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EUROPEAN COMMISSION

Brussels
C(2009) XXX final

COMMISSION DECISION

on the financing of a Grant Facility for improving the quality and effectiveness of humanitarian aid responses delivered by non-governmental humanitarian organisations

(ECHO/-GF/BUD/2009/01000)

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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 aid¹, and in particular Articles 2, 4 and 15(2) thereof;

Whereas:

- (1) Article 4 of Council Regulation (EC) No 1257/96 provides that humanitarian aid financed by the European Union may be used to finance small-scale training schemes and general studies in the field of humanitarian operations, as well as measures to strengthen the Union's coordination with, inter alia, non-governmental organisations and organisations representing them;
- (2) The 2008-2012 Framework Partnership Agreement between DG ECHO² and humanitarian organisations stipulates in its Article 1.2.(b) that the Commission will support capacity building initiatives and other activities that aim to improve the quality of the humanitarian response of its partners;
- (3) The European Consensus on Humanitarian Aid³ states that "for the EU, supporting the development of the collective global capacity to respond to humanitarian crises is one of the fundamental tenants of our approach";
- (4) The European Consensus on Humanitarian Aid – Action plan⁴, in order to facilitate its implementation, called for actions in following areas:
 - reinforcing capacities to respond (area 3);
 - promoting humanitarian principles and law, and implementing quality aid approaches (areas 1 and 2);
 - strengthening partnership, coherence and coordination (areas 4 and 5);
- (5) The Commission established a humanitarian Grant Facility in 1999 with the aim of improving the quality of humanitarian aid responses and to increase their effectiveness by strengthening the preparedness and response capacities of non-governmental humanitarian organisations (NGOs), their staff and local actors. The instrument received an annual budget which has been increased considerably since 2006;

¹ OJ L 163, 2.7.1996, p. 1.

² Directorate General for Humanitarian Aid – ECHO.

³ OJ C 25, 30.01.2008, p.1.

⁴ Commission Staff Working Paper "European Consensus on Humanitarian Aid – Action Plan", SEC(2008)1991 of 29.05.2008.

- (6) An external evaluation of the "Thematic Funding and Grant Facility Approach" (May 2008 – Particip GmbH) underlined the relevance and added value of the capacity building instrument;
- (7) DG ECHO adopted a capacity building strategy entitled "Strengthening Humanitarian Responses through Global Capacity Building and Grant Facility – DG ECHO Guidelines" which defines its objectives, policy directions and issues of implementation. The strategy recommends supporting capacity building actions in priority sectors, which include among others "improved cluster roll out; strengthened logistical response; consistent and common needs assessments; disaster risk reduction; local capacity building, strengthened humanitarian organisations, human resources and systems, enhanced quality of humanitarian aid responses, accountability of humanitarian aid organisations and promotion of the respect of International Humanitarian Law and humanitarian principles." One of the priorities is also to "encourage cooperation, coordination and networking among non-governmental humanitarian organisations";
- (8) The Grant Facility should also strengthen civil society in the Member States which are nowadays underrepresented in the framework of DG ECHO's Framework Partnership Agreement (FPA), namely Bulgaria, Cyprus, Czech Republic, Estonia, Finland, Greece, Hungary, Latvia, Lithuania, Malta, Poland, Portugal, Romania, Slovakia and Slovenia;

The FPA defines two types of control mechanisms for Actions. The P-control mechanism serves to favourably assess the technical capacity, the financial solidity and the procurement rules prior to the signature of the FPA. The A-control mechanism foresees that the financial base and procurement procedures need further attention;

It is therefore appropriate to provide specific capacity support to NGOs partners from underrepresented Member States and to those using the A control mechanism;

- (9) Actions supported by this Decision will be implemented through direct centralised management by humanitarian aid organisations that are signatories to the Framework Partnership Agreement, by non-profit organisations which fulfil the eligibility criteria established in Article 7 of Council Regulation (EC) No 1257/96; and by European research institutes, universities, academic institutions and networks of non-profit humanitarian organisation; through joint management by international organisations that are signatories to the Framework Partnership Agreement.
- (10) An assessment of the needs and the capacity building context leads to the conclusion that the Actions should be financed by the European Union for a period of 18 months;
- (11) It is estimated that an amount of EUR 4,000,000 from budget article 23 02 01 of the general budget of the European Union is necessary to realise the objectives of the Decision, taking into account the available budget, other donors' contributions and other factors. Actions covered by this Decision should be financed for a maximum of 85% of the total cost of the Action;
- (12) Due to the nature of the Actions to be funded under this Decision, it is necessary to establish a contingency reserve in order to meet unforeseen events.

- (13) The present Decision constitutes a financing Decision within the meaning of Article 75 of the Financial Regulation (EC, Euratom) No 1605/2002⁵, Article 90 of the detailed rules for the implementation of the Financial Regulation determined by Regulation (EC, Euratom) No 2342/2002⁶, and Article 15 of the internal rules on the implementation of the general budget of the European Union⁷;
- (14) In accordance with Article 17(3) of Council Regulation (EC) No 1257/96 of 20 June 1996, the Humanitarian Aid Committee gave a favourable opinion on 27/10/2009.

HAS ADOPTED THIS DECISION:

Article 1

1. In accordance with the objectives and general principles of humanitarian aid, the Commission hereby approves a total amount of EUR 4,000,000 for the 2009 "Grant Facility for improving the quality and effectiveness of humanitarian aid responses delivered by non-governmental humanitarian organisations" from budget article 23.02.01 of the 2009 general budget of the European Union.
2. In accordance with Articles 2 and 4 of Council Regulation No 1257/96, the principal objective of this Decision is to improve the quality of humanitarian aid responses and to increase their effectiveness by strengthening the preparedness and response capacities as well as the technical skills of non-profit making organisations, non-governmental humanitarian organisations, their staff and the related local actors. The humanitarian Actions shall be implemented in the pursuance of the following specific objectives:

- Strengthen the skills and humanitarian aid expertise through local capacity building initiatives and through specialised sector training for humanitarian aid workers.

A total of EUR 1,700,000 is allocated to this specific objective.

- Support programmes which aim to enhance the quality of management in delivering humanitarian aid, which increase accountability to those in need and to the European citizens on the proper use of public funds and which promote the respect of humanitarian principles and law.

A total of EUR 1,000,000 is allocated to this specific objective.

- Support programmes which strengthen the capacity of partners using the A control mechanism and of the civil society in European Union-countries which are underrepresented in the framework of the current Framework Partnership Agreement.

A total of EUR 500,000 is allocated to this specific objective.

- Reinforce networking between DG ECHO's NGO partners with the aim of improving the quality and effectiveness of humanitarian aid action, to contribute to one or several of the priorities identified in the European Consensus on

⁵ OJ L 248, 16.9.2002, p.1.

⁶ OJ L 357, 31.12.2002, p.1.

⁷ Commission Decision of 6.4.2009, C/2009/2105

Humanitarian Aid or the Hyogo Framework for Action or strengthening the humanitarian aid cooperation and coordination mechanisms.

A total of EUR 400,000 is allocated to this specific objective.

A total of EUR 400,000 is allocated to the contingency reserve.

3. The Authorising Officer may decide on non-substantial changes in accordance with Article 90.4 of the Implementing Rules of the Financial Regulation. Accordingly, without prejudice to the use of the contingency reserve, when required by the changing circumstances, resources may be reallocated between the different specific objectives up to a maximum of 20% of the total amount of the Financing Decision or up to a total of EUR 3,000,000, whichever is reached first.

Article 2

1. The period for the implementation of the Actions financed under this Decision shall start on the date of its adoption and shall run for 18 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.

Article 3

1. As a general rule, Actions funded by this Decision should be co-financed.
Taking account of the nature of activities to be undertaken, the maximum rate of co-financing shall be 85 %.
2. Actions supported by this Decision will be implemented
 - by direct centralised management with humanitarian aid organisations that are signatories to the Framework Partnership Agreement; by non-profit organisations which fulfil the eligibility and suitability criteria established in Article 7 of Council Regulation (EC) No 1257/96; and European research institutes, universities, academic institutions and networks of non-profit humanitarian organisations
 - by joint management with international organisations that are signatories to the Framework Partnership Agreement.

Article 4

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

Article 5

This Decision is addressed to the delegated authorising officer.

Done at Brussels,

For the Commission
Member of the Commission