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8966/21

COHAFA 51  
DEVGEN 100  
ONU 50  
COVID-19 215  
COAFR 133  
MOG 44  
MAMA 85  
COASI 70  
COLAC 37  
COJUR 11  
PROCIV 61  
RELEX 455

#### OUTCOME OF PROCEEDINGS

From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	8725/21
No. Cion doc.:	COM(2021) 110 final
Subject:	Communication from the Commission to the European Parliament and the Council on the EU's humanitarian action: new challenges, same principles - Council Conclusions (20 May 2021)

Delegations will find in the annex the Council Conclusions on the Communication from the Commission to the European Parliament and the Council on the EU's humanitarian action: new challenges, same principles, adopted at the 3795<sup>th</sup> meeting of the Council on 20 May 2021.

**Council Conclusions**

**on the Communication from the Commission to the European Parliament and the Council  
on the EU's humanitarian action: new challenges, same principles**

1. The Council welcomes the timely Communication from the Commission to the European Parliament and the Council on the EU's humanitarian action, in view of the growing humanitarian challenges worldwide in terms of both funding and aid delivery. The Council expresses serious concern at the unprecedented scale of humanitarian needs, the shrinking of humanitarian space and the growing funding gap. The COVID-19 pandemic has significantly amplified the impact of conflicts, climate change, demographic pressures, forced displacement, failed or weak governance, and the growing number of breaches of international humanitarian law (IHL). All of these factors particularly affect populations in vulnerable situations.
2. The Council reaffirms the validity and relevance of the European Consensus on Humanitarian Aid, and reiterates the importance of the EU's humanitarian aid being provided on a needs-based approach and in line with the humanitarian principles of humanity, neutrality, impartiality and independence.
3. The Council highlights the essential coordinating role of the United Nations in responding to humanitarian crises, in the spirit of effective multilateralism and partnerships. It emphasises the importance of close cooperation with key partners, integrating international and local humanitarian NGOs and civil society, and recognizes the importance of the International Red Cross and Red Crescent Movement in the promotion and delivery of a principled humanitarian response.

4. The Council underlines that respect for IHL is a precondition for effective and efficient humanitarian aid in situations of armed conflict, for alleviating the suffering of affected populations and for ensuring their increased protection. The Council therefore stresses the importance of putting respect for and compliance with IHL consistently at the heart of the EU's external action – as expressed in the EU Guidelines on Promoting Compliance with International Humanitarian Law – as well as ensuring the protection of civilians and civilian infrastructure, supporting and promoting principled humanitarian action and safeguarding humanitarian space. The Council further emphasises the need to ensure safe and unimpeded access to populations in need, as well as the safety and security of humanitarian and healthcare workers. It supports further strengthening of the IHL compliance framework, in line with the Council Conclusions on Humanitarian Assistance and International Humanitarian Law adopted in November 2019. The Council encourages increased efforts to ensure, when appropriate, effective EU coordination on matters concerning IHL, both internally and externally, including better monitoring of IHL violations and condemnation of such acts, which includes attacks on civilians, humanitarian and medical workers, medical facilities and schools.
5. The Council underlines the urgent need to enhance global efforts to significantly increase the resource base for humanitarian action, as well as the importance of delivering humanitarian aid more efficiently with available resources. The Council encourages the Commission's and Member States' work towards securing additional humanitarian funding in order for the EU to maintain its leading role among global donors and to ensure a more sustainable and balanced sharing of humanitarian financing within the EU. The Council calls on potential and emerging donors to contribute in a principled way to the UN-coordinated humanitarian system. Moreover, the Council calls on the Commission and the High Representative to consistently include advocacy on support for principled humanitarian action in their dialogue with relevant third countries. The Council encourages Member States and the Commission to intensify dialogue with the UN system on prioritisation of humanitarian resources. The Council further welcomes work by Member States and the Commission to leverage additional principled funding from international financial institutions and the private sector, including through innovative financing approaches, based on a 'do no harm' approach.

6. The Council expresses its support for the use of multiannual and flexible funding arrangements with humanitarian partners. It welcomes the Commission's commitment to enhance such efforts and underlines the importance of providing quality funding, in line with the Grand Bargain. The Council encourages further use of innovative solutions and digital tools by humanitarian organisations to increase the effectiveness and impact of their response. The Council affirms the need for responsible and ethical data management in humanitarian contexts in respect with the 'do no harm' principle, including in all instances where digital solutions are used for humanitarian assistance.
7. The Council highlights the need to step up support for local and national actors, recognising their knowledge and experience as frontline responders that are in place before, during and after emergencies. It recalls the need for coordinated needs assessments that draw on the capacities of these local actors. The Council encourages greater investment in local NGOs, including local women-led and women's rights organisations, and the promotion of equitable partnering practices. The Council underlines the importance of strengthening, wherever appropriate, national response structures, networks and institutions, including but not limited to NGOs, faith-based and charity organisations, and their partners. It also emphasises the importance of the localisation agenda as a means of improving people's access to timely and appropriate services to tackle the needs of populations in emerging, protracted and forgotten crises.

8. The Council expresses deep concern about the consequences of climate change for humanitarian action, welcomes the work carried out for anticipatory humanitarian action and calls for its expansion. The Council affirms the need for risk assessment and analysis to inform humanitarian action and consistently complement a needs-based approach. Strengthening climate and environment actions and actors, in a humanitarian-development-peace nexus approach is essential to building and enhancing the resilience of vulnerable communities, in line with the new EU Strategy on Adaptation to Climate Change. The Council strongly supports the Communication's objective of integrating response to the negative impacts of climate change and environmental degradation into the design and delivery of humanitarian aid, as well as the commitment to support humanitarian partners' efforts to reduce their environmental footprint.
9. The Council affirms the need for a more consistent and effective implementation and operationalisation of the humanitarian-development-peace nexus approach. It underlines that the different actors involved must work in a coordinated way, while fully respecting humanitarian principles in the provision of humanitarian assistance and in full compliance with their respective mandates and objectives. This approach aims to move beyond short-term interventions and towards long-term development, promoting durable solutions that address the root causes of conflicts and protracted crises. The Council encourages joint analyses of needs and vulnerabilities, as well as joined-up planning and programming, as appropriate, of the EU's own policies and actions. The Council affirms the importance of a conflict-sensitive approach, so that external assistance does not exacerbate conflict and crises. The EU's agenda for progressing the nexus must build on and disseminate, inter alia, the experience of and lessons learned from its nexus pilot countries.

10. The Council welcomes the Commission's leadership in integrating education in emergencies, in particular for girls, as part of a humanitarian-development-peace nexus approach. The Council reaffirms its commitment to provide increasing funding to inclusive lifelong learning and safe, equitable, quality education and training at all levels in emergencies and crisis situations, in line with the Council Conclusions on Education in Emergencies and Protracted Crises adopted in November 2018. The Council also welcomes the Commission's commitment to continue to develop thematic policies in areas such as health, protection, gender, disability, food and nutrition – including school feeding – shelter, water, sanitation and hygiene (WASH), disaster preparedness and risk reduction, and aid delivery methods. The Council furthermore welcomes the inclusion of mental health and psychosocial support (MHPSS) and wellbeing in the Communication and encourages all EU humanitarian actors to structurally include these factors in their planning and programming.
11. The Council reaffirms that people are at the centre of the EU's humanitarian action, and stresses its commitment to meet the needs and protect the rights and dignity of persons affected by conflict and humanitarian crisis. A people-centred approach entails consideration for specific groups that face heightened risks including women, children and youth, older people, persons belonging to religious and ethnic minorities, persons with disabilities, forcibly displaced persons and refugees. The Council emphasises the need to promote meaningful and active participation by affected persons in decisions that affect them. The Council reaffirms the critical need to support people in the context of forced displacement, whether its causes are natural or man-made. The Council highlights the need for the international community to continue addressing the root causes of displacement and the needs of internally displaced persons and host communities, seeking to strengthen the protection and assistance provided and to facilitate durable solutions.

12. The Council reiterates its commitment to meet the needs and protect the rights of women and girls and to promote gender equality, and calls on all humanitarian actors to integrate this perspective in their interventions, also in line with the Women, Peace and Security agenda. The Council stresses the importance of meeting the protection needs of women, men, girls and boys, and calls on the Commission and Member States to actively work to reduce vulnerability and risk exposure, including by preventing and mitigating the effect of sexual and gender-based violence, exploitation and harmful practices.
13. The EU remains committed to the promotion, protection and fulfilment of all human rights and to the full and effective implementation of the Beijing Platform for Action and the Programme of Action of the International Conference on Population and Development (ICPD) and the outcomes of their review conferences and remains committed to sexual and reproductive health and rights (SRHR), in this context. Having that in mind, the EU reaffirms its commitment to the promotion, protection and fulfilment of the right of every individual to have full control over, and decide freely and responsibly on matters related to their sexuality and sexual and reproductive health, free from discrimination, coercion and violence. The EU further stresses the need for universal access to quality and affordable comprehensive sexual and reproductive health information, education, including comprehensive sexuality education, and health-care services.

14. The Council reaffirms its commitment to avoid and where unavoidable, mitigate to the maximum extent any potential unintended negative impacts of EU restrictive measures on principled humanitarian action. The Council reiterates that EU restrictive measures comply with all obligations under international law, in particular international human rights law, IHL and international refugee law. It underlines the importance of fully adhering to humanitarian principles and IHL in EU sanctions policy, including through the consistent inclusion of humanitarian exceptions in EU restrictive measures regimes where relevant, and by ensuring that an effective framework is in place for the use of such exceptions by humanitarian organisations. The Council acknowledges the need to provide further practical support and/or guidance to humanitarian organisations with regard to their rights and responsibilities in the different EU sanctions regimes and to continue promoting dialogue between all parties involved in humanitarian assistance. The Council will consider, whenever appropriate, including serious IHL violations as grounds for listing in EU sanctions regimes, while ensuring that any potential negative impacts on humanitarian activities are avoided.
15. The Council encourages the EU and Member States to strengthen cooperation and coordination, based on the ‘Team Europe’ approach, to ensure collective and coherent outcomes and a greater impact, thereby guaranteeing that the EU remains a leading partner. In the same spirit, the Council welcomes the proposal to develop a European Humanitarian Response Capacity to enhance the EU’s contribution to filling gaps in the humanitarian response on the basis of need, thereby enabling rapid delivery of humanitarian aid, in full coordination and without overlapping, with existing mechanisms. It encourages the Commission to consult with Member States in view of its setting up and ensure dialogue with the UN and relevant humanitarian partners.
16. The Council supports the EU’s engagement and essential role in humanitarian aid and continued dialogue with its Member States and humanitarian partners. The Council welcomes the Commission’s intention to organise a European Humanitarian Forum to promote a high level, strategic discussion on humanitarian issues, and sustained dialogue with its key partners from the UN system, international organisations, the International Red Cross and Red Crescent Movement, civil society and other donors.