



The Union's humanitarian aid: Fit for purpose?

Stakeholder consultation document

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The purpose of this consultation document is to seek stakeholders' views on the challenges, objectives and options to further enhance the effectiveness and impact of the Union's humanitarian aid (through operational, policy, organisational or other measures), taking into account the changing global context at the outset of the 21st century. Input gathered will feed into the Commission's future initiatives on further increasing the impact of the EU's humanitarian action.¹ Stakeholders are encouraged to comment, express support, voice their concerns or make suggestions based on this document, as well as any other issues related to increasing the impact of the EU's humanitarian aid, by filling in the online questionnaire available until **15 March 2013** at http://ec.europa.eu/echo/policies/consultation_en.htm. For the ease of use, the questions to be asked in the questionnaire are also listed in this paper. The online consultation will be followed by a consultation meeting with stakeholders on the basis of a consolidated document, which will summarise findings of the online questionnaire. This document will be made public and will not attribute comments to individual stakeholders.

This consultation will not duplicate other stakeholder consultations launched by the Commission in the field of humanitarian aid. This consultation will be complementary to other initiatives, such as the evaluation of the Consensus on Humanitarian Aid and its Action Plan planned for 2013.

1. GLOBAL TRENDS AND THE UNION'S HUMANITARIAN ACTION

1.1. Global trends

Today's humanitarian action is challenged by a number of concurring and mutually reinforcing trends. These include the continuously increasing relief needs, the complexity of conflict situations, the rising role of non-state actors, the widespread disregard of international humanitarian and refugee law, the multiplication of actors appearing on the humanitarian aid scene, demographic pressures, urbanisation, climate change, competition for scarce resources, as well as security threats and poor governance. As a result of the lack of an effective international consensus to prevent and resolve crises, new crises break up while chronic crises persist.

While the number of people affected by humanitarian crises went down in 2011-2012 and there were a smaller number of natural disasters and conflicts registered world-wide, the increasing global vulnerabilities and the vast economic damages caused by disasters remained a major source of concern. At the same time, the share of humanitarian needs that remain unmet is at its highest in a decade. In 2011, 302 natural disasters of different magnitude killed almost 30,000 people, affected 206 million others and caused an estimated €300 billion in economic damage world-wide according to statistics published by the United Nations (UN)² and the Centre for Research on the Epidemiology of Disasters (CRED).³ In a longer-term perspective the recorded annual number of disasters worldwide has increased five-fold (from 78 in 1975 to nearly 400 today). The forecast for 2013 is that humanitarian needs will not recede but will continue growing.

It is the primary role of countries affected by crisis to provide for those affected, in particular in the case of natural disasters. Yet when their consequences overwhelm local/

¹ This document does not represent an official position of the Commission. Its contents do not prejudice the form or substance of any possible future initiative by the Commission or the absence thereof.

² The UN Office for disaster reduction, UNISDR, at www.unisdr.org.

³ www.cred.be

national capacities, the international humanitarian system is set in motion to assist people in need. In addition to major international agencies, non-governmental organisations (NGOs) also cater for the provision of aid worth some €11 billion per year. Tensions have sometimes risen due to perceived 'humanitarian interventionism' at the expense of national prerogatives and local capacities.

Trends in disasters and humanitarian needs are further compounded by the global financial crisis, which has a direct impact on funding for humanitarian aid, and in some cases contributes to increasing vulnerability. Humanitarian budgets are under increasing scrutiny as donors are pressed to demonstrate cost-efficiency and value for money. The increasing costs related to the delivery of humanitarian assistance add to this: between 2007 and 2011 the cost of food rose by more than 40% and oil prices increased by 30% in real terms. The mismatch between the global humanitarian needs and resources available, together with a chronic vulnerability in many parts of the world, continues to have a direct bearing on the lives of millions of people in need of assistance.

Complex emergencies are multiplying and coexist with protracted situations. This is exacerbated by fragility in many developing countries and persistent pockets of vulnerability in others. Post-conflict transitional situations, poor governance or the collapse of state institutions continue to generate humanitarian needs amongst the most vulnerable and compound the provision of humanitarian aid and its linkages with development assistance as well as needs linked to urbanisation processes.

The humanitarian principles of humanity, neutrality, impartiality and independence are often challenged. The strive for 'integrated,' 'coherent,' 'comprehensive' or 'whole-of-government' approaches bears the risk of leading to instrumentalisation/politicisation of humanitarian aid. In many contexts, humanitarian actors are not perceived as neutral and impartial. Direct involvement of armed forces in the provision of relief and the funding of private military and security companies to carry out these activities has blurred the lines between humanitarian actors and armed forces. As a result, humanitarian access to vulnerable populations has been reduced and attacks against humanitarian workers have been rising. The war on terror has also led to legislative initiatives, which could criminalise certain humanitarian aid activities.

During the twentieth century, international humanitarian aid was largely dominated by Western actors. The EU and its Member States so far have accounted for roughly 45% of the official international humanitarian aid.⁴ At the same time, new actors are becoming involved in humanitarian response: non-OECD/DAC⁵ donors are increasing their contributions to the humanitarian cause. Civil society organisations of crisis-affected regions are taking on a growing role in the response to humanitarian crises.

⁴ Local response to coping with humanitarian crisis is a vital component, to which international humanitarian aid only contributes. Local actors are on the front line when disaster strikes suddenly and increasingly also at the core of the humanitarian response in complex emergencies.

⁵ Development Assistance Committee of the Organisation of Economic Cooperation and Development.

Figure 1: Global humanitarian aid donor overview 2011

2011 (preliminary figures, € million)⁶

Total: €10,783 million

Ranking	EU	Amount	Ranking	Non-EU	Amount
2	EU Institutions	1,320	1	United States	3,539
3	United Kingdom	838	4	Japan	619
5	Sweden	545	7	Norway	360
6	Germany	522	8	Canada	354
10	Spain	311	9	Australia	335
11	Netherlands	258	16	Switzerland	184
12	France	257	19	UAE	68
13	Italy	242	20	China	66
14	Denmark	207	21	Saudi Arabia	63
15	Belgium	204	23	Turkey	49
17	Finland	121	25	New Zealand	25
18	Ireland	98	27=	Korea	22
22	Luxembourg	53	27=	Brazil	22
24	Austria	40	29	Russia	20
26	Greece	24			
30	Portugal	17			
Total EU		5,0573	Total non-EU		5,7256
EU share overall		46.9%	Non-EU share overall		53.09%
EU Institutions share of total		12.24%	United States (share of total)		32.81%
EU Institutions share of EU part		26.10%			

The impact of these disasters combined with pressure on aid budgets has stretched the international humanitarian community's financing capacity to its limits. In 2011, the United Nations (UN) were obliged to launch the biggest consolidated funding appeal for humanitarian needs in its history (€5.7 billion). Unfortunately, this is not an exception but a part of the upward trend.

The limits of the international response system became evident after the 2010 Haiti earthquake and the 2010 Pakistan floods. Under the leadership of the UN Undersecretary-General/Emergency Response Coordinator Valerie Amos, the Inter-Agency Standing Committee (IASC)⁷ started a process called 'Transformative Agenda' in order to tackle the persistent weaknesses and ensure a more effective, accountable and well-coordinated humanitarian response. The 2012 report of the USG on *Strengthening the coordination of emergency humanitarian assistance of the United Nations* identified two main issues that the humanitarian community needs to address: the need to build systems to support evidence-driven humanitarian decision-making and the need to broaden and deepen partnerships for humanitarian response.

These illustrations point to conclusion that the provision of humanitarian aid is becoming increasingly challenging. As a result, humanitarian actors and donors alike have to adapt and step up their efforts to respond to humanitarian crises in a more effective and efficient manner. This applies to the global humanitarian system and its constitutive parts, notably including the EU. The key question that needs to be answered is therefore 'What is the best way to address these challenges and how can the Union contribute to this'?

⁶ Based on GHA 2012 report, at <http://www.globalhumanitarianassistance.org/report/gha-report-2012>.

⁷ The IASC is a unique and primary UN inter-agency forum for coordination, policy development and decision-making involving the key UN and non-UN humanitarian partners. It was established in 1992 in response to UN General Assembly Resolution 46/182 on the strengthening of humanitarian assistance.

1.2. Development of the Union's humanitarian action

The aim of the Union's humanitarian action is to provide assistance, relief and protection for people who are victims of natural or man-made disasters in third countries in order to meet the humanitarian needs resulting from these situations; aid operations shall be conducted in compliance with international law and the humanitarian principles.⁸ The Union's humanitarian aid is mostly provided through implementing partners⁹ in line with policies developed by the Commission/DG ECHO. The Commission also contributes to the coordination with and among Member States at the EU and international levels to ensure that the overall effort is more effective and efficient.

EU's humanitarian action has developed vigorously during the last two decades: the European Community Humanitarian Aid Office was established by the European Commission in 1992; the Humanitarian Aid Regulation (hereinafter 'the HAR') was adopted to serve as the legal basis for EU's humanitarian action in 1996.¹⁰

The **European Consensus on Humanitarian Aid** (hereinafter 'the Consensus')¹¹ provides a comprehensive policy framework by codifying the Union's political commitments in the area of humanitarian aid. It sets out the values, guiding principles and other key considerations for the EU humanitarian aid. Jointly agreed in 2007 by the three main EU institutions (Parliament, Council and Commission) the Consensus most importantly commits the EU and its Member States to respect humanitarian principles, namely humanity, neutrality, impartiality and independence, including the provision of humanitarian aid solely on the basis of needs and irrespective of any political, economic or military objectives and constraints. It also commits the EU and its Member States to working closely together and in partnership with implementing partners. The objective is to provide a needs-based emergency response aimed at preserving life, preventing and alleviating human suffering, and maintaining human dignity wherever the need arises if governments and local actors are overwhelmed, unable or unwilling to act. It also commits the Union and its Member States to apply good donor practices and to advocate for the respect of international law, including international humanitarian and refugee law.

To implement the provisions of the Consensus in practice, an Action Plan was adopted in 2008 for a five-year period. The main headline objectives of the Action Plan aimed at increasing EU humanitarian aid effectiveness, synergies with other EU policies and at strengthening the international response system. The Action Plan prompted the development of various humanitarian sectoral policies.¹²

The 2010 Mid-Term Review of the Action Plan in its recommendations proposed to carry out an evaluation of the impact of the Consensus and its Action Plan. The evaluation will be conducted in 2013 by an external independent evaluator, covering policy developments and humanitarian aid operations of both the European Commission and the Members

⁸ Article 214 of the Treaty on the Functioning of the European Union (TFEU).

⁹ See Section 2.4 below.

¹⁰ Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid (OJ L 163, 2.7.1996, p. 1).

¹¹ Joint Statement by the Council and the Representatives of the Governments of the Member States meeting within the Council, the European Parliament and the European Commission (2008/C 25/01), O.J. C 25/1 of 30.1.2008.

¹² These *inter alia* include 2010 Communication on Humanitarian Food Assistance (COM(2010)126), as well as initiatives on Cash & Vouchers, Children, Climate change, Disaster Risk Reduction (DRR) and Preparedness, Gender, Health, the Link between Relief, Rehabilitation and Development (LRRD), Nutrition, Protection, Shelter, and Water & Sanitation (WASH). See 'policies and evaluation' at http://ec.europa.eu/echo/index_en.htm.

States during the period of 2007-2012. The evaluation will identify progress achieved so far and gaps in implementation. It will also make recommendations whether and how the implementation of the Consensus could be enhanced.

The entry into force of Lisbon Treaty with its specific article on humanitarian aid (Article 214) recognised humanitarian aid as a self-standing policy and parallel competence between the Union and Member States and gave the principles of neutrality, impartiality and non-discrimination for EU humanitarian aid the highest legal force in the EU's law.

The 2010 Disaster Response Communication¹³ highlighted specific areas and priorities for further developing the EU's humanitarian action. In 2010 a new portfolio for Humanitarian Aid, International Cooperation and Crisis Response was created and the civil protection structures were integrated in the Directorate General for Humanitarian Aid and Civil Protection (DG ECHO) to better exploit synergies when the European civil protection assistance supports humanitarian action outside EU.

Today, the European Union as a whole is the world's biggest humanitarian aid donor and a key international actor in providing disaster relief. Taken together, the Union and its Member States represent some 45% of the global funding for humanitarian aid.¹⁴ Through the DG ECHO, the EU's humanitarian aid is provided primarily through the funding of partner organisations that deliver aid to the people in need. Currently, these include some 200 partners comprising the UN, Red Cross/Red Crescent (RC/RC) Movement,¹⁵ as well as NGOs and some Member States' specialised agencies.¹⁶ In 2011, humanitarian aid provided by the Commission totalled to €1.15 billion and reached some 117 million people¹⁷ in 91 countries (an estimated 42% of this funding was spent on 'protracted crises'). Since 1992, the Commission has channelled some €14 billion to victims of conflict and disasters in over 140 countries around the globe. During the last five years an average of €1 billion has been provided annually, helping nearly 150 million of the world's most vulnerable.

The Union's humanitarian action is strongly supported by its citizens. A recent Eurobarometer survey shows that public support for EU humanitarian aid has increased again, with 88% Europeans supporting the EU's funding of humanitarian aid (up from 79% in 2010)¹⁸ in spite of the economic crisis and associated pressure on public finances.

The development of the Union's humanitarian action has been, and continues to be, underpinned by a significant body of evaluations and appraisals of the EU humanitarian

¹³ "Towards a stronger European disaster response: the role of civil protection and humanitarian assistance" of 26 October 2010, COM(2010)600 final. This Communication was followed up by a 2011 legislative proposal to review the Union Civil Protection Mechanism (COM(2011)934). In addition to that, a legislative proposal on the EU Aid Volunteers (COM(2012)514 final) was tabled in September.

¹⁴ According to Financial Tracking Service (FTS) of the UN/OCHA, in 2011 DG ECHO provided ~15% and Member States ~25% of global humanitarian contributions. In comparison, in 2011 the United States of America contributed 23% and Japan provided 4.6% of the world's humanitarian aid. http://fts.unocha.org/reports/daily/ocha_R18_Y2011_1207091545.pdf

¹⁵ The International Committee, of the Red Cross (ICRC), the International Federation (IFRC) and the National Societies.

¹⁶ In 2010, ECHO funded 16 UN agencies and two specialised agencies of Member States. By June 2011, 193 humanitarian organisations (180 NGOs and 13 national societies of the Red Cross) had signed the FPA. The list of partners is available online: http://ec.europa.eu/echo/files/about/actors/fpa_partners.pdf.

¹⁷ Of which €105 million through humanitarian aid and food aid and €12 million through disaster preparedness activities.

¹⁸ Special Eurobarometer 384, June 2012, at <http://ec.europa.eu/echo/files/eurobarometer/reports/HA.pdf>.

aid operations and policy commissioned by the Commission itself,¹⁹ Member States,²⁰ the active learning network (ALNAP),²¹ and others.²² These reviews in general positively assess the Union's humanitarian action, while providing recommendations for specific areas. Therefore, EU humanitarian aid is subject to continuous improvements. Recent developments include inter alia the consolidated world-wide decisions, the publication of humanitarian implementation plans (HIPs)²³ and the strengthening of DG ECHO' field network. Proposals on the EU Aid Volunteers²⁴ and on the revision of the Union Civil Protection Mechanism are currently going through the legislative process.²⁵ The review of Framework Partnership Agreement (FPA) should be completed in close cooperation with DG ECHO partner organisations in 2014.²⁶ Last but not least, the European Emergency Response Centre (ERC), one of the functions of which will be to serve as the Union's humanitarian aid operational hub will be inaugurated in the first half of 2013.

The European Parliament and the Council of the EU are the key institutional partners of the Commission in further increasing the impact of the Union's humanitarian aid. Numerous issues pertaining to the EU's humanitarian aid framework and policies are discussed in particular in the Parliament's Development Committee (DEVE) and the Council's working party on Humanitarian Aid and Food Aid (COHAFA).

1.3. Comparative advantages of the Union

In implementing its humanitarian mandate, the Union should build on its comparative advantages to maximise its value-added, notably:

First – and probably the biggest – of the Commission/DG ECHO's strengths is its *network of field experts* with some 140 expatriate and 330 local staff based in 44 offices/38 countries world-wide. In the immediate aftermath of a disaster they carry out needs assessments on the ground and are tasked to monitor the implementation of projects funded by the Commission. The network contributes strongly to the needs-based approach that underpins EU humanitarian aid. ECHO's field network also provides important services to EU stakeholders (primarily Member States) such as situation reports (SITREPS).

Second, the *size*. Being collectively the biggest humanitarian donor world-wide, the EU is in a position to ensure global presence, to complement as required Member States' bilateral contributions in response to crisis and to cover needs arising in particular from the so-called forgotten crises. Furthermore, the EU plays a lead role in shaping the international humanitarian agenda and spearheads good humanitarian practices.

Third, the *Commission's duty to promote coordination* between humanitarian actions of the Union and those of the Member States in order to ensure an effective and efficient overall European effort in accordance with the Lisbon Treaty. Similarly, the

¹⁹ <http://myintracomm.ec.europa.eu/echo/evaluation/Pages/evaluation.aspx>

²⁰ E.g., the Multilateral Aid Review (MAR) and the Humanitarian Emergency Response Review (HERR) of the UK's Department for International Development (DFID), at <http://www.dfid.gov.uk/what-we-do/how-uk-aid-is-spent/a-new-direction-for-uk-aid/multilateral-aid-review/> and <http://www.dfid.gov.uk/what-we-do/key-issues/humanitarian-disasters-and-emergencies/how-we-respond/humanitarian-emergency-response-review/>, respectively.

²¹ <http://www.alnap.org>

²² E.g. OECD-DAC: http://www.oecd.org/infobycountry/0,3380,en_2649_34603_1_70405_1_1_1.00.html

²³ See section 2.6 below.

²⁴ COM(2012)514 final, pursuant to Article 214.5 TFEU.

²⁵ COM(2011)943 final.

²⁶ For more on FPA and its revision see section 2.4 below.

Commission/DG ECHO in cooperation with other Union services is well placed to ensure coherence and synergies with other EU policies, such as development cooperation, climate change and environment.

Questions:

a) *Are there other important trends and issues that should be taken into consideration to further increase the efficiency of the Union's humanitarian action?*

b) *Are there other concrete ways in which the Union's comparative advantages could be further used to fulfil the EU's humanitarian mandate?*

2. CONTEMPORARY HUMANITARIAN CHALLENGES: IS THE UNION ADEQUATELY EQUIPPED TO RESPOND?

Against the background described above, the general objective of increasing the impact of the Union's humanitarian action is to have a well-functioning and equipped policy, which can deliver and ensure an **effective, efficient, coherent and visible** EU humanitarian aid. Fulfilling the Union's humanitarian mandate requires that the aid provided is **effective**, i.e. that it is rapid, coordinated and appropriate (based on needs of affected populations and in line with humanitarian principles). It also requires that the EU action is **efficient**, i.e. achieving the best possible results with the limited resources that are available. Furthermore, it requires that the EU humanitarian assistance is **coherent** with other EU policies and tools, and that synergies are maximised. Last but not least, it demands that the aid provided is well **visible**, which is not an end in itself but a means of accountability vis-à-vis citizens, as well as beneficiaries of aid.²⁷

DG ECHO has identified a list of issues that warrant a closer examination in this respect. These issues are examined below under the following headings: 1) upholding humanitarian principles, IHL and advocacy, 2) effectiveness of aid and thematic issues, 3) coordination with Member States, 4) working with partners, 5) the international system, new donors, public-private partnerships and visibility, and 6) humanitarian decision-making. Specific objectives for the Union associated to each of the issues are highlighted in boxes at the end of each section. It has to be noted that considering the breadth of this exercise, this list of issues cannot be considered exhaustive.

2.1. Upholding humanitarian principles, IHL and advocacy

2.1.1. Humanitarian principles

The Union's humanitarian aid is governed by the humanitarian principles: *humanity*, i.e. that human suffering must be addressed wherever it is found, with particular attention to the most vulnerable, and with respect to the dignity of victims; *impartiality*, meaning that aid must be provided solely on the basis of need, without discrimination between or within affected populations; *neutrality*, in the sense that humanitarian aid must not favour any side in an armed conflict or other dispute, and *independence*, meaning that humanitarian objectives must be unambiguously distinguished from any political, economic, military or other ones.²⁸ As defined in the Consensus, such a principled approach applies across the spectrum of EU humanitarian activities and applies to the Union and its Member States, as well as partners implementing the Union's humanitarian aid.

²⁷ Under condition that sensitivities related to visibility in conflict situations are taken into consideration.

²⁸ See Consensus, section 2.1.

The humanitarian principles are the foundation of humanitarian action and not some theoretical mantra. They are essential for protecting aid workers, and for accessing victims and guaranteeing operational effectiveness.

The principled approach to humanitarian aid however is increasingly challenged. Contemporary conflicts often do not pit conventional armies against one another, as the conflicts are ever more of a non-international character. Relief operations and workers are often less tolerated and sometimes even subject to deliberate targeting. Also, there is often a temptation to subjugate humanitarian aid to political and/or military agendas through the development of 'integrated'/'comprehensive'/'whole-of-government' approaches in disrespect to the specific purpose of humanitarian aid. Humanitarian credentials and discourse are sometimes simply abused in the pursuit of political ends. The war on terror has brought about regulatory requirements that oblige humanitarian actors to act against the principles or risk consequences, including criminal prosecution.

The main tool available for the EU to defend the humanitarian principles is through the professional implementation of its humanitarian assistance, persuasion and advocacy with reference to a body of international 'soft-law,' such as the UN General Assembly Resolutions,²⁹ the RC/RC Code of Conduct³⁰ or the Sphere project's Humanitarian Charter.³¹ At the European level, while the principles are not explicitly referred to in the HAR, they are a central element of the Consensus, and are now enshrined in the Treaty.³²

Specific objective: ensuring respect of a principled approach to humanitarian aid in order to ensure the effectiveness of aid

Questions:

- a) *Has the EU sufficiently insisted on the respect for humanitarian principles in general and in specific crisis contexts?*
- b) *If not, what actions should be taken by EU to uphold the principles and objectives of European humanitarian aid, as well as humanitarian aid globally?*
- c) *Are there other issues that need to be covered under this section?*

2.1.2. Advocacy for international humanitarian law

International humanitarian law (IHL) is a set of rules which seek, for humanitarian reasons, to limit the effects of armed conflict. It protects persons who are not or are no longer participating in the hostilities and restricts the means and methods of warfare. While IHL is largely codified and binding on states through international treaties and many of its provisions are now accepted as international customary law, it is increasingly violated by warring parties – be it state or non-state actors.

All EU Member States have ratified the four Geneva Conventions and their additional protocols. At the Union level, *Guidelines on promoting compliance with IHL* were

²⁹ Notably General Assembly Resolution 46/182 of 1991 and Resolution 58/114 of 2004, see also http://ochanet.unocha.org/p/Documents/OOM_HumPrinciple_English.pdf.

³⁰ The Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organisations (NGOs) in Disaster Relief, at <http://www.ifrc.org/en/publications-and-reports/code-of-conduct/>.

³¹ Humanitarian Charter and Minimum Standards in Disaster Relief, at <http://www.sphereproject.org/>.

³² Article 214 TFEU in particular refers to the principles of impartiality, neutrality and non-discrimination. Furthermore, the Consensus specifically points to the independence of humanitarian action from any political, military or other objectives.

adopted in 2005 and adapted in 2009, although their operationalization remains a challenge.³³ Following the 31st ICRC conference in September 2011, work is underway to explore and identify concrete ways and means to strengthen the application of IHL. Other 'borderline' issues, such as trading in arms, as well as the increasing use of private military and security companies also raise important IHL-related issues.

The Union is committed to encouraging wider dissemination of, and training in, international humanitarian law. In this context, partner organisations can play a role in advocating and disseminating the core principles and values of IHL. The Commission has funded the training of humanitarian workers and policy-makers and the development of an IHL handbook. Commission-funded projects have also covered the dissemination of IHL norms to armed non-state actors.³⁴

The Union appears to be best suited to contribute to the global respect for and adherence to the IHL through advocacy and political measures, such as dialogues and demarches, as well as prioritised humanitarian funding to ensure humanitarian access. In essence, the same considerations as those applicable to IHL also apply to international refugee law.

<i>Specific objective: increasing respect of IHL</i>

Questions:

a) Should the EU act more forcefully to increase the respect of and compliance with the IHL? If yes, how?

b) Are there other issues that need to be covered under this section?

2.2. Effectiveness of aid and thematic issues

2.2.1. Resilience, emergency preparedness, disaster risk reduction (DRR), and linking relief, rehabilitation and development (LRRD)

Growing emphasis in policy and operational terms is now placed on increasing the resilience of the most vulnerable in countries affected by recurrent crisis situations. The Commission recently adopted a Communication entitled 'The EU approach to resilience – learning from food security crises.'³⁵ It proposes a strategic approach to guide aid strategies in order to increase aid effectiveness and to deliver maximum results with limited resources. The Commission is proposing a range of measures to increase resilience, including systematic analysis of risks and vulnerabilities, joint frameworks of action between humanitarian and development actors and greater flexibility in funding for transition situations.

Linked to this, preparedness and disaster risk reduction (DRR) approaches have a large potential to reduce human and material losses, and provides good 'value for money' by speeding up recovery and softening impacts of potential calamities. Advocacy, coordination, capacity building and dissemination of good practices are key components

³³ European Union Guidelines on promoting compliance with international humanitarian law (IHL), OJ C 327/4, 12.12.2005; the 2009 technical adaptation added post-2005 IHL instruments to the guidelines. As a follow-up to the Joint Communication of December 2011 'Human rights and democracy at the heart of EU external action - towards a more effective approach' an IHL section dealing with the implementation of the Guidelines has been included in the Human Rights annual report as an interim measure, until there is sufficient substance at EU level for a separate IHL report.

³⁴ See http://ec.europa.eu/echo/funding/grants_contracts/capacity_en.htm.

³⁵ COM(2012)586 final of 3.10.2012.

of DRR policy, whilst DG ECHO is currently exploring ways to scale up the good results of the community-based DIPECHO programme.

Mainstreaming preparedness and mitigation, as well as reaching out to development actors at EU and international level, such as the World Bank, in order to forge better linkages, will be an important aspect of policy in the area of DRR and resilience.

Work to improve transition strategies in the EU is on-going, starting from the design of aid through to its implementation. Managing humanitarian and development needs in fragile states will include the development of a set of references to guide the humanitarian and development actors in the programming and delivery of aid. However, further progress on working with the development actors in transition situations is necessary and the upcoming action plan for the Resilience Communication will provide the necessary framework.

In recognition of the crucial connection between humanitarian and development work, in the context of designing new EU development instruments for the 2014-2020 Multi-annual Financial Framework (MFF), changes covering both the programming and operational aspects are being introduced in the new Development Cooperation Instrument (DCI),³⁶ European Development Fund (EDF)³⁷ and the Instrument for Stability (IfS).³⁸ Specific provisions have been introduced in the DCI, EDF and IfS with the aim to enhance an effective LRRD and better link the various EU funding envelopes and operations.

DG ECHO will also provide input in the preparation of the next development programming exercise with the aim of supporting resilience through an effective articulation of humanitarian and development approaches. Similarly, DG ECHO will involve DG DEVCO in its strategic programming decisions. The Union programming guidelines acknowledge the importance of improving synergies and complementarities between humanitarian and development aid, including through the involvement of DG ECHO experts in the preparation of the EU development actions. Nevertheless, this is an area where EU development and humanitarian actors (inside the Commission as well as outside, including in Member States) need to work closer together in order to sustain long-term development by building up the resilience of vulnerable populations. Better division of labour is key.

Equally, strengthening resilience and DRR will be a guiding principle for the work on the post-Hyogo and post-MDG frameworks (as of 2015), on which work is starting now.

Specific objectives: ensuring effective DRR and preparedness approaches and increasing resilience through advocacy and effective cooperation between EU's humanitarian and development actors

Questions:

- a) *Should the Commission reconsider financing principles and priorities (i.e. by adjusting focus from geographical criteria to (more) horizontal ones and scaling up activities that increase the resilience of vulnerable communities)?*
- b) *Should the Union's humanitarian capacity-building measures be expanded to regional/national levels in disaster-prone parts of the world?*

³⁶ http://ec.europa.eu/europeaid/how/finance/dci_en.htm

³⁷ http://ec.europa.eu/europeaid/how/finance/edf_en.htm

³⁸ http://ec.europa.eu/europeaid/how/finance/ifs_en.htm

c) *Should the scope of preparedness work be extended beyond the current focus on natural disasters in recognition of links between the natural, man-made/technological and complex emergencies?*

d) *Should the DIPECHO's 'community-based approach' be also used to build the capacity of emergency response structures of disaster-prone countries, possibly building on the experience of civil protection authorities inside the Union?*

e) *Should ECHO remain involved in protracted crises through humanitarian aid or should there be clearer humanitarian exit strategies?*

f) *Should DG ECHO jointly with its development colleagues develop risk analysis, define strategic priorities for resilience and align its programming priorities?*

g) *Should the Commission undertake (i) mandatory fragility analysis, (ii) joint humanitarian/development funding strategies for specific post-crisis contexts, and/or (iii) joint assessment missions to ensure that an early post-disaster recovery facilitates effective LRRD?*

h) *Are there other issues that need to be covered under this section?*

2.2.2. Quality of aid and sector policies

The quality of aid and donorship are essential for an effective global humanitarian system.³⁹ As part of a quality approach, the Commission supports the application of international guidelines and processes, such as the RC/RC Code of Conduct and the Sphere project Humanitarian Charter, and supports OECD/DAC peer review system.⁴⁰ The Commission also plays an active role in the Good Humanitarian Donorship (GHD) initiative encompassing a set of principles, a network for development of good practice, a framework for donor accountability, and a reflection on the effectiveness of our aid both individually and collectively.⁴¹

DG ECHO's sectoral policy documents provide for a coherent approach for the Commission's funding, advocacy and coordination with other actors, thus increasing the effectiveness and efficiency of the Commission-funded humanitarian assistance. This is in line with the Consensus commitment to develop policies to improve the impact of aid. Such policies cover specific sectors, such as humanitarian food assistance and WASH (water, sanitation and hygiene), gender, nutrition and many others. The policies set out the main challenges in the respective sectors, together with the comparative advantages of the Commission in helping to address them. They include entry and exit strategies linked to the Commission's funding and best practices for humanitarian responses; key messages for advocacy within and beyond the humanitarian sphere; and the Commission's position on improving coordination to maximise the impact of funds available – for example through the cluster coordination or linkage with post-humanitarian assistance.

In this context, DG ECHO is equally introducing a set of key policy and programme indicators to allow better measurement of results of operations and allow for adjustments in the strategic approaches.

In terms of the global effort, ALNAP's 2012 'State of the Humanitarian System' report identifies several shortcomings of the system, which include a number of quality and donorship-related issues.⁴² It inter alia concludes that the system does not respond well

³⁹ See section 3.3 of the Consensus.

⁴⁰ http://www.oecd.org/departement/0,3355,en_2649_34603_1_1_1_1_1,00.html

⁴¹ <http://www.goodhumanitariandonorship.org/gns/home.aspx>

⁴² <http://www.alnap.org/story/123.aspx>

enough to forgotten crises, that more progress is necessary when it comes to accountability to beneficiaries and to the quality of needs assessment.

Specific objective: maximising the impact, quality and efficiency of aid delivery and donorship at the European level and globally

Questions:

a) Should the Union more forcefully pursue the quality of humanitarian aid and donorship (at European and/or global level)? If so, how? What should be priority actions in that respect (standard-setting, peer-reviews, cooperation with emerging donors)?

b) Should the Commission and Member States aim to develop joint/common reference policy guidance in the thematic/sector humanitarian aid areas, based on international best practices? Should there be common sets of key indicators and measurement of results?

c) Are there other issues that need to be covered under this section?

2.2.3. Direct and indirect aid delivery

The Commission can conduct humanitarian operations through implementing partners, as well as directly.⁴³ It has long been the Commission policy not to conduct operations directly, as humanitarian organisations are usually better equipped to deliver it. However, in some situations, notably with regard to certain 'niches,' existing needs justify the Commission acting as direct operator. When a 'service' cannot be offered by other actors or when it is justified on the grounds of effectiveness or efficiency, the Union has a role to play for the ultimate benefit of victims in humanitarian crises.

Currently, the only Commission's direct humanitarian service is 'ECHO Flight' where implementing partners are not in a position to sustain such a service or cannot meet the level of needs in this area.⁴⁴ Commission's direct operations can also be contemplated in other areas, especially in niche segments.

Specific objective: Considering cons and pros of direct and indirect delivery of humanitarian assistance, in particular in specific niche areas

Questions:

a) Should the Commission conduct more direct operations? If yes, in which areas?

b) Are there other issues that need to be covered under this section?

2.2.4. Coherence with civil protection assistance

Since 2010, DG ECHO is responsible for both humanitarian aid and civil protection policy and operations. While EU humanitarian aid brings a budget of about €1 billion, strong

⁴³ See articles 8 and 9 of the HAR.

⁴⁴ Because of logistical and security-related access problems in a number of countries and the lack of flights operated by other humanitarian partners or by reliable commercial companies, the Commission operates a flight service focusing on DRC (and neighbouring areas) and Kenya. ECHO Flight provides an efficient and reliable service for staff and freight for humanitarian agencies funded by DG ECHO and for similar organisations supported by other EU funds. Without ECHO Flight, implementation of humanitarian projects in many remote regions would be impossible. Its flexibility also enables a prompt response to emergencies such as medical or security evacuations. For more recent developments see http://ec.europa.eu/echo/files/policies/strategy/strategy_2012_en.pdf.

expertise and a network of field-based experts to the newly integrated portfolio, civil protection can quickly mobilise Member States' teams and assets in the event of an emergency within or outside EU.⁴⁵ Civil protection resources can provide a contribution to humanitarian actions due to their advantages in terms of speed, specialisation, efficiency and effectiveness, especially in the early response phase. Where deployed in a humanitarian crisis, the use of civil protection assets has to be needs-driven, complementary to and coherent with humanitarian aid.⁴⁶

So far, results of bringing the two instruments closer together can be considered positive, as demonstrated in the 2010 Pakistan floods, the 2011 Libya crisis and other cases, where they were used in complementarity. The legislative proposal on the revision of Union Civil Protection Mechanism takes into account the experience gained.

Yet, more remains to be done. The 2010 Disaster Response Communication provided a number of proposals on better linking the two policies and operations, including under the aegis of the European Emergency Response Centre (ERC), to increase the effectiveness and efficiency of the overall EU response. This could include training and exercises bringing the two constituencies together, as well as a more in-depth analysis of comparative advantages in delivering in-kind aid in humanitarian contexts to ensure the most effective, efficient and needs-based response on the ground.

Specific objective: further exploiting the potential synergies between the civil protection assistance and humanitarian aid, both in terms of operations and policy development

Questions:

- a) *In which additional areas synergies between humanitarian aid and the European civil protection assistance would be most beneficial? Why?*
- b) *Are there other issues that need to be covered under this section?*

2.2.5. The use of military assets and Common Security and Defence Policy (CSDP) crisis management tools

Under very specific conditions, humanitarian aid may draw upon military assets. The Consensus endorsed the international guidelines on the use of military and civil defence assets in complex emergencies (MCDA Guidelines)⁴⁷ and the so-called 'Oslo' guidelines applicable when responding to natural disasters.⁴⁸ They provide that humanitarian operations using military assets 'must retain [their] civilian nature and character' and that the use of military assets must be a 'last resort.' The substance for these principles is provided in framework arrangements on the use of military assets and CSDP crisis management tools, and specifically the use of military and military-chartered transport, developed in 2006 under the auspices of the Council.⁴⁹ Analyses of recent disasters have shown that military assets that might prove to be most useful in response to disasters,

⁴⁵ http://ec.europa.eu/echo/civil_protection/civil/index.htm

⁴⁶ See the Consensus, paras. 58-60.

⁴⁷ Guidelines 'On the Use of Military and Civil Defence Assets to Support United Nations Humanitarian Activities in Complex Emergencies' of March 2003 (revised in 2006).

⁴⁸ Guidelines 'On The Use of Military and Civil Defence Assets In Disaster Relief – "Oslo Guidelines"' of May 1994 (last revised in 2007). In general, see paras. 61-65 of the Consensus.

⁴⁹ General Framework for the use of Member States military and military chartered transportation assets and ESDP coordination tools in support of EU disaster response (doc. 8976/06) and Military support to EU disaster response – Identification and coordination of available assets and capabilities (docs. 9462/3/06 REV 3 and 14540/06 + COR 1).

provided the aforementioned principles are respected, are inter alia landline communications services, sea and airport repairs and operational management, fuel management, helicopters, road and bridge repairs.

At the national level, military forces can be well placed and are sometimes specifically mandated to act as first responders. Bilateral and regional agreements on the use of foreign military in disaster response are also being developed in some parts of the world. Moreover, international military forces might be mandated to play a role in conflict situations, including through the provision of safe and secure environments for the civilian population and for humanitarian actors to operate in, if the international community so mandates.

In practice, the Commission cooperation with the EU crisis management counterparts (in the past in the Council Secretariat and currently in the European External Action Service) has proven to work well on numerous occasions. Positive examples of good synergies and coordination include: (a) CSDP actions such as EUFOR Tchad/RCA or Artemis in DRC, and more recently Libya, (b) mobilisation of military assets in support of the EU Civil Protection Mechanism, such as during the 2010 Pakistan floods or the 2011 evacuation of third country nationals fleeing the Libyan conflict, and (c) participation in crisis management exercises. These and other examples should be capitalised on.⁵⁰ Past mistakes however should be avoided: military strategies, such as those used in Afghanistan under the slogan of 'winning hearts and minds' might seriously undermine humanitarian work if military/security and humanitarian strategies are blurred.

Awareness raising, interaction and coordination with key civilian, military and political actors appear to be the most important means for maximising synergies with the EU crisis response instruments and need to be further stepped up.

Specific objective: ensuring awareness, interaction and coordination with key civilian, military and political structures on the military support to humanitarian operations fully in line with international guidelines

Questions:

- a) *Do you think that the interaction between humanitarian and military actors is sufficiently well-framed and articulated or does it need to be better spelled out?*
- b) *Should the Commission further step up its dialogue with crisis management structures and military actors with a view to further clarifying the scope for coordination and eventual cooperation?*
- c) *Should the EU step up its efforts to support the promotion of the Oslo/MCDA Guidelines globally?*
- d) *Are there other issues that need to be covered under this section?*

2.3. Coordination with Member States

Humanitarian aid is a parallel competence between the Union and Member States, the latter offering around 25% of the official international humanitarian funding.⁵¹ The Treaty

⁵⁰ Other positive examples include the EU's CSDP actions, such as EUMM Georgia (since 2008) and UN peacekeeping operations with a 'protection of civilians' mandate (UNAMSIL was the first one in 1999) such as UNAMID, UNMISS, MONUSCO, etc.

⁵¹ As recorded though the FTS, at <http://fts.unocha.org/pageloader.aspx?page=home>.

and the HAR both provide that the Commission may take 'any useful initiative' to promote coordination between the Union and Member States in order to 'enhance the efficiency and complementarity' of any humanitarian aid measures.⁵² Indeed, coordinated work offers an important EU value-added, in particular because resources available for many Member States (including budgets human resources, policy and field expertise) are unevenly distributed. The resources are also under increasing pressure in the current economic situation. A stronger EU-internal coordination would allow for higher quality input into the overall international effort led by the UN and should be built on Member States' specific strengths, capacities, expertise and know-how. However, the potential of EU coordination remains still underexploited both in terms of operational responses, as well as strategies and policies.⁵³

2.3.1. Coordination during crises

Coordination during crises is particularly important. A shared understanding of needs and coordinated responses reduce overlaps/duplications and gaps, thus increasing the effectiveness and efficiency of overall effort. This also helps recipient countries, whose capacity to manage a multiplicity of actors during crisis is often stretched. In a similar vein, speaking with one voice significantly boosts the EU's political impact on the ground.

The Commission/DG ECHO's field network contributes to Member States' informed decision-making on funding through the provision of SITREPS, both in terms of priorities within and among crises. To maximise the overall EU impact, however, the flow of information and coordination should work effectively both ways. Regular exchanges of information on specific crises currently take place in the Council/COHAFAs. However, there is scope for further improving the impact of these exchanges, notably by striving towards a 'division of labour' to fill identified gaps, avoid duplication and maximise the impact of the EU's response.

2.3.2. Stepping up cooperation in the area of sectoral policies at EU and the international level

Within the EU, stepping up cooperation in the area of sectoral policies offers significant advantages for the Union by making the overall effort of the Commission and Member States more coherent, effective and efficient. It is also an opportunity to make the EU better heard in international fora. The cooperation should work both ways: the Commission's policies are informed by, and seek to complement those of Member States in cases where specific Member States' policies exist. Similarly, the Commission's humanitarian policies can serve as useful references for Member States.

The Commission supports cooperation among Member States in COHAFAs by providing information and advice, sharing experience from the field and by proposing EU statements in international fora on concrete crises responses, policy issues, financial and governance matters.

⁵² Article 10.1 of the HAR similarly provides that 'to guarantee and enhance the effectiveness and consistency of [EU] and national humanitarian aid systems, the Commission may take any measure necessary to promote close coordination between its own activities and those of [Member States], both at decision-making level and on the ground. To that end, [Member States] and the Commission shall operate a system for exchange of information [...].'

⁵³ This insight of Mid-Term Review, highlighting variable capacities of Member States, was subsequently endorsed in the Council's conclusions; see Annex III.

Outside the EU and with respect to the broader humanitarian system, the Commission's approach towards global (and national) clusters is an important element in the area of cooperation on sectoral policies. The Commission's involvement in the cluster system is based on its respective sectoral policies. In engaging with the clusters a coherent approach is sought in rolling out these policies and coordination with Member States and other donors to ensure the greatest complementarity and synergies within the clusters.

Specific objective: ensuring an effective cooperation between the Union and Member States in terms of operational responses and messages during crises, as well as at the strategic/policy level

Questions:

- a) Should the EU step up its efforts in the coordination of response to crises? If yes, what measures should be taken to achieve this objective?*
- b) Should the EU step up its efforts in fostering cooperation among Member States in the field of sectoral policies? If yes, what measures should be taken to achieve this?*
- c) How can the expertise and know-how of the Member States be better brought into play to ensure the best outcome of EU's action in these fields?*
- d) Are there other issues that need to be covered under this section?*

2.4. Work with partners

Partnerships are crucial for the delivery of Union's humanitarian assistance. Relations between the Commission and implementing partners are governed by Framework Partnerships Agreements (FPA).⁵⁴ These are concluded with non-governmental organisations (NGOs), with international organisations and bodies with humanitarian mandate, such as the International Committee of the Red Cross (ICRC), the International Federation of the Red Cross/Red Crescent (IFRC) and the International Organisation for Migration (IOM). Relations with the UN programmes, funds and agencies are governed by the EU/EC Financial Administrative Framework Agreement (FAFA). Member States' specialised agencies can also be recognised as 'partners.'

The purpose of FPA is to define roles and responsibilities in the implementation of humanitarian actions financed by the EU budget. FPA lay down procedures and rules of implementation, eligibility for the financing of actions and criteria for the award of grants. It operates as a quality charter ensuring that EU-funded operations meet the highest standards. The Commission's NGO-partners need to prove a certain level of experience, know-how and organisational and financial capacity on a regular basis (for IOs or Member States' specialised agencies these qualities are presumed).

The current FPA entered into force in 2008 and will expire in 2014, following the decision taken by the Commission to prolong its duration by one more year. In 2011, an independent evaluation of results of FPA and FAFA was launched.⁵⁵ The aim of the evaluation was to assess the appropriateness of FPA and to produce recommendations for improving the effectiveness of the next FPA. The revision of the FPA will be carried out in consultation with partners.

⁵⁴ http://ec.europa.eu/echo/about/actors/fpa_en.htm

⁵⁵ http://ec.europa.eu/echo/files/evaluation/2012/fpa2008_en.pdf

2.4.1. Scope and reach of partnerships

The list of the Commission's humanitarian partners is already long and diverse. The current partnerships have helped to the EU to deliver globally and effectively across sectors and in most contexts. However, the experience has also demonstrated that in some contexts the existing partners might lack presence on the ground or are unable accessing to those in need. This raises the question whether there is a need to expand access to other types of organisations. A number of non-EU NGOs and national RC/RC societies, notably in non-DAC donor and developing countries, have developed important capacities in the area of humanitarian aid and a good knowledge of local communities, their needs, as well as the general context. The EU would benefit from accessing to this emerging pool of capacities and expertise.⁵⁶

Specific objective: ensuring an effective and efficient access to humanitarian capacities and expertise available

Questions:

- a) *Should the Commission engage more with humanitarian NGOs in third countries?*
- b) *Should the Commission interact more with specialised agencies of non-EU countries?*
- c) *Are there other issues that need to be covered under this section?*

2.4.2. EU contributions to pooled third-party funds

In line with the Consensus, the EU supports the aim of enhancing predictability and flexibility of humanitarian financing through a range of financing mechanisms, including multilateral ones. The aim in particular is to ensure that such funding is allocated according to transparent criteria and implemented in line with the 'Principles of Partnership'.⁵⁷ Currently, the Commission only contributes to the Disaster Response Fund of the IFRC (DREF), where funding can be directly linked to specific humanitarian actions and their results. DREF's scope of grants is limited and a Red Cross National Society is usually the only responder. DG ECHO's contribution is clearly identified and the IFRC has put in place procedures and eligibility criteria for the use of EU funds, which match those of the Commission itself. At the field level, the IFRC works closely with Commission's experts. Approval of the Commission is needed before EU funds can be used to replenish the DREF. This way the Commission has supported around a third of DREF's 90 operations in 2011, most of which (78) were small-scale. This flexible mechanism has been satisfactory for both the Commission and the IFRC and allocations to it are now made on a regular basis (about every 18 months).

Conversely, the Commission funding has so far excluded contributions to stand-by third-party pooled funds, such as the UN Central Emergency Response Fund (CERF), which are less specific in terms of actions covered. Equally, no funding is provided to Common Humanitarian Funds (CHFs) and Emergency Response Funds (ERFs) managed by UN/OCHA, although complementarity with them is sought, as is with the CERF. With this regard one also needs to bear in mind that the Commission can rapidly disburse funds to all partners (while CERF only funds the UN), and that it has consistently prioritised

⁵⁶ An evaluation of the potential effectiveness and efficiency gains of working directly with local NGOs in the humanitarian interventions of the Commission is ongoing. Its results are expected by end 2012.

⁵⁷ 'Principles of Partnership – a statement of commitment' Global Humanitarian Platform, 12 July 2007. The principles of partnership between UN and non-UN humanitarian organisations are: equality, transparency, results-oriented approach, responsibility and complementarity.

forgotten crises in deciding on operational priorities.

Within this framework, it is worth noting that the newly adopted Financial Regulation⁵⁸ foresees a possibility of creating EU trust funds and allows Member States to assign revenues to the EU humanitarian budget.

Specific objective: Examining the utility and added-value of systemic EU humanitarian aid budget contributions to generic pooled third-party funds

Questions:

- a) *Should the Commission contribute to pooled third-party funds? If so, which and why?*
- b) *How could the Commission ensure that contributions to the third-party funds are used fully in line with humanitarian principles and based on needs?*
- c) *Are there other issues that need to be covered under this section?*

2.5. International system, new donors, public-private partnerships and visibility

2.5.1. International response system

The Lisbon Treaty states that the Union shall ensure that its humanitarian aid operations are coordinated and consistent with those of international organisations and bodies, in particular those forming part of the United Nations system. The EU and its Member States support the central and overall coordinating role of the UN, particularly OCHA, in promoting a coherent international response to humanitarian crises. Under the leadership of USG/ERC, the IASC has started a process called 'Transformative Agenda' in order to address remaining weaknesses of the international response system in the areas of leadership, accountability and coordination that became apparent in the response to the 2010 Haiti earthquake and Pakistan floods. The objective is to ensure a more effective, accountable and well-coordinated humanitarian response system. A set of actions was agreed in 2010, which include (a) an inter-agency response mechanism to ensure experienced staffing in large-scale crises, (b) an 'empowered' Humanitarian Coordinator (HC)/official to lead response in large-scale emergencies, (c) improved strategic planning at the country level to clarify the collective results to be achieved and sets out how clusters will contribute to them, and (d) enhanced accountability of the HC and members of the Humanitarian Country Team for the achievement of collective results.

It is crucial for the Transformative Agenda process to strengthen humanitarian leadership overall: to ensure that all HCs have the right skills and are given more authority, as well as accountability, in their leadership. The solid leadership of HCs is needed to stand up for the whole humanitarian community in a given crisis, to defend the humanitarian principles and to ensure a solid, collective humanitarian performance.

The Transformative Agenda should also serve to strengthen the humanitarian system's joint understanding of needs and priorities in a crisis, building on joint needs assessments, shared information management and evidence-based decision making. It should furthermore improve the cluster-based coordination system through more straightforward arrangements at the field level, notably to avoid 'over-crowded' cluster meetings during emergencies.

⁵⁸ Regulation (EU, Euratom) N° 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) N° 1605/2002 (OJ L 298, 26.10.2012, p. 1

The Commission and the Member States support the objectives of the Transformative Agenda and regard it as a crucial opportunity to strengthen the system's collective performance. Commissioner Georgieva co-signed a letter together with other (EU and non-EU) donors to the IASC Principals in December 2011, calling for a shift in mind-set and methods in favour of a more speedy, adequate and cost-effective humanitarian system. The Commission also promotes the speedy implementation of actions agreed under the Transformative Agenda in the dialogue with its partner organisations and it can in addition support the implementation phase through its unique knowledge of humanitarian organisations' field-level performances.

Specific objective: strengthening of the international humanitarian system (through firm support to the IASC Transformative Agenda and its objectives to improve leadership, accountability and coordination)

Questions:

- a) What additional measures should be taken to further operationalise the objectives of the Transformative Agenda?*
- b) How can the Union and its Member States best work together to ensure a genuinely more responsive and cost-effective international response system?*
- c) Are there other issues that need to be covered under this section?*

2.5.2. Outreach to the emerging donors

Certain non-DAC donors play increasingly important role in providing humanitarian assistance regionally and internationally through growing financial allocations and expanding activities. It is estimated that in the decade 2000-2010, emerging (non-DAC) donors contributed almost €3.5 billion in official international humanitarian assistance.⁵⁹ The current context of escalating humanitarian needs and persistent financial challenges offer an opportunity for closer cooperation with non-traditional donors and their integration in the international humanitarian system.

Strengthened cooperation with non-DAC donors should create a broader base of support to cover the increasing humanitarian needs and to better respond to funding appeals and generate greater support for humanitarian action globally. It could also improve the geographical coverage of humanitarian response, especially in areas where traditional donors have had difficult access. It could furthermore enhance interaction in humanitarian multilateral fora through sharing best practices and more operational cooperation, thus contributing to mutual understanding and avoiding fragmentation. Ultimately, such cooperation should contribute to a more transparent, needs- and principles-based assistance globally.

The progressively visible role of non-DAC donors was noted in the Consensus Action Plan and its Mid-term Review, which called for a strengthened dialogue with emerging partners. This position was confirmed in the Council conclusions of May 2011.⁶⁰ As a result, the Commission has started to reach out on a bilateral basis to some Gulf States and BRIC⁶¹ countries in order to raise mutual understanding of the respective approaches to humanitarian aid and to discuss possible future cooperation. However, a more systematic outreach approach towards non-DAC donors would be needed.

⁵⁹ <http://fts.unocha.org>

⁶⁰ http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/122057.pdf

⁶¹ Brasil, Russia, India and China.

Specific objective: Broadening the scope of humanitarian partnerships for humanitarian response through strengthened cooperation with non-DAC donors

Questions:

- a) *Should the Union step up its outreach to emerging donors?*
- b) *What should be the guiding principles of cooperation with new donors?*
- c) *Are there other issues that need to be covered under this section?*

2.5.3. Public-private partnerships

The growing involvement of private actors in disaster risk reduction, response and relief, and their increasing capacities, contributions and humanitarian expertise are a reality. Many of the Commission's implementing partners have already engaged into public-private partnerships to strengthen their response systems and/or to render it more effective and efficient. The Commission is also considering how to best engage with the private sector and to explore opportunities for public-private partnership. In the logistics sector, first contacts with a number of private sector actors have been established. Other potential areas for cooperation could include new information and communication technologies, engineering, cash/in kind donations and skills-based volunteering to name a few.

In line with the Guiding Principles for Public-Private Collaboration for Humanitarian Action, engagement with the private sector should have the 'shared goal of alleviation of human suffering and provision of quality assistance to those most in need' and should be based on the adherence of the humanitarian principles.⁶²

Specific objective: Exploring options for cooperation with the private sector in humanitarian aid operations

Questions:

- a) *Should the Commission step up its work with the private sector? If yes, how and in which sectors of activities?*
- b) *Should the Commission take advantage of private businesses' social responsibility schemes for humanitarian purposes in a more systematic way?*
- c) *Are there other issues that need to be covered under this section?*

2.5.4. Information, communication and visibility

EU humanitarian aid enjoys an overwhelming support on the part of Europe's citizens. The 2012 EU-wide public opinion survey⁶³ showed that nine out of ten consider it important for the EU to fund humanitarian aid, an increase of nine percentage points since 2010. These results bode well with the main objective of DG ECHO's communication work, which is to boost awareness and understanding of the contribution made by the EU, primarily in Europe but also in the countries where EU-funded humanitarian operations are implemented. Visibility is a key component of accountability of the EU towards the citizens – they have the right to be informed about how the funds generated by their taxes

⁶² Prepared by the World Economic Forum and UN/OCHA, at <http://www.un.org/partnerships/Docs/Principles%20for%20Public-Private%20Collaboration%20for%20Humanitarian%20Action.pdf>.

⁶³ Special Eurobarometer 384, at http://ec.europa.eu/public_opinion/archives/ebs/ebs_384_en.pdf.

are being spent. They also have the right to the acknowledgement of their contribution towards saving and improving lives of those in need.

The Commission/DG ECHO's communication efforts are based on a dual approach: communicating together with humanitarian partner organisations and own communication activities.

Communicating through partners – field visibility: As a donor, the EU depends on the implementing partners to provide for the EU visibility in the field. This is a legal obligation for partner organisations funded by the EU. The standard rate for this basic field visibility accompanied by communication activities is up to €8.000 or 0.5% of the overall budget of a humanitarian project. Field visibility however is not always provided for. In certain cases understandably security takes priority over visibility of the EU as a donor. However, even when circumstances allow for EU visibility, the obligation to provide for visibility is often not taken as a priority by the implementing partners.

Communicating with partners – communication campaigns: an important aspect of Commission's communication approach is joint communication actions and campaigns with partner organisations targeting the EU audiences. Core funding was established in 2010 for larger scale communication campaigns with the goal to raise awareness and boost understanding of the importance of humanitarian aid and the EU's role within the EU and beyond. Results are encouraging so far. However, not all partner organisations have the capacity for large-scale communication projects. To encourage this joint approach, possibilities are being explored to dedicate part of these funds to better include a wider circle of partners by providing a joint platform and developing a joint, Commission-led communication strategy.

Own communication actions: DG ECHO also implements its own communication strategy. Taking into account the accountability aspect, the EU citizen is the priority target audience. Given the nature of the EU's humanitarian action, the audiences reach beyond the EU's borders. DG ECHO implements its communication actions both from its headquarters in Brussels and in the field through its network of field offices. DG ECHO carries out communication actions, activities, campaigns, events, reaching out to and aiming to engage the EU citizen, a variety of institutional and non-institutional stakeholders, partner organisations and relevant humanitarian platforms. To improve outreach, possibilities for a more comprehensive media strategy could be explored.

The question is whether this framework is sufficient to ensure sufficient communication impact and visibility of EU funded humanitarian aid. If not, the current framework and existing practices might need to be revised.

<i>Specific objective:</i> ensuring greater public accountability through proactive communication approaches and visibility of EU-funded humanitarian assistance

Questions:

- a) *Is media coverage of EU-funded humanitarian aid sufficient? If not, what in your opinion is the main reason?*
- b) *Do you see potential to improve it and if so, in which concrete ways?*
- c) *Should the volume of communication activities on EU-funded aid by implementing partners correspond to the financial size of their partnership with the EU?*
- d) *Should requirements in terms of ensuring EU's visibility as a donor on the part of the implementing partner organisations be revised or increased in order to achieve better visibility of EU-funded aid in the field?*

e) Should the EU-funded partner organisations play a role in the efforts for better media outreach?

f) Should DG ECHO take a lead in a joint communication strategy with partners in order to increase effectiveness in its communication with the EU citizen? If yes, what should be the main tools to implement such joint strategy?

g) Are there other issues that need to be covered under this section?

2.6. Humanitarian decision-making

2.6.1. Decision-making for the Union's emergency humanitarian aid

The speed and flexibility of decision-making is crucial for an effective humanitarian action, especially in sudden-onset disasters. The immediate response in the first hours/days after a disaster strikes will necessarily be based only on preliminary information about the type and scale of disaster and humanitarian needs. Later, supplementary decisions need to be taken on the basis of quality needs- and capacity-assessments.

To meet the different needs in the various types of emergencies, the Commission/DG ECHO has developed a set of implementing acts adapted to the needs. *Primary emergency decisions* are used to respond to a sudden natural or man-made disaster. Within 72 hours after the outbreak of the crisis, DG ECHO's Director-General can decide to allocate up to €3 million for the duration of up to three months. Similarly, *Emergency decisions* may be used as an alternative, notably if the former is not feasible, when (a) primary emergency decision for the same crisis has already been taken, (b) decision cannot be taken within 72 hours (e.g., when a suitable implementation partner is not available), (c) the amount at stake is above €3 million; and (d) the duration of operations envisaged is more than three months. The duration of operations under this decision can be up to six months. *Ad hoc decisions* are used to (a) follow-up emergency aid decisions; (b) respond to foreseeable, humanitarian requirements (i.e. not sudden-onset crises); (c) finance disaster preparedness and risk reduction, including DIPECHO actions; and (d) provide for actions such as the support to DG ECHO's technical assistance in the field. Usually the humanitarian crises covered by this type of decisions are small-scale, not complex, and unlikely to continue.

To increase the efficiency of humanitarian decision-making, a single *World-Wide Decision* (WWD) now integrates and replaces most *Ad hoc decisions* (with the exceptions of those funded from the EDF and those financing technical assistance), as well as all responses to crises formerly adopted via *Global plans*, which used to provide framework for actions in a given country or region where the scale and complexity of humanitarian crisis is such that it seemed likely to continue, mostly in complex, large-scale, protracted and man-made humanitarian disasters. The WWD, which is usually adopted at the end of the year preceding the start of its implementation or at the beginning of the year of its implementation, sets out the humanitarian aid operational priorities to be funded under the EU general budget of that year. Its duration is 24 months.

The implementation of the WWD is supported by *Humanitarian Implementation Plans* (HIPs), which are a communication tool to inform partners by specifying humanitarian needs to be addressed, as well as the Commission's planned response (to be implemented by partners, with which grant or contribution agreements are signed). Furthermore, HIPs contain technical/procedural and financial information on dates for submission of letters of intention, eligibility date, etc. HIPs are only indicative and are continuously adapted to developments on the ground.

Specific objective: attaining a flexible and speedy decision-making system to ensure timely and appropriate response to the various types of humanitarian crises (sudden/slow onset emergencies, protracted crises)

Questions:

- a) *In your experience, does the decision-making process of the EU allow a timely and appropriate response to the various types of humanitarian crises?*
- b) *If not, what exactly should be improved, and how?*
- c) *Are there other issues that need to be covered under this section?*

2.6.2. Evidence-based decision-making

The Commission/DG ECHO is committed to delivering humanitarian aid to those in the greatest need. Therefore, it is crucial that humanitarian aid decision making (including the allocation of resources) is based on evidence from reliable data. To implement a needs-based approach and to help define its priorities on an annual basis, the Commission/DG ECHO uses a two-fold approach: (i) Humanitarian needs are assessed at the headquarter and field level in all countries where DG ECHO intervenes, (ii) a comparative analysis of data is conducted through the *Global Needs Assessment (GNA)* and the *Forgotten Crisis Assessment (FCA)*, which helps to identify general levels of vulnerability to crisis and specific crisis situations that are insufficiently addressed by other donors and where aid from DG ECHO may be particularly necessary. Furthermore, the *Food and Nutrition Insecurity in Humanitarian Crises Need Assessment Template (FINAT)* provides evidence-based information to assist the Commission in its decision-making, preparation and follow-up of humanitarian interventions in food/nutrition crises.

Some Member States make use of these tools to decide on their funding allocations. These assessments, coupled with the needs assessment carried out by the Commission's humanitarian experts are valuable tools in determining where EU aid is most likely to be needed. They also facilitate a fair, consistent allocation of resources across continents.

Since early 2009, the issue of needs assessment has risen to the very top of the agenda in inter-agency discussions and in contacts between major humanitarian actors and donors. Donors, and especially the Commission, have pushed the humanitarian community to develop joint and coordinated needs assessments to serve as a solid basis for appeals and needs-based decision-making regarding the required response. The objective is to reach a more systematic approach in terms of consistency and coverage with a collective effort to evaluate the needs across all the relevant sectors.

Over the last years, the Commission has therefore funded OCHA's efforts on coordinated needs assessments with the IASC Needs Assessment Task Force (NATF) and NGO Consortium ACAPS (Assessment Capacity Project), which is tasked to provide operational support to OCHA/NATF.

The IASC NATF has approved a package of guidance and tools designed to support a coordinated approach to assessments in emergencies. These include:

- Operational Guidance on Coordinated Assessments in Emergencies,
- Key Humanitarian Indicators and Guidance,
- Multi-Cluster Initial and Rapid Assessment Methodology, and
- Humanitarian Dashboard.

Specific objective: Consolidating and further developing evidence-based decision making

Questions:

- a) In your experience, does the EU' approach to evidence-based humanitarian decision-making through GNA/FCA/FINAT deliver adequate results? How could it be improved?*
 - b) How the Union can best contribute to the global evidence-based decision-making?*
 - c) Are there other issues that need to be covered under this section?*
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The issues and challenges outlined in this consultation document can be addressed by different means, inter alia by organisational/administrative measures, policy and or other initiatives. Probably the biggest issue in EU's humanitarian aid is facing today is the perennial tension between the growing needs and the limited resources available. This calls for a careful planning and priority-setting, in regard to which it might be most useful to build on comparative strengths and focus on areas where the EU's value-added could be biggest. This is particularly important in times of economic and financial constraints.

3. QUESTIONNAIRE

Stakeholders are invited to reflect on the issues and questions provided in this paper and provide their input through an online questionnaire, which is available at:

http://ec.europa.eu/echo/policies/consultation_en.htm

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Thank you for your contribution!