer of humanitarian supplies and commercial goods.

⁷ UNRWA Flash Appeal of 31 December 2008

NFIs is put in place. Some organisations are also providing plastic sheeting to cover broken windows and prevent people from seeking shelter outside their house.

Health

While there are still some shortages of drugs and consumables at hospital-level, a significant volume of supplies have been delivered to Gaza over the last few days and further supplies are in the pipeline. These supplies mainly came from Arab countries. The distribution of medicine on the basis of needs assessment from hospitals continues. UNRWA is currently providing logistical support to Gaza's Central Drugstore whose capacity is low, as well as direct support to hospitals, while WHO is still working on a list of medicine needs. A number of humanitarian organisations are also providing food and non-food items to hospitals and medical centres. Specific attention should be paid to medical equipment and spare parts.

Water and Sanitation

Air strikes caused significant damage to the sewage infrastructure, to the water network, water wells, etc. in several locations. Repair cannot be done as long as air strikes continue, thus leaving up to 250,000 people in Gaza city and northern Gaza without water supply. UNRWA is currently providing the Coastal Municipal Water Utility (CMWU) with diesel to allow water wells and waste water treatment plants to operate. The situation is due to worsen by the day as the Israeli offensive continues.

Food

The improved coordination with Israeli authorities since the beginning of the military operation has allowed the passage of food. This allowed UNRWA and WFP to resume distributions to the population on 1 January 2009⁸, though not throughout the strip as some distribution centres are located near potential targets.

Though improved from the earlier period running from 4 November until 26 December 2008, the transfer of food items since 27 December, is still far from covering the needs of almost 1 million people depending on food assistance in the strip.

Besides, new needs are emerging as basic food items are no longer available in the shops. No wheat grain entered Gaza since the beginning of hostilities. Cooking gas is also lacking, resulting in fewer than 20 bakeries being opened throughout the strip and in long queues to buy rationed quantities of bread. WFP has started an emergency bread distribution in Beit Hanoun to 3,000 families and keeps providing bread to MoH hospitals.

Cash

Cash has become a scarce resource in Gaza. The situation has further deteriorated since the beginning of hostilities. Cash support⁹ to families most affected by the current strikes is needed to cover relocation costs.

Psychosocial

In order to minimize the psychological impact of the conflict on large sections of the population and in particular on the most vulnerable, children, it is vital to deliver early psychological assistance where possible.

⁸ UNRWA had to suspend their food distributions in Gaza on 18 December 08 because of wheat flour shortages.

⁹ This will not be redundant with the measures already funded under PEGASE/AIDCO programme (i.e. social allowances)

1.3. - Target population and regions concerned :

This Decision targets the population of the Gaza strip in Gaza as well as in Egypt potentially, should a massive displacement of population happen as a result of intensified hostilities on the ground. The Gaza Strip counts 1,416,530 people according to the Palestinian Bureau of Statistics.

1.4. - Risk assessment and possible constraints :

The current hostilities between the government of Israel and Hamas have fuelled further violence in an already unstable area. The escalation of military hostilities will continue to have far reaching humanitarian consequences. The situation remains unpredictable and its evolution will largely depend on the success of diplomatic efforts to ensure a ceasefire or on the continuation of hostilities on the ground and in the air. Furthermore, if diplomatic efforts are unsuccessful, there is a concrete risk that violence spreads to the West Bank where Palestinians have started to express their anger at Israel.

Humanitarian aid can be implemented only if both parties assure a minimum respect for International Humanitarian Law, in particular in terms of protecting the civilian population and the evacuation of the injured. Access remains a key precondition for relief as Israel has imposed an almost full closure of the Gaza strip by land, sea and air since Hamas takeover in June 2007. On 31 December 2008, the EU appealed to ensure access for humanitarian personnel¹⁰ and supplies and called for an immediate and permanent ceasefire.

Possible additional constraints to the delivery of humanitarian aid could be the lack of fuel and the lack of cash. As far as fuel supplies are concerned, Israeli authorities have declared that they will not reopen the Nahal Oz pipeline, putting additional pressure on the already overstretched Kerem Shalom crossing¹¹. In terms of cash, NIS 200 million and USD 20 million is needed in Gaza in the short-term according to bank estimates. UNRWA alone would require NIS 20 million and USD 20 million to operate its programmes and pay its staff in the very short term.

2 - Objectives and components of the humanitarian intervention proposed:

2.1. - Objectives:

To save and preserve the life of the populations affected by the conflict in the Gaza strip

Specific objective:

To assist the victims of the crisis in the Gaza Strip with integrated relief.

2.2. - Components:

This decision will in part respond to the Flash Appeal of UNRWA, as well as to supplementary food needs identified by WFP. It will also provide relief support through international NGOs with a strong presence on the ground and relief activities since the onset of hostilities. Funding under the present Decision will include, inter alia, the following activities:

Shelter:

¹⁰ Prevented since the 4 November 2008

¹¹ COGAT reportedly approached UNRWA to support the provision of industrial fuel to the power plant in the Strip. UNRWA agreed in principle. Deliveries consist of back-to-back transfer of 5 tanker-loads per day through the Kerem Shalom crossing.

Operations will include the provision of temporary shelter assistance to vulnerable cases. Rehabilitation will be undertaken where necessary on a self-help basis when damages are minor to moderate.

Non-Food Items:

Operations will include the distribution of non-food items such as hygiene kits, bed linen, mattresses, as well as fuel to municipalities and utilities in support of basic public services.

Health:

Operations will include the provision of emergency medical supplies and services to the most vulnerable populations and specialised medical supplies for injuries caused by the conflict as well as spare parts and equipment once needs are clearly identified.

Special attention will be given to the coordination of interventions in the health sector while at the same time reinforcing the surveillance system and ensuring capacity to respond to eventual outbreaks.

Water and Sanitation:

Interventions will focus on provision of safe water supply and sanitation services for affected populations.

Food:

Operations will respond to the food needs of vulnerable families affected by the conflict.

Cash:

Cash assistance to vulnerable families in need of relocation will be provided by UNRWA upon the recommendation of their social workers analyses.

Psychosocial:

The interventions will provide psychological support to affected children and indirectly to their families if and where possible.

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 27 December 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.

5 - Overview of donors' contributions

Donors in PALESTINIAN TERRITORY, OCCUPIED the last 12 months					
1. EU Members States (*)		2. European Commission		3. Others	
	EUR		EUR		EUR
Austria	999,621	DG ECHO	73,860,000		
Belgium	4,931,975	DG AIDCO**	727,000,000		
Bulgaria		DG RELEX	13,000,000		
Cyprus					
Czech republic	200,000				
Denmark	6,585,929				
Estonia					
Finland					
France	7,520,000				
Germany	5,802,979				
Greece					
Hungary					
Ireland	100,000				
Italy	8,393,000				
Latvia					
Lithuania					
Luxemburg	2,384,630				
Malta					
Netherlands	7,999,209				
Poland					
Portugal					
Romania					
Slovakia					
Slovenie	10,000				
Spain					
Sweden	13,265,615				
United kingdom					
Subtotal	58,192,958	Subtotal	813,860,000	Subtotal	0
		Grand total	872,052,958		

Dated : 03 January 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.

(**) DG AIDCO committed an amount of EUR 235,000,000 under 2009 budget on 17 December 2008. This is in addition to the EUR 492,000,000 provided under 2008 budget.

6 - Amount of Decision and distribution by specific objectives:

6.1. - Total amount of the Decision: EUR 3,000,000

6.2. - Budget breakdown by specific objectives

Principal objective: <i>To save and preserve the life of the populations affected by the conflict in the Gaza Strip</i>			
Specific objectives	Allocated amount by specific objective (EUR)	Geographical area of operation	Potential partners¹²
Specific objective 1: To assist the victims of the crisis in the Gaza Strip with integrated relief.	3,000,000	Gaza strip, Egypt	- ACH- ESP - CARE - AUT - ICRC-CICR - IRD - MAP - MERCY CORPS SCOTLAND - RI-UK - SAVE THE CHILDREN - NLD - UNRWA - WA-UK - WFP-PAM
Contingency reserve, max. 10% of the total amount	0		
TOTAL:	3,000,000		

¹² ACCION CONTRA EL HAMBRE, (ESP), CARE ÖSTERREICH - VEREIN FÜR ENTWICKLUNGSZUSAMMENARBEIT UND HUMANITÄRE HILFE, COMITE INTERNATIONAL DE LA CROIX-ROUGE (CICR), Islamic Relief Humanitäre Organisation in Deutschland e.V., MEDICAL AID FOR PALESTINIANS (GBR), MERCY CORPS SCOTLAND (GBR), Relief International-UK, SAVE THE CHILDREN (NLD), UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN NEAR EAST, WORLD FOOD PROGRAM, Welfare Association

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 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/about/actors/partners_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.