

Order of the Minister for Development Cooperation of **27 March 2008**, no. DMV/HH-0058/08 establishing policy rules for the provision of grants for humanitarian aid on the basis of the Ministry of Foreign Affairs Grant Regulations 2006 (Humanitarian Aid Policy Rules 2008).

The Minister for Development Cooperation,

Having regard to article 6 of the Ministry of Foreign Affairs Grants Decree<sup>1</sup> and article 3.1 of the Ministry of Foreign Affairs Grant Regulations 2006<sup>2</sup>

Orders:

*Article 1*

The policy rules appended to this Order shall apply to the award of grants in the framework of humanitarian aid between 1 January 2008 and 31 December 2008, pursuant to article 3.1 of the Ministry of Foreign Affairs Grant Regulations 2006.

*Article 2*

This Order shall take effect on the second day following the date of the Government Gazette in which it is published.

This Order and the accompanying annexes shall be published in the Government Gazette.

Ms J.M.G. Brandt  
Deputy Director-General for International Cooperation  
For the Minister for Development Cooperation

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<sup>1</sup> Bulletin of Acts and Decrees 2005, 137

<sup>2</sup> Government Gazette 2006, 251

## **Annexe**

### **Humanitarian Aid Policy Rules 2008 and annexes**

#### **Introductory remarks**

Pursuant to article 3.1 of the Ministry of Foreign Affairs Grant Regulations 2006, the Minister for Development Cooperation has the authority to award grants for emergency aid or conflict management. The policy of the Minister for Development Cooperation on the provision of grants to NGOs for humanitarian aid is set out in these Humanitarian Aid Policy Rules. These policy rules can also serve as a guide for submitting grant applications.

The policy framework is structured as follows:

Section 1 sets out the general aims of humanitarian aid and the strategy adopted by the Netherlands. Chronic crises to which the Netherlands pays specific attention are distinguished from other crisis situations and acute crises. General criteria relating to applications and applicants are also described in this section.

Section 2 looks at Dutch focus areas in distributing humanitarian aid. This section includes a number of country annexes detailing Dutch emergency aid priorities in a number of countries or regions in crisis and, where necessary, supplementary conditions.

Section 3 outlines Dutch humanitarian aid policy in other chronic crisis situations, and the criteria that apply. Dutch policy on humanitarian aid in acute crises, such as natural disasters, is described in section 4, as is the choice of channels (section 4.4). The final annexe is the Handbook for Humanitarian Aid, which includes practical suggestions for drawing up and assessing grant applications.

### **1 Aims, strategy and general criteria for the provision of Dutch humanitarian aid**

#### **1.1 Mission statement: aim of humanitarian aid**

The main aim of humanitarian aid is to help alleviate the suffering of the most vulnerable people in life-threatening situations, particularly women and children, resulting from chronic or other crises and/or natural disasters. In principle, the Netherlands provides humanitarian aid anywhere in the world, but special attention is paid to a number of specific crisis zones in

developing countries. In addition, there is a separate facility for humanitarian mine clearance.<sup>3</sup>

The Netherlands endorses the following international principles of humanitarian aid, on which it bases its emergency aid policy:

- the humanitarian response to crises is exclusively motivated by a desire to alleviate the suffering of the most vulnerable in the affected zone (the humanitarian imperative);
- humanitarian aid should always be adapted and tailored to local circumstances, in order where possible to build on existing capacity and self-sufficiency and prevent donor dependency;
- humanitarian aid must be impartial: it should not be used to promote political or other external agendas, and should be provided without discrimination on the grounds of race, religion, political conviction, gender, etc.;
- humanitarian aid is free of political influences (from the Netherlands or the country concerned);
- in a conflict situation, the sovereignty of the country concerned is subordinate to the need to provide unhampered and impartial humanitarian aid. This requires free access to the affected population;
- humanitarian aid is demand driven, not supply driven.

## **1.2 Dutch humanitarian aid strategy**

Dutch humanitarian aid strategy aims to strengthen and develop a common, coordinated approach among all donors concerned (UN agencies, the International Committee of the Red Cross (ICRC) and NGOs) to ensure that they do not operate alone and without coordination in the affected zone. Close international coordination contributes to a better alignment of the different forms and phases of aid. Dutch efforts in chronic crises are guided by the Consolidated Appeals Process (CAP), under the aegis of the UN Office for the Coordination of Humanitarian Affairs (OCHA).

Furthermore, in the first instance Dutch efforts in acute crisis situations are guided by the Emergency Appeals of the United Nations, the ICRC and the International Federation of Red Cross and Red Crescent Societies (IFRC). Should the Netherlands receive requests for aid from NGOs, the speed, nature and scale of the proposed intervention and the NGO's familiarity with the affected area will be taken into account in the decision.

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<sup>3</sup> Order of the Minister for Development Cooperation of 15 February 2007, no. DMV/HH-1024/064, Government Gazette 2007, no. 39.

In this context, in 2008 the Netherlands will be supporting the UN Central Emergency Response Fund (CERF) and, as in 2006 and 2007, the two joint UN emergency aid funds (Common Humanitarian Funds or CHF) in the Democratic Republic of Congo and Sudan. These funds are supervised by the UN Humanitarian Coordinator in the country in question, through whom they are also accessible to NGOs. The Ministry of Foreign Affairs will not provide grants for projects already funded by Dutch-supported CHF. In the next few years more CHF will gradually be introduced.

### **1.3 Criteria for proposals and applicants**

#### *1.3.1 General criteria for grant applications*

Proposals must at least satisfy the following criteria:

- The activities for which a grant application has been made should, of course, be based on the international humanitarian aid principles outlined in section 1.1 and on the rules applying to the allocation of grants (the General Administrative Law Act, the Foreign Affairs (Grants) Framework Act, the Ministry of Foreign Affairs Grants Decree and the Ministry of Foreign Affairs Grant Regulations 2006).
- The proposed activities should have a maximum duration of 24 months; Dutch humanitarian aid funds are not used to finance long-term development projects. In most cases, it is possible to submit proposals with a maximum duration of 24 months (see annexes).
- Proposals should contain a brief analysis of needs and a clearly defined target group.
- The proposed activities should be matched with clearly defined expected results, aims, instruments and indicators.
- Proposals should address the “gap problem”: the transition from emergency aid to rehabilitation should be as smooth as possible, and reconstruction opportunities should be offered where feasible, without this automatically implying Dutch funding for follow-up action.
- Special attention will be given to the gap problem in countries that appear on the list for rehabilitation activities under the cofinancing system (MFS)<sup>4</sup> and where such activities are actually being implemented.
- The project proposal should contain an exit strategy.

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<sup>4</sup> Information available in Dutch only:  
[www.minbuza.nl/nl/ontwikkelingssamenwerking/subsidies,medefinancieringsstelsel\\_xmfsx\\_2007\\_2010/index.html](http://www.minbuza.nl/nl/ontwikkelingssamenwerking/subsidies,medefinancieringsstelsel_xmfsx_2007_2010/index.html)

- The project proposal should pay attention to HIV/Aids. See also the UN Inter-Agency Standing Committee's Guidelines (IASC Guidelines) for HIV/Aids Interventions in Emergency Settings.<sup>5</sup>
- Project proposals should address the issue of gender and sexual and reproductive health and rights (SRHR). See also the IASC Gender Handbook for Humanitarian Action.<sup>6</sup>
- The project proposal should include a clear and balanced budget matching the activities.
- The budget should only contain costs that are directly related to the project. Identification missions to investigate needs are not eligible for a grant.
- The procedure for submitting proposals and reports was adapted in 2005. In accordance with article 4.5 of the General Administrative Law Act, proposals that do not comply in full with the revised requirements will not be accepted. A revised edition of the memorandum on streamlining was published in 2006 to help ensure that the correct procedures are followed. This document – under the new title 'Handbook for Humanitarian Aid' – is also appended.
- Since 2006, activities must be cofinanced by at least one other donor or by the applicant. In both cases, the contribution should be at least 20% of the total project or programme budget.

### 1.3.2 *Assessment criteria*

As well as the general criteria mentioned above, applications will be assessed according to the following criteria:

- the speed, nature and scale of the proposed intervention and the NGO's familiarity with the affected area will always be taken into account in the decision;
- in protracted crises, priority is given to continuing relevant activities, provided they are being adequately implemented, rather than funding new ones;
- project proposals should be assessed on the basis of the potentially negative effects of humanitarian aid (the “do no harm” principle), partly with a view to producing sustainable results.

### 1.3.3 *General criteria relating to applicants*

Applications may be submitted by NGOs active in the field of humanitarian aid. To be eligible for a humanitarian aid grant applicants must meet the following criteria:

- experience and a good track record in the area concerned (reliability);

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<sup>5</sup> [www.humanitarianinfo.org/iasc/content/products/docs/FinalGuidelines17Nov2003.pdf](http://www.humanitarianinfo.org/iasc/content/products/docs/FinalGuidelines17Nov2003.pdf)

<sup>6</sup> [www.ochaonline.un.org/AboutOCHA/GenderEquality/KeyDocuments/IASCGenderHandbook/tabid/1384/Default.aspx](http://www.ochaonline.un.org/AboutOCHA/GenderEquality/KeyDocuments/IASCGenderHandbook/tabid/1384/Default.aspx)

- proven knowledge and expertise concerning the issue at hand (suitability);
- adequate implementation capacity;
- a positive assessment of its structure, strategy and financial capacity based on the Checklist for Organisational Capacity Assessment (COCA);
- involvement (itself or the local party) in the Common Humanitarian Action Plan (CHAP) or another coordination platform headed by the UN Humanitarian Coordinator, if there is one. This also includes participation in the Joint Needs Assessment Framework, if applied by the UN in the country concerned. Exceptions, e.g. due to the aid organisation's need to maintain a neutral image, should be explained;
- given the importance that the Netherlands attaches to the coordination of international aid activities, recipient organisations should preferably participate actively in the UN coordination structure and coordinate their activities with other NGOs.

In addition to these criteria, the applicant should of course fulfil all the standard requirements and obligations laid down in the relevant regulations. For example, it should have sufficient management quality. In addition, a project proposal is assessed not only on its own merits, but also on the quality, thoroughness and punctuality of the organisation's reports and evaluations, on the basis of the Ministry's previous experience with the organisation. Regular management capacity assessments are made of organisations with which the Ministry has had only a short partnership.

The terms of the relationship dictate that the grant recipient bears full responsibility for the implementation of activities for which a grant has been awarded. This means that – if the security situation in the working area provides grounds for so doing – they are responsible for conducting a proper assessment of the risks and providing an appropriate level of protection and insurance for the people charged with carrying out the activities.

#### **1.4 Ineligibility**

The following activities are not eligible for a grant for humanitarian aid:

- Long-term development aid projects are not funded from Dutch humanitarian aid funds.
- Identification missions to investigate humanitarian needs are not eligible for a grant.
- Projects already funded by Dutch-supported CHF's are not eligible for a grant.

- As of 2007, the Ministry of Foreign Affairs will make large annual donations to UNICEF for education in crisis situations; new education activities will receive only limited financing from the humanitarian aid budget.
- Disaster preparedness activities are, in principle, financed through multilateral and/or Red Cross channels and are therefore ineligible for grants within the scope of these policy rules.
- The Humanitarian Aid Division only awards grants for or contributions towards activities (it does not therefore provide core funding).
- In principle, projects whose primary aim is to generate income are not eligible for a grant. Exceptions are made, providing that they satisfy the following criteria in addition to the general requirements mentioned above:
  - the project proposal should specify the ownership and administration of any revolving funds after the project has ended;
  - the duration of the project should not exceed 24 months;
  - the proposal should be based on a sober approach: low investment costs, relatively small loans with short repayment schemes, 'transportable' production resources (i.e. no heavy machinery).

## **1.5 Sanctions**

Depending in part on the duration of the subsidised activity, the grant will be tied to requirements as regards interim and final narrative and financial reports. Strict deadlines apply for these reports. Failure to comply in full with these grant requirements will result in sanctions, such as the full or partial withdrawal and/or repayment of a grant. Negative experiences may also affect the assessment of future grant applications.

## **2. Dutch focus areas**

### **2.1. Introduction**

The aim of Dutch humanitarian aid is to respond as effectively as possible to crisis situations. As mentioned earlier, a distinction is drawn between chronic and acute crisis situations. Dutch humanitarian aid directed at chronic crises focuses on a limited number of countries

and regions.<sup>7</sup> Policy on these crises and countries is described in the annexes. The choice of countries is based on:

- the nature and stage of the conflict (and previous Dutch involvement);
- the UN strategy and quality of the CAP;
- the scale of Dutch involvement compared with that of other donors;
- the duration of Dutch support in relation to the prospects for self-sufficiency in the country concerned;
- the opportunities for the parallel deployment of political, military and other resources.

## **2.2. Sectors**

The sectors on which Dutch humanitarian aid concentrates in various chronic crisis situations are described in the annexes. Rehabilitation activities are dealt with through the MFS, and are not eligible for grants from humanitarian aid funds. Activities in the field of humanitarian mine clearance are financed from the Stability Fund. This is covered by a separate policy framework (see 1.1).

## **2.3 Criteria**

Besides the general criteria mentioned in section 1.3, activities must align with the priorities per country/region and the humanitarian strategy set out in the annexes. The specific criteria per conflict area can be found in the relevant annexe.

If there is a CAP in the country or region, applicants only receive funding if they coordinate their activities with the OCHA and are actively involved in drawing up the Common Humanitarian Action Plan (CHAP).

## **2.4 Core funding**

The Humanitarian Aid Division only awards grants for or contributions towards activities. Core-funding grants cannot be applied for.

## **2.5 Choice of channels**

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<sup>7</sup> Afghanistan, Burundi, Chad, Colombia, Democratic Republic of Congo, Eritrea, Ethiopia, Iraq, Nepal, North Caucasus, North Korea, Palestinian Territories, Somalia, Southern Africa, Sri Lanka, Sudan and Uganda.



See annexes.

### **3. Other chronic crisis situations**

The Netherlands also provides humanitarian aid to a number of countries or regions that are not included in the annexes. This consists of funding for short activities, usually carried out by organisations with proven expertise and extensive knowledge of the country/area concerned, as well as recent experience of working in that country/area. In principle, the activities are a continuation of ongoing projects. For humanitarian aid, the principle also applies that, if there is a CAP in the country or region, applicants only receive funding if they coordinate their activities with the OCHA and are actively involved in drawing up the Common Humanitarian Action Plan (CHAP).

Emergency food aid is generally provided through multilateral channels (the World Food Programme and UNICEF). NGOs or INGOs that conduct food aid and food security programmes may also be eligible for a grant under certain conditions. The main indicators for funding are the CAP (Consolidated Appeals Process) and emergency appeals. In food crises, funding may also be provided for non-food humanitarian aid, depending on the Appeal concerned. The same applies to rehabilitation efforts (Humanitarian Plus aid), such as programmes to provide seeds and tools. In view of the above, NGOs or INGOs can be eligible for a grant, for example if they are active in areas that are difficult for UN agencies to reach. The NGO channel may also be preferred where UN organisations are unable to carry out their activities adequately, for example because humanitarian aid has become politicised.

### **4. Acute crisis situations**

#### **4.1 Introduction**

Dutch humanitarian aid also focuses on large-scale, acute emergencies resulting from natural disasters, epidemics or escalating conflicts. The Netherlands is guided by the OCHA, the United Nations Emergency Relief Coordinator and/or IFRC/ICRC, and the following factors:

- whether the affected country (or, more rarely, OCHA or IFRC) has requested international support;
- the relative gravity and scope of the emergency;

- the support base of the local government and local organisations (local capacity and the scope for responding with local resources);
- the contribution of other countries/donors (e.g. the European Union, CERF or, where applicable, the Common Humanitarian Fund).

## **4.2 Sectors**

In acute crises, emergency aid activities (in the strictest sense) qualify for funding, as do initial rehabilitation activities in support of refugees and displaced persons, with a special focus on the most vulnerable. To this end, activities are supported in the following sectors:

- shelter;
- food and food security;
- reproductive and other health care;
- water and sanitation;
- protection;
- repatriation and resettlement of refugees and displaced persons.

## **4.3 Criteria**

See section 1.3.

## **4.4 Choice of channels**

### *4.4.1 Multilateral channels*

In many cases, a large portion of Dutch aid is channelled through the UN in acute crisis situations, given the importance that the Netherlands attaches to OCHA's coordination mandate, the expertise of the various UN agencies and their important role in implementing that aid. In addition, the Netherlands supports the ICRC and IFRC, given their special mandate in the field of humanitarian law and their neutral role in acute crises.

### *4.4.2 Bilateral government channels*

In view of international humanitarian aid principles, most notably the impartiality principle, and in order to prevent substitution, Dutch humanitarian aid in conflict areas is not as a rule channelled through local governments. However, coordination and cooperation with local authorities in project areas is encouraged, in the interests of sustainability and making a first step towards rehabilitation possible. Direct use of local government channels is sometimes

made in the case of natural disasters. Usually, a UN Emergency Coordinator will work with the local government coordinator for disaster management in such cases.

#### **4.4.3 NGOs**

See section 1.3.