

Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid

CHAPTER III

**Procedures for the implementation of humanitarian operations**

*Article 13*

The Commission shall decide on emergency action for an amount not in excess of ECU 10 million.

The following operations shall be deemed to necessitate emergency action:

- operations to meet immediate and unforeseeable humanitarian requirements generated by sudden natural or man-made disasters, such as floods, earthquakes and outbreaks of fighting or comparable situations,
- operations limited to the duration of the unforeseeable emergency response: the corresponding funds shall cover the response to the humanitarian needs referred to in the first indent for a period of not more than six months laid down in the decision on financing.

Where operations fulfil these conditions and are in excess of ECU 2 million:

- the Commission shall adopt its decision,
- it shall inform the Member States in writing within forty-eight hours,
- it shall account for its decision at the Committee's next meeting, in particular giving the reasons for its use of the emergency procedure.

[<sup>F1</sup>Decisions to continue operations adopted by the emergency procedure shall be taken by the Commission, acting in accordance with the management procedure referred to in Article 17(2) and within the limits set in the second indent of Article 15(2).]

**Textual Amendments**

- F1** Substituted by [Regulation \(EC\) No 219/2009 of the European Parliament and of the Council of 11 March 2009 adapting a number of instruments subject to the procedure referred to in Article 251 of the Treaty to Council Decision 1999/468/EC with regard to the regulatory procedure with scrutiny](#) Adaptation to the regulatory procedure with scrutiny — Part Two.

*Article 14*

The Commission shall appraise, decide upon and administer, monitor and assess operations under this Regulation accordint of the budgetary and other procedures in force, and in particular those laid down in the Financial Regulation applicable to the general budget of the European Communities.

[<sup>F1</sup>Article 15

<sup>F2</sup><sub>1</sub> .....

2 Acting in accordance with the regulatory procedure referred to in Article 17(3), the Commission shall:

- decide on Community financing for the humanitarian-aid protection operations referred to in Article 2(c),

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*Changes to legislation:* There are currently no known outstanding effects for the  
Council Regulation (EC) No 1257/96, CHAPTER III. (See end of Document for details)

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- decide to take direct Commission action or finance action by Member States' specialised agencies,
- 3 Acting in accordance with the management procedure referred to in Article 17(2), the Commission shall:
- approve global plans intended to provide for actions in a given country or region where the scale and complexity of the humanitarian crisis is such that it seems likely to continue, and the budgets for those plans. In this context, the Commission and the Member States shall examine the priorities to be established in the implementation of these global plans,
  - decide on projects in excess of ECU 2 million, without prejudice to Article 13.]

#### Textual Amendments

- F1** Substituted by Regulation (EC) No 219/2009 of the European Parliament and of the Council of 11 March 2009 adapting a number of instruments subject to the procedure referred to in Article 251 of the Treaty to Council Decision 1999/468/EC with regard to the regulatory procedure with scrutiny Adaptation to the regulatory procedure with scrutiny — Part Two.
- F2** Deleted by Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 adapting a number of legal acts providing for the use of the regulatory procedure with scrutiny to Articles 290 and 291 of the Treaty on the Functioning of the European Union (Text with EEA relevance).

#### Article 16

- 1 Once a year the Committee referred to in Article 17 shall discuss general guidelines presented by a representative of the Commission for humanitarian operations to be undertaken in the year ahead and examine the whole question of the coordination of Community and national humanitarian aid and any general or specific issues concerning Community aid in that field.
- 2 The Commission shall also submit to the Committee referred to in Article 17 information on changes in the instruments for administering humanitarian aid, including the framework partnership agreement.
- 3 The Committee referred to in Article 17 shall also be notified of the Commission's intentions regarding the assessment of humanitarian operations, and, possibly, its timetable of work.

#### [<sup>F1</sup>Article 17

- 1 The Commission shall be assisted by a Committee.
- 2 Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.
- The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at one month.
- 3 Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.
- The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at one month.]

<sup>F2</sup>4 .....

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#### Textual Amendments

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#### Article 18

1 The Commission shall regularly assess humanitarian aid operations financed by the Community in order to establish whether they have achieved their objectives and to produce guidelines for improving the effectiveness of subsequent operations. The Commission shall submit to the Committee a summary, which shall also indicate the status of the experts employed, of the assessment exercises carried out that it might, if necessary, examine. The assessment reports shall be available to the Member States on request.

2 At the Member States' request, and with their participation, the Commission may also assess the results of the Community's humanitarian operations and plans.

#### Article 19

At the close of each financial year, the Commission shall submit an annual report to the European Parliament and to the Council with a summary of the operations financed in the course of that year.

The summary shall contain information concerning the agencies with which humanitarian operations have been implemented.

The report shall also include a review of any outside assessment exercises which may have been conducted on specific operations.

The Commission shall notify the Member States, within no more than one month of its decision and without prejudice to Article 13 of this Regulation, of the operations approved, indicating the amount granted, the nature of the operation, the people who have received aid and the partners involved.

#### Article 20

Three years after entry into force of this Regulation, the Commission shall submit an overall assessment of the operations financed by the Community under this Regulation to the European Parliament and to the Council, together with suggestions for the future of the Regulation and, as necessary, proposals for amendments to it.

#### Article 21

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

**Changes to legislation:**

There are currently no known outstanding effects for the Council Regulation (EC) No 1257/96, CHAPTER III.