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COMMISSION IMPLEMENTING DECISION

of 14.8.2013

**financing humanitarian actions from the 2013 general budget of the European Union for
children affected by conflicts**

(ECHO/CHD/BUD/2013/01000)

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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 Article 2 and Article 15(3) thereof,

Having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (hereinafter referred to as 'the Financial Regulation')², and in particular Article 84(2) 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 2012³. The award - an amount of approximately EUR 930 000 (SEK 8 million) – was supplemented by funds from the EU's humanitarian aid budget to provide EUR 2 million in specific support for children affected by conflict and crisis situations (EU Children of Peace initiative). The current Decision provides further support in the same context following the commitment to continue to fund “Children of Peace” projects every year.
- (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 Communication "A Special Place for Children in EU External Action" (2008) and its accompanying Staff Working Document on Children in Emergency and Crisis Situations in which education in emergencies and child soldiers are among the three focal issues, alongside emphasis on separated and unaccompanied children and children associated with armed forces

¹ OJ L 163, 2.7.1996, p. 1

² OJ L298/1, 26.10.2012

³ Decision C(2012) 8362.

or armed groups. It will also help the Commission to contribute to the implementation of the EU Guidelines on Children and Armed Conflict (adopted in 2003 and revised in 2008).

- (4) Half of the 57 million children without access to education live in conflict-affected areas⁴. 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 worldwide⁵.
- (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, protection, peace, International Humanitarian Law, mediation and conflict resolution education; child protection (notably unaccompanied children and ex-child soldiers); 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 4 000 000 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 Commission may acknowledge and accept contributions from other donors pursuant to Article 21(2)(b) of the Financial Regulation, subject to the signature of the relevant agreement, and should decide on the use of such contributions. Although, as a general rule, actions funded by this Decision should be co-financed, the Authorising Officer, in accordance with Article 277 of the Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (hereinafter referred to as 'the Rules of Application'⁶), may agree to the full financing of actions.

⁴ Source: Education for All Global Monitoring Report, July 2013

⁵ Source: "Too little, too late" report, Child Protection Working Group.

⁶ OJ L 362, 31.12.2012, p. 1.

- (10) This Decision complies with the conditions laid down in Article 94 of Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (hereinafter referred to as 'the Rules of Application')⁷.
- (11) The measures provided for in this Decision are in accordance with the opinion of the Humanitarian Aid Committee established by Article 17(1) of 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 4 000 000 for the financing of humanitarian actions for the benefit of children affected by war and conflicts from budget article 23 02 01 of the 2013 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.

3. The competent Authorising Officer may decide on non-substantial changes in accordance with Article 94.4 of the Rules of Application of the Financial Regulation. This may include the increase of the maximum contribution authorised by this Decision up to 20%.

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

⁷ OJ L 362, 31.12.2012, p. 1.

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.

The Authorising Officer, in accordance with Article 277 of the Rules of Application, may agree to the full financing of actions when this will be necessary to achieve the objectives of this Decision and with due consideration to the nature of the activities to be undertaken, the availability of other donors and other relevant operational circumstances.

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;

* 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 Council Regulation No 1605/2002 which continues to apply to all commitments made up to 31 December 2013;

* or by indirect 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 six pillar assessment in line with Article 60 of the Financial Regulation, which applies to all commitments made from 1 January 2014.

Article 4

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

Done at Brussels, 14.8.2013

For the Commission
Johannes HAHN
Member of the Commission



Humanitarian Aid Decision 23 02 01

Title: Commission implementing decision financing humanitarian actions from the 2013 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 4 000 000

Decision reference number: ECHO/CHD/BUD/2013/01000

Supporting document

1 Humanitarian context, needs and risks

1.1 Situation and context

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.

1.2 Identified humanitarian needs

Half of the 57 million children without access to education live in conflict-affected areas¹. Conflicts often last several years and families can remain in refugee or internally displaced person (IDP) camps for a very long time. 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 worldwide².

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 response

As the humanitarian response to the educational needs of conflict-affected children suffers disproportionately from underfunding, the Commission intends to expand its support in this area. This follows up on its EUR 2 million financing Decision in 2012 incorporating the Nobel Peace Prize money awarded to the European Union. This Decision under the "EU Children of Peace" initiative aimed specifically at promoting education projects in emergencies, targeting children affected by conflict.

The Commission will support education activities in ongoing crises and early recovery phases. It may also support transition to formal education systems in preparation for a development intervention. 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.

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

¹ Source: Education for All Global Monitoring Report, July 2013

² Source: "Too little, too late" report, Child Protection Working Group.

Activities shall be tailored to take into account the different needs of children based on their age, gender and other specific circumstances.

2.1 Rationale

Actions selected under this Decision 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)³, international humanitarian donors provide only limited support to this type of activities. The overall focus has been to prioritise projects that are 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, focusing on the child's needs in a comprehensive manner and looking 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 Communication "A Special Place for Children in EU External Action" (2008) and its accompanying 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 and Armed Conflict⁴ (adopted in 2003 and revised in 2008).

The Decision is also in line with EU's commitment to continue to fund "Children of Peace" projects every year as a lasting symbol of the Nobel Peace Prize and the responsibility it entails.

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):

³ http://ec.europa.eu/echo/files/policies/sectoral/children_2008_Emergency_Crisis_Situations_en.pdf

⁴ <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;
- Emergency education in camps;
- Child-friendly spaces;
- Mine-Risk training;
- Non-formal education and activities supporting the transition to formal education in conflict-affected areas;
- Education activities related to protection of unaccompanied children and ex-child soldiers.

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

Given the special character of this decision, which is linked to the Nobel Peace Prize attributed to the EU in 2012, the Commission may receive contributions from other EU donors to maximise the impact of this initiative and ensure that it truly symbolises EU's collective achievements. It will engage with Member States, seeking to secure additional funding for this collective project.

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). Complementarity and synergies with other EU services and funding instruments will be sought.

2.5 Duration

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.

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/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 178 of the Rules of Application of the Financial Regulation. These Framework agreements define the criteria for attributing grant agreements and financing agreements in accordance with Article 94 of the Rules of Application and may be found at:

http://ec.europa.eu/echo/partners/humanitarian_aid/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 for commitments made until 31 December 2013, and indirect management for commitments made from 1 January 2014, actions will be managed by direct management.

For international organisations identified as potential partners for implementing the Decision, actions will be managed under joint management for commitments made until 31 December 2013, and indirect management for commitments made from 1 January 2014.

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)

Principal objective: To assist children affected by conflict.				
Specific objectives To support children affected by conflict, specifically through education in emergencies and crisis situations	Allocated amount by specific objective (EUR) 4 000 000	Geographical area of operation Worldwide	Activities Education in Emergencies and conflict situations	Potential partners - 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)
TOTAL	4 000 000			