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**COMMISSION IMPLEMENTING DECISION**

**of 28.11.2012**

**financing humanitarian actions from the 2012 general budget of the European Union for  
children affected by conflicts**

**(ECHO/CHD/BUD/2012/01000)**



## COMMISSION IMPLEMENTING DECISION

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**financing humanitarian actions from the 2012 general budget of the European Union for children affected by conflicts**

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid<sup>1</sup>, and in particular Article 2 and Article 15(3) thereof,

Whereas:

- (1) On 12 October 2012, the Nobel Prize Committee decided to award the 2012 Nobel Peace Prize to the European Union for over six decades' contribution to the advancement of peace and reconciliation, democracy and human rights in Europe.
- (2) The Commission formally accepted the prize, on behalf of the European Union, on 14 November 2012<sup>2</sup>. The award - an amount of approximately EUR 930, 000 (SEK 8 million) – is to be used to support actions for children affected by conflict and crisis situations.
- (3) The European Consensus on Humanitarian Aid states that "*in responding to humanitarian need particular vulnerabilities must be taken into account. In this context, the EU will pay special attention to women, children, the elderly, sick and disabled people, and to addressing their specific needs*". Furthermore, the present financing Decision is in accordance with the Commission Staff Working Document on Children in Emergency and Crisis Situations in which education in emergencies and child soldiers are among the three focal issues. It will also help the Commission to contribute to the implementation of the EU Guidelines on Children Affected by Armed Conflicts (adopted in 2003 and revised in 2008).
- (4) Of the approximately 75 million children, including 20 million girls, who are out of school worldwide, more than half live in conflict-affected areas. Education and recreational activities are crucial for the protection and development of conflict-affected children as they can provide them with necessary psychosocial support, enable them to keep their dignity and develop their social and human values, and help restore a certain sense of normality. It is, nevertheless, a severely underfunded area in humanitarian assistance worldwide<sup>3</sup>. Moreover, in conflict-affected and fragile states,

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<sup>1</sup> OJ L 163, 2.7.1996, p. 1

<sup>2</sup> Decision C(2012) 8362.

<sup>3</sup> Source: "Too little, too late" report, Child Protection Working Group.



education receives nearly four times less basic aid per out-of-school primary age child than in other lower-income countries<sup>4</sup>.

- (5) To reduce the vulnerability of children affected by conflict, action is, therefore, required in the field of education in emergencies and conflict situations, inter alia, peace, International Humanitarian Law, mediation and conflict resolution education; community-based educational activities in conflict-affected areas, promoting peaceful reconciliation; education in camps; child-friendly spaces; mine-risk training; non-formal education and activities supporting the transition to formal education in conflict-affected areas.
- (6) Education in emergencies and crisis situations constitutes an opportunity to strengthen coherence and bridge the gaps between humanitarian and development assistance, linking relief, rehabilitation and development (LRRD).
- (7) To reach populations in need, humanitarian 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 centralised management or by joint management.
- (8) An assessment of the humanitarian situation leads to the conclusion that humanitarian aid actions should be financed by the European Union for a period of 18 months.
- (9) It is estimated that an amount of EUR 2,000,000 from budget article 23 02 01 of the general budget of the European Union is necessary to provide humanitarian assistance to children affected by war and conflicts, 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;
- (10) This Decision constitutes a financing Decision within the meaning of Article 75 of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget<sup>5</sup> ("the Financial Regulation") and Article 90 of Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of the Financial Regulation<sup>6</sup>.
- (11) Since the amount does not exceed EUR 2,000,000 an opinion of the humanitarian aid committee is not necessary pursuant to Article 15 (3) of Council Regulation (EC) No 1257/96,

HAS DECIDED AS FOLLOWS:

#### *Article 1*

1. In accordance with the objectives and general principles of humanitarian aid, the Commission hereby approves a maximum amount of EUR 2,000,000 for the financing of humanitarian actions for the benefit of children affected by war and

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<sup>4</sup> Source: INEE, the Inter-Agency Network for Education in Emergencies.

<sup>5</sup> OJ L 248, 16.9.2002, p. 1.

<sup>6</sup> OJ L 357, 31.12.2002, p. 1.



conflicts from budget article 23 02 01 of the 2012 general budget of the European Union.

2. In accordance with Article 2 of Council Regulation No 1257/96, the principal objective of this Decision is to assist children affected by conflict. The humanitarian actions shall be implemented in the pursuance of the following specific objective:
  - to support children affected by conflict, specifically through education in emergencies and crisis situations.

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 the date specified in the relevant Agreements financed under this Decision and shall run for 18 months. Eligible expenditure shall be committed during the implementing period of the actions.
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.

#### *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 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 by international organisations.
3. The Commission shall implement the budget:

\* either by direct centralised management with non-governmental organisations;

\* or by joint management with international organisations that are signatories to the Framework Partnership Agreements (FPA) or the Financial Administrative Framework Agreement with the UN (FAFA) and which were subject to the four pillar assessment in line with Article 53d of the Financial Regulation.



*Article 4*

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

Done at Brussels, 28.11.2012

*For the Commission  
Claus H. SØRENSEN  
Director-General*





## **Humanitarian Aid Decision**

### **23 02 01**

Title: Commission implementing decision financing humanitarian actions from the 2012 general budget of the European Union for children affected by conflicts

Description: The objective is to support actions benefiting children affected by conflicts, with a specific focus on education in emergencies and crisis situations

Location of action: Worldwide

Amount of Decision: EUR 2,000,000

**Decision reference number: ECHO/CHD/BUD/2012/01000**

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### **Supporting document**

## **1 Humanitarian context, needs and risks**

### **1.1 Situation and context**

Today, 90% of the victims of conflicts are civilians - of which half are children. Children are both particularly vulnerable and particularly exposed to conflicts, as they do not have resources of their own and often lack protection.

Conflicts affect girls and boys in many different ways. As adults, children can be killed or injured – in addition, they are more exposed to the effects of war and to war crimes. They can be recruited by armed groups - as fighters, for sexual exploitation, or forced labour. Children can be separated from their families or forcibly displaced. And they also form a large proportion of antipersonnel mine victims.

Girls and boys are also at times left out of school during or in the immediate aftermath of conflict. The impact of conflict on these children is often long lasting, and in some



contexts of protracted crises, they can easily become a "lost generation". An extreme example of long-term behavioural impact is that of some former child soldiers who replicate as adults the violent patterns that they experienced in their childhood, thus perpetuating violence, as for instance in Eastern Congo or in areas where the Lord's Resistance Army operates.

## **1.2 Identified humanitarian needs**

Of the approximately 75 million children who are out of school worldwide, more than a half live in conflict-affected areas. Conflicts often last several years and families can remain in refugee or internally displaced person (IDP) camps for a very long time. Recent analyses<sup>1</sup> reveal that the average stay in such camps is 17 years. Failure to provide education during protracted crises undermines entire generations of children, who remain uneducated and unprepared to contribute to their communities' recovery and resilience.

Education and recreational activities are crucial for the protection and development of conflict-affected children, as they provide them with necessary psychosocial support, enable them to keep their dignity and to develop their social and human values, and basically restore a certain sense of normality. This is nevertheless a severely underfunded area in humanitarian assistance worldwide<sup>2</sup>. Moreover, in conflict-affected and fragile states, education receives nearly four times less basic aid per out-of-school primary age child than in other lower-income countries<sup>3</sup>.

In times of conflict, when the national education structures no longer function and children do not have the possibility of going to school, humanitarian aid may be the sole instrument providing children, and particularly the most vulnerable, access to educational activities, which can also protect them from abuse and exploitation.

## **1.3 Risk assessment and possible constraints**

The provision of humanitarian assistance in conflict-affected areas may be impeded because of security risks. If violence escalates to a level that threatens relief activities or even access to the region, actions may need to be suspended.

# **2 Proposed DG ECHO response**

As the humanitarian response to the educational needs of conflict-affected children suffers disproportionately from underfunding, the Commission (on behalf of the European Commission) intends to use the funds related to the Nobel Peace prize 2012 which has been awarded to the EU to support education in emergencies and crisis situations projects, targeting children affected by conflict. The Commission will complement the prize money with its own funds.

The Commission will support education activities in ongoing crises and early recovery phases. It may also support transition to formal education systems, during recovery. Furthermore, it may support longer-term educational activities in protracted crises and in refugee/IDP camps. However, the Commission will not provide long-term support to national education systems, in post-recovery situations.

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<sup>1</sup> Source: INEE, the Inter-Agency Network for Education in Emergencies.

<sup>2</sup> Source: "Too little, too late" report, Child Protection Working Group.

<sup>3</sup> Source: INEE, the Inter-Agency Network for Education in Emergencies.



Activities funded under this Decision could include components of peace education (i.e. IHL, mediation, conflict resolution, etc.).

## **2.1 Rationale**

Actions selected under this Decision funded inter alia through the award of the Nobel Prize for Peace to the EU, shall focus on education of children in any conflict-affected area worldwide, as long as the security situation allows for the implementation of such activities.

While education in emergencies and crisis situations is among the three issues in focus in the Commission Staff Working Document on Children in Emergency and Crisis Situations (2008)<sup>4</sup>, international humanitarian donors, including DG ECHO, provided only limited support to this type of activities. Focus has been overall on prioritising of health, nutrition and food assistance projects, which are usually considered as having more immediate life-saving effects. In some instances, education in long-term crises is "de-prioritised" because of unclear exit strategies. Innovative approaches to address the educational and related needs of children in conflict, focussing on the child's needs in a comprehensive manner and look at ways of ensuring some degree of sustainability beyond the external humanitarian funding should be developed.

This Decision is in line with the commitment to address the needs of the most vulnerable expressed in the European Consensus on Humanitarian Aid. It states that *"in responding to humanitarian needs particular vulnerabilities must be taken into account. In this context, the EU will pay special attention to women, children, the elderly, sick and disabled people, and to addressing their specific needs"*. It is, furthermore, in accordance with the Commission Staff Working Document on Children in Emergency and Crisis Situations, in which education in emergencies and child soldiers are among the three issues in focus. It will also help the Commission contribute to the implementation of the EU Guidelines on Children Affected by Armed Conflicts<sup>5</sup> (adopted in 2003 and revised in 2008).

## **2.2 Objectives**

- Principal objective: To assist children affected by conflict
- Specific objective: To support children affected by conflict, specifically through education in emergencies and crisis situations

## **2.3 Components**

The following activities are among those that can be financed under this decision (non-exhaustive list):

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<sup>4</sup> [http://ec.europa.eu/echo/files/policies/sectoral/children\\_2008\\_Emergency\\_Crisis\\_Situations\\_en.pdf](http://ec.europa.eu/echo/files/policies/sectoral/children_2008_Emergency_Crisis_Situations_en.pdf)

<sup>5</sup> <http://www.consilium.europa.eu/uedocs/cmsUpload/GuidelinesChildren.pdf>



- Peace, IHL, mediation and conflict resolution education;
- Community-based educational activities in conflict-affected areas, promoting peaceful reconciliation;
- Education in camps ;
- Child-friendly spaces ;
- Mine-Risk training ;
- Non-formal education and activities supporting the transition to formal education in conflict-affected areas .

## **2.4 Complementarity and coordination with other EU services, donors and institutions**

Education in emergencies and crisis situations constitutes an opportunity to strengthen coherence and bridge the gaps between humanitarian and development assistance, linking relief, rehabilitation and development (LRRD).

## **2.5 Duration**

The duration for the implementation of this Decision shall be 18 months. Humanitarian actions funded by this Decision must be implemented within this period.

Expenditure under this Decision shall be eligible from the date specified in the agreement.

Start Date: the date specified in the agreement

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.

## **3 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 Union 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](http://ec.europa.eu/echo/policies/evaluation/introduction_en.htm).

#### **4 Management Issues**

Humanitarian aid actions funded by the European Union 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 Financial Administrative Framework Agreement with the UN (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](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 Union 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.

#### **5 Annex**



*Annex 1 - Summary decision matrix (table)*

<b>Principal objective:</b> To assist children affected by conflict..				
<b>Specific objectives</b> To support children affected by conflict, specifically through education in emergencies and crisis situations	<b>Allocated amount by specific objective (EUR)</b>  2,000,000	<b>Geographical area of operation</b>  Worldwide	<b>Activities</b>  Education in Emergencies and conflict situations	<b>Potential partners</b> - NGOs on the basis of Framework Partnership Agreements (FPA)  - international organisations that are signatories to the Framework Partnership Agreements (FPA) or the Financial Administrative Framework Agreement with the UN (FAFA)
<b>TOTAL</b>	2,000,000			