



Brussels, 13.6.2007
SEC(2007) 782

COMMISSION STAFF WORKING DOCUMENT

Accompanying the

**COMMUNICATION FROM THE COMMISSION
TO THE EUROPEAN PARLIAMENT AND THE COUNCIL**

- Towards a European Consensus on Humanitarian Aid -

***Report on the results of the consultation on a consensus on
European Humanitarian Aid Policy***

{COM(2007) 317 final}
{SEC(2007) 781}

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EXECUTIVE SUMMARY

As part of a consultation on EU humanitarian aid policy, a questionnaire was sent to EU Member States via the concerned foreign ministries and around 220 DG ECHO partner organisations in December 2006. A roundtable with 40 partner organisations took place in Brussels on 22 February 2007. There the three groups of partners (NGOs, Red Cross/Red Crescent movement, UN) first discussed their respective positions. Subsequently, they indicated in which areas the EU would need to do further work in order to improve the quality and impact of humanitarian aid.

While an overview of the most important issues cannot do justice to individual positions expressed in the responses, it is nevertheless worthwhile to provide pointers to emerging trends and discussions.

This text reflects as closely as possible the views expressed by Member States and individual or groups of partners. It does not however prejudice in any way the position of the European Commission.

Above all, the results of the consultation process demonstrate a great interest by both Member States and implementing partner organisations in developing an EU consensus on humanitarian aid. For both groups of respondents – that is, Member States and partners - the results represent a very high response rate of about two thirds. In addition, the quality and detail of responses indicate a high degree of motivation and willingness to engage in the discussion by all parties.

The analysis of individual answers from DG ECHO partners but above all the roundtable of 22 February – confirm a high level of consensus on specific subject matters and indicate that a higher level of ambition is asked for. In other words, respondents encourage the European institutions to be ambitious in their quest for a consensus. For example, the answers are unequivocal in their support of international humanitarian law and the principles underpinning humanitarian aid.

One conclusion that emerges forcefully from the process so far is that there is a perception by DG ECHO partner organisations that the humanitarian space - writ large - is fragile and under threat: first, killings, executions, torture and expulsions of humanitarian aid actors have recently taken place in a number of countries. This is largely due to warring parties – including nation states – showing little understanding and respect of international humanitarian law. Second, an increasing number and variety of actors are becoming involved in humanitarian business. This was best exemplified in the overwhelming global response to the Tsunami by different actors, who were not adequately coordinated. The multitude of actors increases the need to coordinate and to disseminate the principles underpinning humanitarian aid. Third, while getting a truly accurate financial overview of public global humanitarian aid flows is fraught with difficulties, financing of humanitarian aid appears to be insufficient to meet all the needs. There is an expectation that a consensus on EU humanitarian aid policy would be a key in addressing these concerns.

Implementing partners encourage the EU and its Member States to be forceful in the advocacy, defence and dissemination of International Humanitarian Law and the principles of humanitarian aid. Partners believe that more needs to be done to anchor in the public's mind an understanding for why humanitarian aid is a civilian business, implemented mostly by non-

state actors or international organisations with a humanitarian mandate, reflecting the values of humanity and solidarity and not a crisis management tool at the service of foreign policy objectives.

Similarly, while there is a generally positive attitude from both Member States and partners towards an endorsement of Good Humanitarian Donorship at EU level, there is an expectation that specific aspects of GHD could be developed further. This emerged particularly in contributions related to ensuring a diversity of implementing partners in combination with a flexible and predictable financing system. NGOs expressed a certain frustration stemming from the perception that the financial parts of GHD strive to ensure that international organisations can be financed more efficiently, while aspects related to NGOs are underdeveloped. It was also argued that humanitarian aid financing should not only be flexible and predictable, but also organised in such a way as to ensure that needs are covered equitably (i.e. attention to forgotten crises/needs), that a large diversity of partners must be maintained and that sufficient attention is paid to capacity building of partners (and their partners).

Member States and partners indicate a high level of consensus about a need to clarify and delineate the roles and mandates of humanitarian actors on the one hand and other actors involved in international disaster relief efforts such as civil protection organisations and military forces on the other hand. Some answers indicate that this need might not be due to the lack of international guidelines, but rather to a lack of application of these guidelines. It was generally recognised that complementarity and coherence of EU action can only be ensured if the mandates of different actors are based on their potential value added. In addition, they must be willing to integrate their action in the framework of coordination led by the United Nations.

Concerning the issue of EU coordination and policy making, Member States and partners agree that an increased effort should be made. Any activity in this area should fully take into account and feed into international humanitarian reform and coordination. The responses received from partners indicate that once again the level of ambition should be higher: not only should EU coordination and policy-making reflect international efforts under the leadership of the United Nations, but they should also be used by the humanitarian community to occupy more forcefully the political ground. For specific issues such as, for instance, Disaster Preparedness, LRRD, relations with the military and capacity building, further policy development would be welcome. A majority of Member States would welcome sectoral policy development, in particular if it serves to raise the overall efficiency of the allocation and delivery of humanitarian aid.

As for the Commission's role in humanitarian aid, respondents see added value in maintaining the current mix between the Commission's role as a donor and its presence on the ground. The Commission is encouraged to use this presence on the ground to strengthen its rapid response, needs assessment and coordination capacities. At the same time, it is requested to continue support and reinforce ongoing international reform efforts. In general, procedures and processes should be adapted to ensure that the Commission remains a humanitarian "front line" donor. The UN indicates that a closer working relationship in the area of rapid reaction and needs assessment would be welcome.

Member States' and partners' opinions differ on a limited number of issues. First, while most Member States do not see a necessity to establish global targets for funding of humanitarian aid, partners would find such targets helpful. Second, some partner organisations have

expressed concerns that the management of civil protection actions could reduce the neutrality and independence of humanitarian aid policies, because civil protection forces are state-actors. Based on this assumption, partners are advocating close coordination between humanitarian aid and civil protection, but remain sceptical about an organisational merger, i.e. '*guichet unique*'. In contrast, half of the Member States advocates for such a combination of forces in a *guichet unique*. Third, while there is a majority of both partners and Member States for the establishment of sectoral policies, arguments in favour coming from Member States are more forceful than those of partner organisations.

In summary, while a comprehensive and broadly based consensus emerges in answers to most questions put in the questionnaire, responses and discussions so far indicate that there is an interest to ensure that this consensus has a quality that goes beyond the declaratory, tackles real issues of concern both in the EU and the international context and is the beginning rather than the end of a process of continued improvement in the quality of EU humanitarian aid.

1. INTRODUCTION: RESPONSES AND PROCESS

This staff working paper serves to provide information on the process and outcome of the consultation on a consensus on European Humanitarian Aid Policy. . Section 2 (summary findings) explains the process and methodology used in the analysis of answers and provides a global summary of findings. Section 3 comprises a quantitative and descriptive breakdown of answers for each of the 18 questions contained in the questionnaire. Throughout this paper and where appropriate, a differentiation between Member States' and partners' positions is provided. The annex provides the detailed conclusions of the partners' roundtable of 22 February 2007.

Many stakeholders used this process to speak with one voice by consolidating their responses through internal negotiations of their respective approaches to the individual questions. Input from NGOs was largely consolidated by VOICE, the responses from national Red Cross societies were integrated by IFRC and UNOCHA supplied a consolidated reply by UN organisations.

In general, the quality and intensity of the process confirm that there is a strong motivation to discuss EU humanitarian aid. Indirectly, many contributions reflect the frustration that a lack of appropriate fora and initiatives have hampered coordination at European level. Partners therefore welcomed the consultation and indicated a keen interest in being informed about the remainder of the process that will take place in the coming months.

2. SUMMARY FINDINGS

2.1. The Questionnaire: Responses

The Questionnaire was launched on 15 December 2006 and was sent to 27 Member States and around 220 DG ECHO Partners including six UN Agencies, 210 NGO partners and consortia and the Red Cross / Red Crescent movement. The questionnaire was also sent for information to the European Parliament.

| Stakeholders | Actors represented |
|-------------------------------------|--------------------|
| UN family and IOM | 10 |
| Red Cross and Red Crescent Movement | 29 |
| NGOs | 112 |
| Member States | 22 |
| Others | 1 |
| Total | 174 |

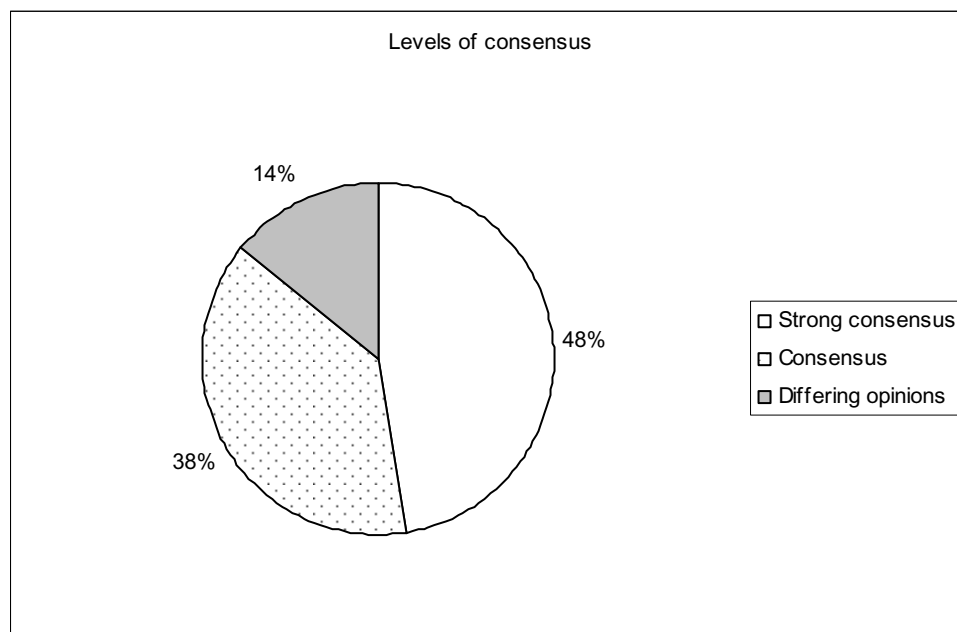
Almost two thirds of those consulted have provided a response either directly or indirectly, including 21 Member States, 9 UN agencies (in a single consolidated

response) and the ICRC and IFRC (representing 27 national societies). VOICE consolidated the responses of 18 family members, representing 41 NGOs - a consolidation which subsequently was endorsed by 70 of the 88 VOICE members as well as 20 non-members. In addition, 41 responses were received from NGOs, including NGOs from the new EU Member States. On top of the partner organisations specifically invited to respond, additional contributions, including from non DG ECHO partners, were received spontaneously. The total response represents 172 organisations.

2.2. Methodology and Analysis

For the statistical part of the analysis, a weighted method was used for the representation of the main categories of DG ECHO partners: NGOs (one third), UN and IOM (one third) and Red Cross / Red Crescent Movement (one third). Member States' responses were analysed separately, and were weighted equally. As any method of weighting is arbitrary, the resulting statistics only provide a useful indication of major tendencies at macro-level. The qualitative part of the analysis isolates the most important issues as well as areas where (no) strong consensus emerged.

The chart below depicts the level of overall consensus on the different issues of the questionnaire:



2.3. Levels of consensus

The chart reflects both Member States and partners' consensus. While the Member States show a similar level of consensus as partners, there are discrepancies at the level of individual issues. Nevertheless, it is safe to state that not only among partners and Member States as groups, but also between Member States and partners' responses is very high. Member States and partners seem to agree on most issues, apart from a few (see below).

2.4. Issues of strong consensus (according to more than 80%)

- (Q1) 91% of Member States argue that the EU has insisted on the respect for the principles underpinning its humanitarian aid (against 70% of partners), both agree however it could do more (59% and 64%).
- (Q4, Q5) The EU Member States and the Commission should endorse at the EU level a common set of principles and good practices to govern humanitarian funding policy, preferably the Good Humanitarian Donorship Initiative.
- (Q8) The EU should develop policy guidelines regarding LRRD that recognise the need for a flexible transitional approach.
- (Q9) The EU should develop a common policy framework on Disaster Reduction and Mitigation Strategies.
- (Q11) DG ECHO should maintain the financing of a large diversity of partners.
- (Q12) DG ECHO should finance partners' capacity building, including local 'partners of partners'.
- (Q14) Greater participation of non-traditional donors should be promoted.
- (Q15) The EU could take further action to reinforce ongoing international reform efforts. Many specific suggestions were made in this respect.
- (Q17) There should be more coordination at EU level of humanitarian aid programmes.

2.5. Issues of consensus (according to more than 50%)

- (Q2) The EU should engage actively in order to increase the respect of and compliance with IHL **and** should support action in line with the concepts of 'responsibility to protect' and 'human security'.
- (Q3) The EU should play a specific role in IHL advocacy both through direct as well as through indirect actions. Member States argue more than partners in favour of indirect actions only (25% against 7%).
- (Q7) The EU should establish a consolidated and coherent policy framework governing the relationship between humanitarian and military actors.
- (Q8) 63% of Partners agree that policy guidelines regarding LRRD should include funding and funding mechanisms. Only 5% of Member States mention this aspect of LRRD explicitly.
- (Q11) DG ECHO's financing of a large diversity of partners should be based on conditions to ensure professionalism.
- (Q13) According to 72% of partners and 36% of Member States, the Commission / DG ECHO should focus on strengthening existing response capacities rather

than exploring new initiatives to fill specific response capacity needs and gaps to complement the overall humanitarian capacity. Member States are more divided over this issue, 32% arguing for new initiatives.

- (Q16) More than 90% of partners argue that the EU should support a reinforcement of international capacities, rather than developing a self-standing EU capacity in the pre-positioning of stocks, logistics and transport. Member States agree to a smaller extent (59%) and are more divided on the possible advantages of pre-positioning by the EU (18% see a real advantage and 18% see no advantage at all).
- (Q18) Partners agree that the EU should strive to coordinate more closely the interaction between humanitarian aid and civil protection (92%). Member States argue either for closer coordination (45%) or a combination (55%) of the two in a 'one-stop shop' (*guichet unique*).

2.6. Differing opinions and perceptions

- (Q6) Partners vary widely in opinions on whether the current balance of emergency response between a needs-based approach and the ability to react rapidly needs to be changed in favour of quality or speed. Member States argue much more often (59%) than partners that the current balance between speed and quality is correct.
- (Q10) Member States and partners vary in opinions on the extent to which EU Member States and the Commission should strive to develop at EU level a standard body of sectoral policy guidance for the delivery of humanitarian aid. Those who agree that something should be done emphasise international guidelines and standards and recommend a focus on funding policy. At the same time, respondents react positively on those questions relating to policy development (see LRRD, Disaster Preparedness and link between military and humanitarian actors).
- (Q14) While most of the partners do not disagree on the idea of establishing international targets for humanitarian financing, different opinions exist on the usefulness and many consider other actions more useful to address the shortfall of humanitarian funds. Contrary to partners, Member States (64%) are in general against setting targets for funding humanitarian aid.

3. DETAILED ANALYSIS PER QUESTION

Why EU Humanitarian Aid – Aim, Values and Principles on which EU humanitarian aid is based

Issue 1: Upholding the Principles of Humanitarian Aid

Question 1: Insistence on respect for principles

In view of the changing political and operational contexts in which humanitarian interventions take place, has the European Union sufficiently insisted on the respect for the principles underpinning its humanitarian aid or should it do more to uphold these principles and the specificity of humanitarian aid?

| | Member States | Partners |
|--|---------------|------------|
| The EU has insisted on the respect for the principles | 91% | 70% |
| <i>... but it could do more</i> | <i>59%</i> | <i>64%</i> |
| The EU has not sufficiently insisted and should do more | 0% | 29% |
| <i>... and it should do much more</i> | <i>0%</i> | <i>5%</i> |
| No firm opinion | 9% | 0% |

- Most Member States (91%) and Partners (70%) argue that the EU has insisted on the respect for the principles underpinning its humanitarian aid, but Member States (59%) argue to a lesser extent than partners (64%) that the EU could do more.
- Coherence between the Commission and other EU institutions and Member States should be strengthened.
- The EU should promote more actively the humanitarian principles in various international fora and vis-à-vis governments in recipient countries.
- Humanitarian Aid needs to be clearly disassociated from political and military matters and peace-keeping.

Consensus exists with Member States and partners who argue principles were adhered to even though a majority states that more could be done.

91% of Member States consider that the EU insists enough on the humanitarian principles, even though most agree that more could be done to promote these principles globally. One Member State argues that the rights based approach in humanitarian assistance needs to be kept at the forefront in humanitarian work and that lately the international community has reacted passively to human rights

violations in the world. DG ECHO should forward this matter to a higher level and the EU should where necessary lobby for enforcement of IHL. Some Member States argue that DG ECHO is upholding the principles, but that coherence between DG ECHO/the Commission/Council could be further enhanced. Others state that the EU should more actively inform about the GHD initiative and that DG ECHO should take the lead in preserving the humanitarian space.

29% of partners argue (much) more needed to be done by the EU. Some partners argue that there appears to be a lack of coherence between DG ECHO and other EU institutions and Member States. The EU should use its power and position to promote more actively the humanitarian principles in various international fora and vis-à-vis governments in recipient countries. A challenge was also the increasing political and military interference with the humanitarian space. Humanitarian aid needed to be clearly disassociated from political and military matters and peace-keeping.

Many partner NGOs state that the EU should do more to insist on the principles, and that the EU was not using its position to stress principles enough. More effective lobbying could be undertaken in relation to host/recipient governments on whose territories humanitarian responses take place. The humanitarian space had significantly eroded since the "war on terror" and the EU had not done enough to protect it, while the use of aid budgets by military forces, the failure to address humanitarian crises and a lack of integrity in calling high contracting parties to fulfil obligations under the Geneva Convention had not helped either. Partners state that it has become almost impossible to mount impartial assistance operations in armed conflicts, particularly where Western troops were engaged (Afghanistan, Iraq) and that the EU's current choice of strategy undermined rather than supported humanitarian principles. A majority of NGOs argues that HA needed to be clearly disassociated from military peace-keeping and that the principles of GHD should be used as standards. Some partners state that any initiative from the EU was welcomed which could help humanitarian aid to preserve its independent and neutral character.

The UN argues that the EU has insisted very effectively, but that it could do more. The EU should educate actors on the humanitarian principles and their operational manifestations. The Commission should coordinate better with international actors on practical implementation.

Issue 2: Advocating the Respect for International Humanitarian Law

Question 2: International Humanitarian Law

Should the European Union engage more forcefully in order to increase the respect of and compliance with International Humanitarian Law (and if so how), or should it rather focus its efforts upon/put greater emphasis on taking action in line with the concept of “responsibility to protect” and “human security”?

| | Member States | Partners |
|------------------------------------|---------------|----------|
| It should do both | 64% | 61% |
| It should focus more on IHL | 9% | 38% |

| | | |
|--|----|--|
| It should focus on protect / security | 9% | |
| It should not intervene | 9% | |
| no comments or firm opinion | 9% | |

- According to Member States (64%) and Partners (61%), The EU should both engage in order to increase the respect of and compliance with IHL **and** support action in line with the concepts of 'responsibility to protect' and 'human security'
- International Humanitarian Law and the concept of “responsibility to protect” and “human security” are seen by many as complementary.
- According to partners, the EU could invest more resources to provide an in-depth and effective support to IHL.

There is consensus that both International Humanitarian Law and the concept of “responsibility to protect” and “human security” are complementary and should not be opposed. However, some contributors underline that the EU should focus its priorities on International Humanitarian Law, as IHL is seen as the most efficient instrument which should obtain better respect in emergencies.

Most (64%) Member States argue that the EU should support IHL and the responsibility to protect / human security issues and that the EU should seek compliance from others. Two Member States argue that the EU as such should not be taking on extra competences. According to one Member State, it is more a question of how to transform the minds of warring sides to obtain more respect on the human rights of the civilian population.

More than 90% of NGOs would like IHL and protection / security to be promoted. Nevertheless, there is a hesitation to take on a direct advocacy role and the expectation goes towards the use of the EU political weight and, where appropriate, work on advocacy with ICRC and UN to promote IHL. Moreover, risks are mentioned regarding the non-legal nature of “responsibility to protect” and “human security” approaches. Partners welcome the EU guidelines promoting compliance with IHL adopted in December 2005 and ask the EU to play a proactive role in raising awareness and promoting its own guidelines on IHL instead of working on the concepts of "responsibility to protect" and "human security".

The UN argues that the EU should engage on both concepts, but they also insist on the need for the EU to invest more resources to provide an in-depth and effective support to IHL, including training; building national and local capacities in third countries; using its authority and influence to remind all actors in any armed conflict of their obligations according to IHL and to promote the adoption of appropriate national measures, including national laws, to ensure respect and implementation of IHL in all Member States and third country governments.

Question 3: the European Community in IHL advocacy

To what extent should the European Community play a specific role in IHL advocacy?

| | Member States | Partners |
|--|---------------|----------|
| through direct action within Europe | 20% | 21% |
| through direct field action | 5% | 2% |
| through indirect action (policies) | 20% | 2% |
| through indirect field action (via partners) | 5% | 5% |
| through both direct and indirect action | 50% | 70% |

- The EU should play a specific role in IHL advocacy both through direct as well as through indirect actions according to 70% of partners and 50% of Member States.
- Member States argue more than partners in favour of indirect actions and formulation of policies.
- The EU should deploy all the means necessary for more IHL advocacy as it is a core value of the EU.
- Direct action can include training and advocacy / political dialogue in the EU as well as in the field.

This question raised a lot of remarks and suggestions from the contributors who showed a lot of expectations for the EU to take on board IHL as a major issue. Different levels of possible EU interventions and ways of advocating IHL are suggested.

Even though Member States argue more than partners in favour of indirect action, Member States make different proposals illustrating that IHL advocacy is a field in which the EU could develop different approaches: supporting UN and ICRC, developing fora and training among the military, civilian population and institutions, putting IHL into the political dialogue agenda on the international scene, etc. One Member State draws the attention on the risk that advocacy could jeopardize humanitarian aid efforts. Some Member States state that IHL advocacy should also be channelled through the appropriate Committees.

There is consensus among 70% of partners that the EU should engage in advocacy both by intervening directly at field level and inside the EU to promote and reinforce the respect of IHL as well as empowering key actors such as the UN and ICRC. A stronger collaboration of the EU with the ICRC on IHL is often suggested. NGOs are in favour of proactive and direct action by the EU. Some organisations wish the EU could have a stronger role on the international scene.

The UN underlines that the EU has committed itself to promoting compliance with IHL through its own guidelines. The EU should therefore base its advocacy on those

guidelines, taking "all opportunities to support, promote and disseminate IHL". The UN welcomes and encourages the EU in supporting the efforts of independent international guardians of IHL, as well as independent NGOs, academics and institutions. Some partners argue that the EU should play a strong role in IHL advocacy by disseminating IHL in "all sectors of society, and in particular children and young people".

What kind of Aid: Scope and Policies

Issue 3: Good Humanitarian Donorship policy

Question 4: common principles and good practices

Should the European Union's Member States and the European Commission endorse at the EU level a common set of principles and good practices to govern humanitarian funding policy?

All partners agree to the above. One Member State is against an EU level endorsement and argues that it is up to each Member States to do so.

Question 5: Good Humanitarian Donorship Initiative

If so, should they endorse the Good Humanitarian Donorship Initiative as such, or a more self-styled set of principles?

| | Member States | Partners |
|--------------------------------|---------------|----------|
| Endorse GHD initiative | 86% | 96% |
| GHD, but adapted to EU context | 14% | 2% |
| No, own EU set of principles | 0% | 2% |

- Member States and partners argue alike that the EU Member States and the Commission should endorse at the EU level a common set of principles and good practices to govern humanitarian funding policy, preferably the Good Humanitarian Donorship Initiative.

Almost all welcome a common set of principles and good practices to govern humanitarian funding policy at EU level and more specifically based on the GHD principles. Even though a unanimous and common position in favour of GHD is expressed, some nuances are apparent on how the principles could be implemented. Many respondents feel that GHD could go further.

Nearly all Member States agree that a set of principles is required, underlining the importance for the Commission to comply with those principles. However, some stress the need for diversity and flexibility among them regarding the compliance with the GHD principles. Thus, one Member State thinks the endorsement of GHD should "take into account that different Member States have their own traditions or legal frameworks with respect to channelling their humanitarian funding." Therefore, the "diversity in donorship" is respected. Another Member State proposes that GHD could be completed by a policy statement which could help Member States to "translate their commitment to the principles into practice". Another Member State suggests having an additional set of principles specific to the EU which would refer to GHD and "involving not only the Commission and the Member States, but also the broader humanitarian community." The added value of the Commission and Member States who are already complying with the GHD principles is underlined by one Member State that suggests that the Commission together with GHD-Member States

(especially the EU Presidency) should play an active role in promoting GHD in the other Member States.

NGOs are in favour of principles and good practices to govern humanitarian funding policy implemented in the framework of the GHD guidelines. The importance of homogeneity of implementation among donors is raised. One partner expresses disagreement with the GHD principles since they give a central role to the UN. The compliance with GHD is seen as a first step in mainstreaming procedures but practical coherence is one of the main concerns expressed by NGOs. In parallel to the GHD principles, it is argued that some mechanisms should be developed to put the principles into practice.

Some NGOs underline the absence of consistency of the donors and stress the importance of mainstreaming donors' procedures. One partner points out the difficulties to deal with all kind of principles, rules and control processes coming from different European donors and stresses the absence of cohesion and cooperation between the donors.

The UN encourages Member States and the Commission to comply with GHD principles. Special focus is made on the "streamlining of reporting requirements, commitment to flexibility and predictability of funding, needs-based resource allocation, and capacity building and dialogue".

Issue 4: Emergency Response Policy

Question 6: balance of quality and speed

Do stakeholders consider that in the context of sudden-onset disasters the current balance of the Community's emergency response between a needs-based approach and the ability to react rapidly needs to be changed in favour of either greater quality, or greater speed?

| | Member States | Partners |
|---|---------------|----------|
| greater quality required | 9% | 48% |
| Current balance is correct | 59% | 20% |
| greater speed required | 18% | 32% |
| No comments or outspoken opinion | 14% | |

- Member States responses are to a larger extent (59%) than partners (20%) stating that the current balance is correct.
- Partners vary widely in opinions on whether the current balance of emergency response between a needs-based approach and the ability to react rapidly needs to be changed in favour of quality or speed.

Member States agree that the balance is about right between speed and quality. One Member State argues that the ceiling for primary emergency decisions should be raised. Many argue for coordinated needs assessments (preferably by the UN), taking

into account local capacities. The UN should develop and improve the quality of its flash appeals, and – if improved - the Commission should, according to one Member State, move towards funding within the appeals rather than requiring Commission specific proposals.

Some partners argue that quality and speed go hand in hand, others state that at the sudden onset of crises speed is more important and that quality comes later. Yet others argue that more emphasis should be given to quality, arguing that initial life-saving actions are taken mostly by locals in the area so outside help should be of quality; preparedness and training could reduce the effects of disasters; and coordination locally before and at the onset would also improve quality. It is thus argued that more should be done before the onset of crises including capacity building of local actors/governments. The EU should better monitor natural disasters and plan responses, bolster local capabilities providing rapid needs assessments and encourage disaster preparedness planning (contribute to their costs). Disaster Risk Reduction and DIPECHO exist but they are lacking in scope and geographic focus. Partners have on occasions had to use private funds to pre-finance programmes. By others a long presence of DG ECHO partners on the ground is seen as an advantage. DG ECHO needed to offer increased responsiveness and flexibility in the earliest phase of a crises, greater resources to support needs assessments and analysis in general and greater support to ensure more extensive learning from one crisis to improve responses to the next.

The UN points out that time and speed are important in natural disasters. They require logistics, early co-ordination (local and international), stand-by structures (UNDAC). Long-term investment needed in preparedness activities (CERF). EU/the Commission should support such mechanisms. Quality means good coordination and it should be in place before the onset of a crisis. Strengthening of local protection networks is considered important.

Issue 5: Scope of HA in relation to Crisis Management and ESDP

Question 7: framework between humanitarian and military actors

Should the EU establish a consolidated and coherent policy framework governing the relationship between humanitarian and military actors, and, if so, should it be based on international best practice?

| | Member States | Partners |
|---|---------------|------------|
| Yes | 59% | 67% |
| <i>Taking into account Oslo and MCDA guidelines</i> | 32% | 43% |
| No, (existing guidelines are sufficient) | 41% | 31% |
| no comments or firm opinion | | 2% |

- Member States and partners argue that the EU should establish a consolidated and coherent policy framework governing the relationship between humanitarian and military actors.

There is a consensus with Member States (59%) and partners (67%) towards the establishment of a consolidated and coherent policy framework by the EU which would govern the relationship between humanitarian and military actors. It would be regarded as a major step forward towards a clarification of roles within the relationship between humanitarian and military actors. The "Oslo guidelines" on the Use of Military and Civil Defence Assets in Disaster Relief and the "MCDA guidelines" on the Use of Military and Civil Defence Assets in Complex Emergencies are considered as the guiding principles of reference in term of defining mandates and responsibilities within the humanitarian community in relation to military and civil actors. The UN argues that existing guidelines are sufficient and should be promoted instead of adding a specific EU policy framework. The creation of new frameworks could create more obstacles than facilitate cooperation.

59% of the Member States underline the usefulness of an EU consolidated and coherent policy framework. Half of these argue it should be based on Oslo and MCDA guidelines. According to 9 Member States, the Oslo and MCDA guidelines provide already enough guidance and there is no added value of an EU policy framework, even though the EU could work towards implementation and advocacy of these guidelines.

Most NGOs are in favour of a coherent EU policy framework and state this should take into account Oslo and MCDA guidelines. NGOs argue that an EU policy framework should ensure the respect of humanitarian principles of impartiality and independence, ensure humanitarian aid not to be subordinate to (foreign) political considerations, be sufficiently nuanced as to take into account the context of different crises. A top line EU framework is important provided it reinforces the separation of humanitarian assistance from military interventions and does not compromise the distinction between military and humanitarian actors. A focus on establishing the use of military assets on needs and not on availability is necessary. The UN encourages the Commission and Member States to help facilitate compliance with and implementation of the existing guidelines, as well as actively and collectively advocate their use among other relevant actors, instead of creating parallel frameworks. Systematic awareness raising and dissemination of the existing documents and guidelines is also needed within the EC and Member States.

Issue 6: Scope of Humanitarian Aid in Relation to Disaster Reduction and Transitional Contexts

Question 8: LRRD guidelines

Should the EU develop policy guidelines regarding LRRD that recognise the need for a flexible transitional approach?

| | Member States | Partners |
|--|---------------|------------|
| Yes | 82% | 99% |
| <i>... by more and better funding mechanisms</i> | 5% | 63% |
| no comments or firm opinion | 9% | 1% |
| No | 5% | |

- Member States (82%) and partners (99%) argue that the EU should develop policy guidelines regarding LRRD that recognise the need for a flexible transitional approach.
- According to partners, this policy should mainly focus on funding and funding mechanisms, which need to be adapted to LRRD. Member States do not emphasise the need for funding mechanisms.
- Guidelines should allow for flexibility and variety of cases and be field-oriented.

There is a clear consensus that the EU should develop policy guidelines on LRRD that recognise the need for a flexible transitional approach.

A majority (82%) of Member States agree that the EU should develop policy guidelines on LRRD. A specific point was made by one Member State that put forward the importance of LRRD and its impact on diminishing tension between refugees and people from the host country. Another Member State argues that further work should be derived from the outcome of the Council Conclusions on LRRD adopted by the Development Council on 31 May 2001 where the Commission has been assigned the objective of filling the gap in LRRD.

Partners stress a lack of funding mechanisms adapted to LRRD. Policy guidelines alone are not sufficient. Some are sceptical on the necessity of having EU policy guidelines on LRRD. The growing interaction between emergency and development had elicited various comments and concrete proposals. A flexible approach is considered as a more adapted way to better respond to the need explaining that a plurality of approaches is a must. Others underline that a stronger field orientated decision-making would enable the EU to tackle in an efficient way the constantly increasing complexity of crises. Most NGOs would like policy guidelines to include specific funding instruments to respond to the need during the phase between humanitarian aid and development.

The UN is in favour of a more systematic and structured discussion towards policy guidelines on LRRD. This should take into account existing initiatives and mechanisms such as the Early Recovery Cluster Group of the IASC and the UN Development Working Group on Transition Issues. Other partners have experience that it has proven difficult to translate practically in the field the LRRD concept.

Question 9 – Disaster Reduction and Mitigation

Should the EU develop a common policy framework on Disaster Reduction and Mitigation Strategies?

| | Member States | Partners |
|---|---------------|------------|
| Yes | 86% | 99% |
| <i>...taking into account the Hyogo Framework of Action</i> | <i>41%</i> | <i>74%</i> |
| No comments or firm opinion | | 1% |

| | | |
|----|-----|--|
| No | 14% | |
|----|-----|--|

- According to Member States (86%) and partners (99%), The EU should develop a common policy framework on Disaster Reduction and Mitigation Strategies.
- The Hyogo Framework of Action should be taken into account when developing this policy framework.
- DRR should be mainstreamed in LRRD.
- An inventory of available tools is needed including HFA as well as further training.

The expressed need for an EU common policy framework underlines the importance of disaster reduction and mitigation in humanitarian assistance and development aid. Moreover, many respondents put forward the necessity of defining a policy in line with the Hyogo Framework for Action international commitments. A significant number of contributors underline that a common policy framework should not be developed apart from other aid sectors.

The majority of Member States is in favour of an EU policy framework on DRR. A comment was made to propose that the policy framework would commit Member States "to invest a proportion of their humanitarian or development budget in DRR".

One NGO argues that LRRD and DRR are "intrinsically linked and the flexible transitional approach to LRRD should sit within a common policy framework on DRR". Some partners question the relevance of such a policy framework. The emphasis on the practical aspects of DRR implementation is also made by some contributors who argue that a common policy is needed. A participatory and holistic EU DRR approach is suggested to take into account the multitude of approaches to DRR and to support in an efficient way its implementation. Some partners welcome an EU initiative on DRR but point to the need to take into account disaster preparedness at local level as well as climate change adaptation by a practical approach which includes quality control criteria.

The UN argues that an EU DRR and Mitigation Strategies policy framework should be framed in connection with development as well as emergency responses. It should reinforce the link between relief and development and ensure "that risk reduction measures and funding in their support are part and parcel of both humanitarian and development agendas".

Issue 7: Policy coherence – sectoral policies

Question 10 – Sectoral Policies

Should the Member States and the Commission strive to develop at an EU level a standard body of sectoral policy guidance for the delivery of humanitarian aid, based on international best practice?

| | Member States | Partners |
|---|---------------|----------|
| Yes, Some work could be done, limited to some areas (gaps, sharing of practices, funding policy, etc.) | 59% | 53% |
| no | 41% | 30% |
| no comments or firm opinion | | 17% |

- Respondents vary in opinions on the extent to which EU Member States and the Commission should strive to develop at EU level a standard body of sectoral policy guidance for the delivery of humanitarian aid. Most agree that some work should be done - emphasising international guidelines and standards and DG ECHO's funding policy, as well as making inventories of what is already happening.
- Policy guidelines on funding decisions are considered relevant

Some consensus exists that EC/Member States could develop sectoral policies, be it limited to identified gaps and sharing of practices, guidelines, etc. The EU should work and possibly sponsor and participate in developing already existing international ones (Sphere, Red Cross, UN, clusters etc) to be adopted by at EU level.

A majority of Member States (59%) argue in favour of some action regarding the development of sectoral policies as the main goal - to raise efficiency of the whole system of delivery of humanitarian aid - would be better reached. Arguments in favour include a contribution to clarity and transparency, offering orientation to other humanitarian donors as well as improving aid. It would also allow for better understanding of sectoral aspects of humanitarian aid, as The Commission and Member States would have policy guidelines based on sectoral expertise/best practice at their disposal

Other Member States point to existing international standards (Sphere, Red Cross, UN, clusters etc.) which should be supported and possibly further developed. The cluster-approach is essential in this. One Member State argues that aid is rarely delivered directly by EU Member States and the Commission and guidance would be more useful in deciding and choosing for funding such work. Others recommend the Commission and Member States to engage in discussions to discover and share sectoral best practice of various kinds and to decide on further steps for action. One Member State argues to look at areas of consensus and to develop policies from there.

Most Member States who argued against sectoral policies (41%) emphasised that there should be no difference between EU and international standards and that the UN should have a central role in coordinating policies and setting policy guidance for the delivery of humanitarian aid. A duplication of existing structures should be avoided and international fora for policy dialogue should be used. Hesitations exist to add bureaucracy and policies which would possibly interfere with guaranteeing the flexibility at the heart of humanitarian response.

A large majority of NGOs argue that the EU should endorse and contribute to existing policy standards. If the EU can ensure that the cluster approach is working, groups will produce guidelines that are not UN-specific, but reflect international good practices – including those developed by European donors and NGOs – enhancing consistency. Narrow sector guidelines present certain disadvantages. They could be a limiting factor on coordination and integration between different sectors and risk neglecting cross-cutting issues, i.e. needs and rights of children which need to be considered in all sectoral programmes. SPHERE possibly to be expanded to child protection and education. NGOs argue that aid allocation criteria with clear, transparent procedures must be established. Some groups would welcome a standard body for example if guidelines are required for sectors not included in existing international standards and practices (Sphere, Red Cross, UN, Clusters etc). To better focus their operations the Commission/Member States could develop standard framework based on international best practice.

The UN recognizes that well-coordinated sectoral policies and practises are essential to an effective humanitarian response. The Commission/Member States could do more to identify, share best practices, help contribute to the establishment of and adherence to international agreed common guidelines and standards of performance and accountability as well as helping bolster the efforts of the global clusters. Cluster objective is to develop agreed policy guidance and standards for aid delivery across sectors. The cluster approach has evolved beyond the UN as many clusters include NGOs as equal partners in setting policy and standards. UN counts on the EU to collaborate to ensure greater coherence across the spectrum of humanitarian actors.

Others argue that different humanitarian organisations have their own sectoral strategies based on their policy framework and that different organisation's sector policies may offer comparative advantages in different situations. The Commission could map existing instruments and identify established best practice and identify gaps and constraints and pursue measures to address these in consultation with key international actors. The Commission and EU/Member States could use their influence and resources to further develop and disseminate existing standards.

How to deliver humanitarian Aid – partners, delivery modalities

Issue 8: Partnership and Professionalism

Question 11: diversity of partners

Should the European Union's Member States and the Commission maintain the financing of a large diversity of partners (Member States' specialised agencies, UN and Red Cross/Red Crescent families and NGOs) that implement the European Union's humanitarian aid?

| | Member States | Partners |
|--------------------------------------|---------------|----------|
| yes | 59% | 68% |
| Yes, but following strict conditions | 41% | 32% |

- Member States and partners agree that the EU should maintain the financing of a large diversity of partners.
- This diversity has many advantages (technical, geographically, etc.).
- The financing should be based on conditions to ensure professionalism (FPA)
- The UN reform and cluster approach should ensure NGOs are included in the process.

All agree on the benefits of diversity, while some give explicit conditions to this diversity. Diversity has many advantages. However, it is important to make sure that all partners work in a professional way and adhere to humanitarian principles, effectiveness, quality etc.

Some Member States argue that diversity is important but that partners have to show professionalism and there should be a proper quality monitoring. Some welcome DG ECHO's field structure, even though this should not result in an unduly bureaucratic set-up. Diversity of partners adds a variety of special skills and assets. NGOs and Member States specialised agencies have proven to provide aid more efficiently and cheaply than the UN according to two Member States. Some consolidation of the number of partners would be welcome. Experienced partners could be trusted more. The EU should involve local actors more. One Member State argues that "a large diversity of partners is not a primary end in itself. Any movement should rather go towards a smaller number of actors in the NGO sector." The same Member State strongly questions the policy that all DG ECHO partners need to be European-based.

According to partners, there are comparative advantages with local partners who have local knowledge of regions, access to population, networks etc. There has to be a more equal distribution of funds. Another problem was that the UN reform tended to gather everything around its own organisation. The reform so far has led only to adding layers of bureaucracy, rather than leading to independent and flexible humanitarian response. In 2006 it was each time harder to obtain swift/concrete donor support to mount effective first-phase responses. Diversity benefits from

different angles but should not come at the cost of quality and partners have to adhere to humanitarian principles, neutrality and impartiality.

Member States specialised agencies are a concern for some partners who believe that these agencies were following a political agenda. The requirements of the current FPA process should be maintained and used as a tool to ensure the on-going professionalism of its humanitarian partners. Strong relationship EU/partners rather than increasing number of partners and it should be coordinated. The EU should counter tendencies to "nationalise" or "militarise" humanitarian aid. Projects generally implemented quicker and more cost-effectively by INGOs than by UN agencies. UN reform is attempting to develop everything around the UN (clusters etc) and it does not serve to maintain a range of diverse and independent actors.

The UN argues that the EC should take a greater role in participating in development of common strategic directions, and moving the relationship from one of donor/implementing partner to one of partnership with the UN and other humanitarian actors. Financing could be a natural consequence of this process. Financing to a variety of actors/programmes maximizes impact of humanitarian aid. Success depended on coordination of partner activities, complementary funding not resulting in competition over funds. EU/Member States should reinforce coordination and encourage stronger participation of NGOs in existing coordination systems and clusters.

Question 12: capacity building

Should the Commission continue to finance partner capacity building and should local NGO "partners of partners" also be able to benefit from this?

| | Member States | Partners |
|--------------------------------------|---------------|----------|
| Yes, including local NGOs | 82% | 97% |
| Yes, but excluding local NGOs | 18% | |
| no comments or firm opinion | | 2% |

- DG ECHO should (indirectly or directly) finance partner's capacity building including local 'partners of partners' for their local expertise and availability and for LRRD.
- Building up local partners' capacity is crucial for disaster mitigation and preparedness.
- Member States responses differ slightly from partners' responses to the extent to which local partners should be included in capacity building.

According to Member States, the prime objective should be the achievement of high standards of professionalism and cost-efficiency from which local NGOs could benefit. Local NGOs contribute to efficient implementation with local knowledge of security, areas and overall local conditions. The reinforcement of local NGOs is crucial since they are present at the outbreak of crises. Some argue that capacity building should be done through the FPA partners, otherwise there would be a too

large dispersion of funds and yet other Member States say partners should take their own responsibility for capacity building. Two Member States argue in favour of capacity building through some degree of core funding, where local partners should benefit where relevant and appropriate.

A large majority of partners (97%) is of the opinion that capacity building gives added value and benefits, also for local NGOs. Local NGO's have local knowledge of regions, populations, authorities, networks, access to local groups, etc. It promotes sustainability since they are there at the onset of crises and there after a crises. Many partners already have working relationships with local NGOs. It is also valuable when linking humanitarian aid to LRRD.

Local partners on the ground have local knowledge prior to the onset of an emergency and stay after the initial phase for the transition of LRRD and DG ECHO should incorporate them in order to develop their capacities to respond to local humanitarian situations. Local NGOs should be able to benefit from capacity building through the FPA partners or directly from DG ECHO. Capacity building of local NGO partners would contribute to project sustainability, promoted mitigation and disaster preparedness and had a positive impact on strengthening LRRD. Working with local partners promoted sustainability, contributed to tailor-made approaches, better access to affected groups etc. Local actors should be a priority particularly in disaster-prone countries.

The UN argues that the international community has a responsibility to support local partners. Experience showed that it was the best way to most effective and rapid response. However, it should be done in consultation with INGOs and UN to ensure professionalism. EU has to ensure accountability for funds. DIPECHO-like actions bringing together regional/local networks were a good way forward. It was important for DG ECHO partners to be able to rely on good local implementing partners and collaborators in the field. Therefore local NGOs should also benefit from funding of capacity building as they are on the first line when a disaster occurs.

Issue 9: Direct and Indirect Aid Delivery

Question 13: response capacity needs

Should the Commission through DG ECHO explore further ways and means to fill specific response capacity needs and gaps to complement the overall humanitarian capacity, and if so, which needs should be addressed as a matter of priority?

| | Member States | Partners |
|---|---------------|----------|
| Yes, new initiatives | 32% | 8% |
| Yes, focusing exclusively on strengthening existing capacity | 36% | 72% |
| no | 27% | 17% |
| no comments or firm opinion | 5% | 3% |

- Member States are divided over the need and modality to fill specific response capacity needs by DG ECHO.
- Partners argue that the Commission / DG ECHO should focus on strengthening existing response capacities rather than exploring new initiatives to fill specific response capacity needs and gaps to complement the overall humanitarian capacity.
- Capacity of DG ECHO experts in the field needs to be strengthened.

Member States argue that DG ECHO should strengthen its existing response capacities such as capacity building of its network of experts in the field offices or reinforcement of its transport service to aid agencies. A possible role for DG ECHO expert teams mentioned by one Member State is ensuring appropriate EU input to international co-ordination led by the UN. Identification of humanitarian gaps should be addressed by a better coordination and cooperation with other actors. Member States being in favour of increasing DG ECHO capacity to provide direct aid also argue that this should be done cautiously depending on the crisis and in the framework of DG ECHO's competences. Main priorities for DG ECHO would be coordination with different actors and needs assessments.

There is a consensus with partners that DG ECHO should strengthen existing activities rather than introduce new initiatives to complement the overall humanitarian capacity. One of the most recurrent reinforcements addressed is capacity building of DG ECHO expert teams in the field. The coordinating and information functions of DG ECHO are highlighted in different contributions. NGOs argue that DG ECHO should not become operational but focus on being a responsible donor. Any need or gap could be directly addressed by its humanitarian partners who would rather need capacity building. DG ECHO should still maintain its existing direct engagement restricted to specific needs but, its expert teams in the field could be reinforced mainly to undertake joint assessments with partners and link with local stakeholders. Some NGOs specified that DG ECHO field staff could strengthen links with local stakeholders to be more aware of the functioning of the local response system in case of disasters.

The UN identifies the existing humanitarian operational agencies as best placed to fill specific response capacity needs and gaps. The function of DG ECHO should remain to support current humanitarian reform initiatives by developing and coordinating with Member States humanitarian funding and policy decisions. However, the UN encourages DG ECHO to participate in emergency rosters.

Issue 10: Contributing to the Strengthening of the International Humanitarian System

Question 14: targets for humanitarian financing

In order to address the perennial shortfall of humanitarian funds, should the EU promote the idea of establishing international targets for humanitarian financing and greater participation of non-traditional donors?

| | Member States | Partners |
|--|---------------|----------|
| yes | 32% | 22% |
| Targets are an option, but other actions might also be (/ more) useful | | 57% |
| no | 64% | 19% |
| no comments or firm opinion | 5% | 2% |

- Greater participation of non-traditional donors should be promoted, these should be sensitised on GHD and humanitarian principles.
- While Member States are against setting targets, most of the partners agree on the idea of establishing international targets for humanitarian financing. Different opinions exist on the usefulness and many consider other actions more useful to address the shortfall of humanitarian funds.
- Humanitarian aid funding should be needs-based and therefore international targets are not necessarily the best and only solution.

While some Member States are in favour of promoting international targets for humanitarian aid, and argue that targets should consist of a percentage of national or ODA development funds, most Member States would rather insist on an active promotion of GHD principles. Member States recognise the need to have a more active participation of non-traditional donors along with the development of a dialogue on GHD principles.

Although partners expressed different positions on setting new international targets, most of them agreed it could be useful to have additional targets. Humanitarian funding should follow a needs-based approach and it was essential to consider the unpredictability of humanitarian crises, disasters or conflicts which implied an important need for flexibility. Almost all respondents recognised that non-traditional donors should be more involved but many specified that their participation should include a compliance with international conventions especially with GHD principles. Most NGOs recognise the utility of having international targets; however these should be structured to deal with the unpredictability of humanitarian emergencies. The NGOs not in favour of such targets argued that more efforts should be made toward sustainable solutions and an improved delivery of aid.

The UN highlights the need to generate the necessary political will that could suggest a peer-to-peer driven process. An important role of the EU would be, on the one hand, to strengthen mechanisms to which financial commitments can be made - like

the CERF - and on the other hand could be instrumental to find mechanisms through which non-traditional donors can participate. Other partners argue that instead of setting additional international targets, the EU should promote the achievement of existing unmet targets. The EU should also focus on a better use of humanitarian funds and addressing forgotten crises and unmet needs.

Question 15: reinforcing international reform

What could the European Union do to further reinforce ongoing international reform efforts and should it take specific initiatives in this respect?

| | Member States | Partners |
|---|---------------|----------|
| Yes, Some more action could be taken | 82% | 80% |
| No, continue as it is doing | 18% | 20% |

- The EU could take further action to reinforce ongoing international reform efforts (82%). Many initiatives have been proposed for this purpose, such as:
- Ensure inclusion of humanitarian actors and NGOs
- Strengthen diversity, transparency and accountability of the reform
- Support for the cluster approach and other coordination efforts
- Provide financial support for the cluster approach

Almost all respondents are in favour of the EU taking further initiatives to reinforce the ongoing international reform processes. The EU had an important role to play in support of the reform system and in particular the cluster approach, notably by improving participation of non-UN actors. In fact many respondents highlighted that the reform process should be more inclusive, especially concerning NGOs.

A large majority of Member States agree that the EU should take further initiatives, in addition to the existing initiatives, to reinforce ongoing international reform. The issues addressed in this respect concern mainly a reinforced support of the EU to humanitarian and UN coordination and the cluster approach. Some Member States recommend that the EU should speak with a common voice to express its position on the reform of the humanitarian system. Three Member States mention that Member States should regularly be informed on up-dates concerning key elements of the reform.

The main concern of NGOs relates in particular to the cluster approach and a lack of involvement of other main actors. The process is qualified as too focused on the UN and not being inclusive enough towards notably NGOs and local organisations. Therefore, the EU should take further initiatives to strengthen inclusiveness, diversity but also transparency and accountability of the ongoing reform.

Many NGOs agree that a genuine reform needs to be broader and more inclusive. The EU could reinforce efforts to improve inclusion in the newly devised clusters, not only of large international NGOs, but also of national and local NGOs.

Furthermore, the EU should promote consistency and coherence in the UN reform process; encourage a more partnership-based approach between the UN and its operational partners and perform a ‘humanitarian advocate’ role in the reform debates regarding coordination. NGOs express a concern of a potential monopolisation by the UN, especially relating to channelling funds through the CERF, and a delegation of funding to specific UN-agencies for grant management. The EU should ensure that a significant proportion of the EU humanitarian budget for crises is allocated directly to NGOs, and work with other donors, to ensure adequate funding is available to allow the independent action of northern and southern NGOs. The cluster approach could lead to a small number of large agencies commandeering the agenda, crowding out other smaller agencies. The EU should ensure there will be no adverse affects on any one of the accepted three pillars of humanitarian response. More specifically, donors, including DG ECHO and Member States, should call for an amendment to the rules of the CERF to allow NGOs to have direct access to the funds in both rapid-onset disasters and forgotten emergencies.

The UN recognises the important role the EU can play in the process of international reform (important advocacy and policy role, ensuring the necessary financial support to humanitarian agencies). The EU was also well-placed to promote the participation of NGOs in the humanitarian reform effort.

Other partners argue that the EU should pursue the implementation of the recommendations of the 2005 Humanitarian Response Review, also through the Member States.

Question 16: EU pre-positioning

What are the advantages of developing a self-standing EU capacity in the pre-positioning of stocks, logistics and transport as opposed to EU support for a reinforcement of international capacities and how can the EU ensure the overall coherence of its policy in this area?

| | Member States | Partners |
|---|---------------|----------|
| No real advantage, but EU could support existing mechanisms | 59% | 92% |
| There is a real advantage | 18% | 4% |
| No advantage at all | 18% | |
| No comments or firm opinion | 5% | 4% |

- 92% of partners and 59% of Member States argue that there is no real advantage of developing a self-standing EU capacity.
- Member States are more split on the possible advantages of pre-positioning by the EU.
- EU should support a reinforcement of international existing capacities and reinforce local and regional capacities in countries prone to natural disasters in the context of DP and mitigation.

- The Humanitarian Community is now better sharing resources thanks to the cluster approach. Apart from coordination, up scaling is needed and multi-year funding would be helpful, as well as access by NGOs

A consensus exists among stakeholders that the EU should not build up a self-standing capacity in the area of pre-positioning, logistics and transport capacities. The only advantage seen by many organisations is in terms of visibility, and then mainly vis-à-vis EU citizens. This would however be at a price of higher costs and inefficiency. While some respondents consider the EU could have a real advantage, most see this advantage as very limited or counterproductive and argue for building up and supporting international and local capacities in these areas instead. Policy coherence would follow from the support of existing mechanisms and / or should also be assured by regulations following the Treaty.

Most Member States argue that – as concerns actions outside the EU - capacities already provided by UN, EU Member States and others should be supported. The EU could play a useful role in reinforcing these by supporting internationally agreed standards and good practices and by cooperating internationally to enhance coherence in responses. Some Member States argue that developing an EU capacity would be a clear disadvantage. One Member State argues that further efforts should be made to maximize capacity use of Member States capacities through a modular approach and to explore establishing a central air transport brokerage function within the Commission. Other Member States argue that it would have strong advantages, however complementary to rather than duplication of existing mechanisms. One Member State argues the set-up of a regional intervention pool which should be part of a global force under UN mandate (Force d'Intervention Rapide Européenne, FIRE – already operational with some Member States).

Most NGOs state that there are no real advantages in building up such a capacity and argue that EU should rather support and build up existing capacities and reinforce local and regional capacities in the countries prone to natural disasters in the context of DP and mitigation. It was crucial to assure access to and control over the use of assets without complicated procedures. To ensure overall coherence, the principles of subsidiary, privileging regional markets and sensitivity (food aid) should be respected.

The UN agrees that there is no real advantage. Some Member States already cooperate with UN (UNHRD Humanitarian Response Depots) to reinforce existing stocks. The UN pleads for linking between EU SALIS with UNHAS (Humanitarian Air Service) to obtain more favourable conditions and to facilitate export and transit procedures. Also a Model Customs Facilitation Agreement with the EU is requested and further support to UN Joint Logistics Centres. Furthermore, the UN Central Register should be synchronized with the EU, including assets list to serve clusters for coordination of assets mobilisation and stockpiling. The EU could harmonise its own dbases with the Central Register and ask Member States to update.

Who Delivers Humanitarian Aid – Actors and Coordination

Issue 11: Coordination and Complementarity at EU level

Question 17 – Coordination

Should the European Commission and EU Member States strive to coordinate their humanitarian aid programmes more closely in the EU context with a view to increasing complementarity and coherence and if so, what are the priorities?

| | Member States | Partners |
|--|---------------|----------|
| Yes, more coordination is necessary | 100% | 97% |
| No comments or firm opinion | | 3% |

- There should be more coordination at EU level of humanitarian aid programmes.
- Priorities mentioned include 'pre-coordination' of EU positions; information sharing; appropriate fora (e.g. Council Working Groups) to discuss humanitarian policy issues; to strengthen collective strategic planning; improve Monitoring and Evaluation; adoption of GHD; coordination at field level; harmonisation of administrative procedures.

All Member States consider more EU coordination important. EU coordination should feed into UN coordination. Coordination meetings and information sharing is mentioned by almost all. While some information sharing takes place (for instance the '14 points' system about humanitarian operations) within the EU, more and better use of the appropriate Committees to discuss humanitarian policy issues is preferred. One Member State argues for setting up field coordination structures. Another argues that the mutual reinforcement between the Member States and the EC is important and that leadership in crisis countries should be taken by the most competent in the place, either a Member State or the EC Delegation. Another Member State argues that further coordination is critical either under EU or GHD with the objective to improve effectiveness and coherence and to strengthen collective strategic planning; improve Monitoring and Evaluation; Reduce transaction costs and increase effectiveness of donor advocacy to protect civilians. One Member State is sceptical about further EU coordination and argues that donor coordination fora could be used, as well as the GHD framework. Regular informal donor dialogue at the country level should be supported.

97% of partners agree that the EC and Member States should coordinate more. Priorities mentioned also include advocacy to protect civilians and joint reporting (to reduce transaction costs). NGOs agree that more coordination should be strived for, as long as it benefits flexibility, diversity and sustainability of aid. Coordination should be seen as a way of improving the delivery of assistance to beneficiaries - not as an end in itself. Priorities include shared risk analysis, geographic and sectoral coverage, partner preparedness capacities and LRRD. Coordination should ensure close alignment of Member States funding allocations according to needs and harmonization of administrative procedures. It should not act as brakes to national HA (risk for funding forgotten crises). NGOs agree that coordination will get more

difficult now that non-traditional donors come on board and plead that allocation of funds should be according to need and efforts to coordinate within EU in context of the UN coordination and the EU should strive towards improving overall coordination instead of specific EU coordination; development of Member States humanitarian focal points and to implement reforms that would make a real improvement (GHD). It is argued that the EC should coordinate and assess where MS can add value to its actions.

The UN favours stronger EU coordination. EC could play leadership role in harmonizing policies and coordinating funding at European level. Coordination should be done at field level, but also the HAC should be used. Others mention respect of HA principles, quality and speed and needs based interventions; needs of affected people; and the inclusion of all stakeholders; including Community Based Organizations and NGOs. Recommendations are to have closer 'internal' coordination of HA programmes from EC and Member States; to harmonize financial, audit and evaluation procedures of Member States and EC; and to make use of existing international and national coordination mechanisms.

Issue 12: Coordination with other EU actors in humanitarian relief

Question 18 – Humanitarian aid and civil protection

Should the European Union strive to coordinate more closely the interaction between humanitarian aid and civil protection on the basis of a common understanding of mandates and roles, or should the European Union strive to combine all humanitarian aid-related policies and activities in a more integrated and coherent fashion?

| | Member States | Partners |
|---|---------------|----------|
| coordinate | 45% | 92% |
| both coordinate and / or combine | 55% | 1% |
| no coordination, nor combination | | 3% |
| no comments or firm opinion | | 4% |

- While 92% of partners argue that the EU should strive to coordinate more closely the interaction between humanitarian aid and civil protection; 55% of Member States argue for a combination of the two.
- Oslo and MCDA guidelines to be taken into account.
- Because of the different principles of Civil Protection and Humanitarian Aid, any attempt to coordinate should be to prevent a 'blurring' of the humanitarian space.

All Member States agree that a clear(er) definition of roles on CP and HA is needed. Member States show however some diversity with regard to coordination and combination of the two: half are in favour of stronger coordination and half argue in favour of far-reaching coordination and / or combination, sometimes formulated as a longer term goal. Many Member States refer to the Barnier report where a single

service is proposed with the primary responsibility of the Community's response to disasters . One Member State pleads for regular meetings at Council level and to continue and improve EU-level Crisis Coordination Arrangements to prepare agreed situation reports and responses of EU institutions, Member States and other key players. Another Member State refers to a recommendation of the European Court of Auditors to clarify roles and mandates to be implemented and not to use or allow two instruments for same purpose.

A strong consensus exists among partners to coordinate more between Humanitarian Aid and Civil Protection actors. Some NGOs argue that – because of the different principles followed by the two, any attempt to coordinate more closely or combine would lead to a ‘blurring’ of the humanitarian space and risks for those involved. The EU should ensure that all actors subscribe fully to the humanitarian principles, operate under the Oslo and MCDA guidelines and are given clear mandates and roles which should link up in a coherent manner with the overall Community humanitarian response in order to avoid duplication and ensure consistency in line with needs assessments by DG ECHO and OCHA.

The UN argues for need for (reinforcement) close coordination and cooperation, however, recognizing that the approaches are different: HA should be independent; CP often of short duration and under control of national government. CP can play a role with logistics capabilities when HA capacities are not sufficient. Relate to existing guidelines (Oslo; MCDA, INSARAG, IASC on gender-based violence). There is a need for better understanding of the mandates, roles and capacities and the respective funding flows as well as on-the-ground coordination in line with internationally agreed methodology. Other partners argue that an increase of actors in humanitarian aid makes defending neutrality and independence more difficult, especially because of the blurring of lines between military and political endeavours on the one hand and humanitarian action on the other hand. More integration and better interaction between EU humanitarian aid and EU civil protection activities with respect of respective roles was required. EU resources should be used in the best way and avoid duplication to assist International organizations and / or governments.

ANNEX: OUTCOME OF PARTNER' ROUNDTABLE 22.02.2007

Partners' responses were discussed during a roundtable on 22 February 2007, where a total of 70 persons participated including UN agencies, IFRC/ICRC and NGOs (including NGOs from new Member States) and the German Presidency. Partners received in advance a DG ECHO non-paper with the analysis of their responses. Partners had the occasion to exchange views and discuss issues of (non) consensus. Overall, an open and frank discussion took place with high participation levels of all partners, indicating a high commitment of partners towards the Communication and Consultation. Following the meeting, the summary conclusions below were agreed upon:

Consensus

- Participants re-confirmed a consensus on the main issues of the questionnaire as stated in the report provided before the roundtable, above all the principles and values underpinning humanitarian aid, the advocacy of international humanitarian law, the protection of the humanitarian space and the usefulness of diversity in donorship and implementation.
- Overall, it is agreed that the level of ambition of the Communication (and the Commission) could be higher following the Roundtable and the consensus already achieved.

The Humanitarian Space is under pressure

- Concern is expressed about the instrumentalisation and politicisation of humanitarian aid, access, and the risk of exclusion.
- The EU is requested to act more forcefully on the protection of the humanitarian space, especially ensuring access and security which are becoming the main challenges for victims of humanitarian crises and humanitarian aid actors.
- The EU is requested to provide more advocacy for IHL and for the humanitarian principles and should do everything possible to prevent the "instrumentalisation / politisation" of humanitarian aid.
- Partners suggest that it should be possible to respond to a crisis in a more coordinated and timely manner with all (EU) actors around the table, ensuring that not just some, but all EU and EC instruments and mechanisms are considered to respond effectively to local needs.
- It would be useful if EC and EU could map the tools and mechanisms at its disposal to respond to a crisis.

The diversity of partners and actors needs to be ensured and included in the humanitarian reform

- As the EU is committed to a diversity of civilian actors in the humanitarian aid field, partners request DG ECHO and Member States to work on inclusiveness,

accountability, transparency and diversity of actors in the global humanitarian reform process.

- To ensure this diversity is maintained, earmarking is needed.
- It is important that DG ECHO works with professional partners, who work in accordance with the humanitarian principles. The FPA is considered as a good tool for ensuring professionalism.
- The necessity of capacity building and the further inclusion of NGOs (international and local) in the reform are emphasised.

Good Humanitarian Donorship

- Endorsement of GHD at EU level is requested.
- However, the EU should go further than this to ensure diversity of partners and, where possible, a stronger commitment to the principles and guidelines set out in GHD, including practical measures and an implementation agenda.
- This should be an inclusive agenda, including especially NGOs.

Partners' capacity building is considered crucial

- Partners argue that local capacity building is crucial as it ensures quality of aid (LRRD, Disaster Preparedness) and because local partners are on the ground and the first to act.
- Partners request that the Commission ensure that its disaster preparedness activities incorporate community-based measures which help to reduce a community's dependence on external assistance.
- Partners ask DG ECHO for a pro-active approach to further support partner's capacity building to the extent possible within the limits of its mandate.
- Partners' contribution to the cluster approach is highlighted: regional coordination is important for stand-by capacities and local partners should be included in coordination efforts.
- Partners request this issue to be further discussed

On coordination: partners argue for improved EU level coordination

- Partners plead for more and better EU coordination, as well as coherence and complementarity.
- This coordination should feed into other coordination mechanisms at international level (including IASC).
- Strongest needs felt in terms of GHD, military actors and civil protection.

Civil Protection and Humanitarian Aid

- Partners underline the importance of coordinating HA and CP activities and of developing a framework that respects the context
- CP only to be considered as a complementary / first days' action at the request of local authorities and by no means to replace humanitarian aid.
- All aid must be needs-driven, not resource-driven.
- CP activities should clearly be complementary to HA activities.
- Partners stress that respect of OSLO/MCDA guidelines should be advocated more strongly inside the EU to effectively protect the humanitarian space; everything should be done to prevent (further) blurring of the roles of HA and civil protection / military actors.
- Military and civil protection assets are state-owned and should only be used to fill gaps. HA has to be assured by civilian actors (non-state actors or international organisations with a humanitarian mandate).

Military and Humanitarian Aid Coordination

- Partners argue that the principle of "last resort" is being disregarded too often and stress that there is a lack of application of guidelines rather than a lack of guidelines.
- There is however the dilemma of a political agenda versus the field reality: is it moral to refuse assets and support because of not following the principles when HA cannot be provided with effectiveness (specific assets needed to access beneficiaries)?
- The Commission was requested to provide an overview of guidelines and existing mechanisms.

Sectoral policy / guidelines

- Partners suggest that the following are examples of areas that would lend themselves to policy development: cash transfers, LRRD, mainstreaming DRR, disaster preparedness, innovative funding approaches, framework to govern humanitarian aid and military; frameworks to overcome political and economical obstacles to improve the quality of aid such as access to low price / quality medicines.
- Endorsement of existing guidelines by EU would benefit enforcement / application of guidelines.

International targets for Humanitarian Aid

- Partners stress that aid budgets should be increased depending on the needs and that the idea of minimum targets, especially in the contexts of transition, should be explored.
- Some partners argue for a specific allocation to reducing disaster risks.
- The EU should encourage non-traditional donors to better coordinate / integrate their aid efforts.
- DG ECHO and MS should formulate an approach to non-traditional donors.
- It is requested to investigate tax exemption for private sector donations.

Speed and quality are considered important by partners and should go hand in hand

- Quality should be regarded as part of LRRD / DP strengthening and capacity building is needed for this.
- The importance of regional capacity building and regional coordination is stressed.

Direct / indirect aid

- DG ECHO should focus on strengthening the capacities of its expert network as a resource for rapid reaction, needs assessments and coordination.

On LRRD and Disaster preparedness

- A separate roundtable on this issue took place on 20 February 2007. The main conclusions of this roundtable were:
- The main objective of mainstreaming DRR in humanitarian aid is the 'do-no-harm' principle and avoiding creating further risks by humanitarian aid actions.
- Partners commented that DG ECHO's activities in Disaster Preparedness such as advocacy, mainstreaming and the DIPECHO programme – are of crucial importance.
- It was especially requested that DG ECHO should engage more in advocacy towards other Commission Services;
- Partners argued that the Hyogo Framework for Action should guide all DG ECHO and Commission's DRR work and that humanitarian actors should play a role in areas of vulnerability analysis, relation building, advocacy and capacity building. DG ECHO should especially look into innovative approaches.
- Also, partners commented that disasters should not be the starting points for Disaster Risk Reduction activities; they should be seen as a component of sustainable development;

- More training and awareness is called for: both for DG ECHO and for partner organisations. Emphasis should be on what humanitarian donors can learn from communities;
- Finally, partners requested for improved information management: In the build up to disasters, a lot of information is often available but it is not always managed and utilised properly.