



Partners in Humanitarian Aid
The FPA consultation as a model of EC partnership with NGOs

BRIEFING PAPER
Brussels, December 2004

Voluntary Organisations in Cooperation in Emergencies (VOICE) is a network representing 90 European NGOs active in humanitarian aid worldwide.

VOICE is the main NGO interlocutor with the EU for humanitarian affairs, including emergency aid, relief, rehabilitation and disaster preparedness.

*VOICE, December 2004
Drafted by Catelijne Mittendorff and Samantha Chaitkin*

*The opinions expressed in this paper
do not necessarily reflect the opinions of all VOICE members.*

Special thanks are due to all people interviewed for their invaluable contribution to this briefing, and to all the others who kindly gave their input.

CONTENTS:

<u>I. BACKGROUND</u> ...2	5. Participation, Information Sharing and Organisation
1. 'Partnership'	
2. The Framework Partnership Agreement	
3. The Consultation Process	
<u>II. THE FPA WATCH GROUP</u> ...6	<u>IV: OTHER FORMS OF PARTNERSHIP</u> ...15
1. Background and History	1. Operational Partnership
2. Genesis of the FPA Watch Group in 1999	2. Training
3. The Work of the Watch Group	3. Annual Partner Meeting
	4. Strategic Dialogue Meetings
	5. VOICE Partnership with ECHO
<u>III. CHALLENGES AND ACHIEVEMENTS</u> ...10	<u>V: CONCLUSIONS</u> ...17
1. ECHO's Limitations	1. The Future
2. Capacity Challenges and Fatigue	2. Lessons Learned from 12 Years of Partnership
3. Building Trust between Partners	
4. Challenges related to Watch Group Composition	<u>REFERENCES</u> ...20

Introduction

Since ECHO (the European Community Humanitarian Office) was established in 1992, VOICE (Voluntary Organisations in Cooperation in Emergencies) has served as the main NGO interlocutor with the EC on humanitarian aid. VOICE has produced the following briefing in order to take stock of the evolving NGO-ECHO relationship – institutionalized as 'partnership'.

This paper particularly looks at Partnership between ECHO and NGOs in the context of the consultation process and the monitoring of the Framework Partnership Agreement. Since 1999, the main actor in this process has been the FPA Watch Group. VOICE established this group as a response to both the need for coordination among ECHO's NGO partners, and to the request by ECHO to have a single interlocutor.

On the occasion of 10 years of the 'Framework Partnership Agreement' between NGOs and ECHO, and in light of the recent reconstitution of the 'FPA Watch Group', this briefing is also written in recognition and appreciation of the enormous work done on both sides of the partnership to bring us where we are today.

Finally, but no less importantly, this briefing intends to preserve the achievements and lessons learned of the FPA consultation process and the evolution of the partnership in the institutional memories of both NGOs and ECHO.

The paper is based on documentation and interviews with ECHO,

Common Acronyms

VOICE	– Voluntary Organisations in Cooperation in Emergencies
ECHO	– European Commission Humanitarian Office (now DG ECHO)
EC	– European Commission
FPA	– Framework Partnership Agreement (also PFA)
DG	– Directorate General of the European Commission
FPAWG or WG	– FPA Watch Group
TF	– Task Force
FR	– Financial Regulation

VOICE, members of the Watch Group and its Task Force as well as other ECHO partners. It begins by describing the background for the Watch Group's consultation and monitoring activities, including the concept of 'partnership', the history of the Framework Partnership Agreement and the consultation process. A case study of the FPA Watch Group and its precursors discusses its activities and considers the challenges and achievements that have marked the consultation process. The paper then discusses other channels of NGO partnership with ECHO running parallel to the FPA consultation and monitoring. Finally, the briefing concludes by giving some ideas that could inspire future work and a list of lessons learned from the process.

I. BACKGROUND

1. 'Partnership'

The 'partnership' concept in the EC

Generally speaking, in its relationship with civil society, the European Commission has held 'partnership' as an advanced state of constructive dialogue. While real 'partnership' is not very common at all, the relations between relevant civil society groups and the EC have developed over the years from *ad hoc* dialogue to so-called 'structured dialogue', which implies a regular and formalised relationship. Structured dialogue of this type exists with DGs Environment, Trade, Employment and to some extent Development, among others.

It is clear that political will to have a regular dialogue exists in the EC, to the degree that some services have chosen to fund their interlocutors to ensure they are communicating with representative civil society. What is not clear is what NGOs can accomplish through it. Some see structured dialogue as empty talk when compared with the bureaucratic demands the EC places on NGOs. While structured dialogue is therefore quite established in several EC services, the concept of 'partnership' is not as common. 'Partnership' would involve the shaping of policies, capacity building towards professionalisation, and would show two parties working with different roles but towards the same purpose. The EC has no general rules that guarantee 'partnership' as such with NGOs.

ECHO's symbiotic partnership

ECHO's concept of 'partnership' is unique in the EC. ECHO is not an implementing agency itself, so in order to carry out its humanitarian aid activities and meet its humanitarian objectives ECHO financially supports the projects of partners which share its aims in a given crisis situation. These partners consist of approximately 200 European NGOs, UN agencies and the Red Cross Movement. Besides financing their projects, ECHO gathers from its partners the essential information, experience and perspectives that permit optimal aid programming to meet humanitarian needs. In large part, it can be said that this symbiotic type of operational 'partnership' permits ECHO to be considered one of the most effective EC services, in terms of accomplishing its humanitarian mandate as well as in terms of commitments and payments.

Besides the strict operational or technical aspects, the partnership with ECHO carries further political and philosophical implications. Politically, ECHO relies on its

partners to promote and raise awareness about humanitarian issues and humanitarian principles among decision-making institutions of the EU as well as in EU member states. This happens not only through humanitarian activities themselves but also through advocacy and lobbying. Reflecting a unique philosophy, ECHO has worked hard to arrange for convenient contract and payment conditions that respond to the reality of humanitarian aid, in recognition of the specificity of its partners – NGOs for example, which due to their independence and flexibility have a special ability to carry out high-quality aid projects quickly and professionally, and often under duress. There are of course partners who consider that the relationship has become a simple one of donor and contractor. Despite its fine intentions, in its role as donor it is ECHO's side of the partnership that holds the purse-strings and thus much of the power. Moreover, with numerous limitations to ECHO's partnership imposed by the enormous bureaucracy that is the European Commission, the result is at best an asymmetric relationship.

2. The Framework Partnership Agreement

FPA: a unique partnership document

The Framework Partnership Agreement (FPA) is the legal contract that governs and formalizes the partnership with NGOs. This agreement both enshrines the principles of partnership between ECHO and its partners and sets the legal provisions applicable to the humanitarian operations financed by ECHO. The FPA is unique among EU donors. Having a Framework Partnership Agreement is particularly advantageous for the humanitarian aid service because it allows for relatively fast project-financing procedures, a dramatic need in emergency aid, permitting a quick response to critical events like natural disasters and conflicts. The FPA simplifies the background checking of implementing agencies that other EC services undertake, since a rigorous selection of professional, high-quality, reliable partners has already taken place before signing the FPA. Over time, it has evolved into an agreement based on a well-weighted confidence, a steady relationship and a straightforward cooperation.

Selection of NGO partners

The selection of ECHO's partners has become more formalized and sophisticated over the years. Today, NGOs wishing to sign the FPA must provide proof of humanitarian experience, give considerable priority to emergency work among other activities, demonstrate financial solubility and good financial and management practices, as well as subscribe to a code of conduct. Successful applicants are audited every two years in consideration of their financial and management practices in addition to their ECHO projects. NGOs whose FPA has remained idle for two years – without introducing any project proposals – run the risk to lose the FPA.

Typical Structure of an FPA

- Preamble
- Provisions
- General Conditions
- Annexes – may include:
 - budget forms
 - operational contract or grant agreement forms
 - lists of eligible expenditures
 - procurement rules
 - other documents

This high standard of partnership demanded from NGOs stands in stark contrast to the ad-hoc methods previously employed. Throughout the mid-90s, NGOs signed the Framework Agreement one by one. In 1996 a list of NGO eligibility

criteria was presented, but its status was unclear. Following the 1999 FPA's entry into force, it was not uncommon for ECHO to work with NGOs that had not signed the FPA, simply because there was no procedure for late signature. Equally, before the new selection began in 2003, a number of ECHO partners had idled for years, but ECHO had no system for suspending these FPAs. At the time of writing, ECHO has signed the FPA with 179 NGO partners in 18 EU countries plus Norway and Switzerland.

Three different FPAs

Equally, the FPA has evolved over the years. The first 'Partnership Framework Agreement' (PFA), signed in April 1993 and entering into force in September 1993, was criticised for not reflecting the principles of 'partnership' that have become such important features today. It was written to standardize and clarify EU decision making in the field of humanitarian aid. Emphasis was placed on the organisation's capacity to implement humanitarian aid operations quickly and efficiently, and not on the organisation's nature, principles or specific ways of working. ECHO took a top-down approach, and would sometimes use the 'PFA' just to find an implementing partner for a Commission-identified programme. In reaction to this approach, and to the rising ECHO budget, NGOs chose to advertise themselves as a professional humanitarian aid industry, with a heavy emphasis on the provision of goods and logistical operation.

In these early years, NGOs were disappointed that ECHO extended the 'PFA' several times, without any consultation of the NGOs – over time, its name changed to FPA. They also complained that the 'PFA' did not reflect humanitarian principles, such as impartiality and neutrality. This was partially remedied by the EU Regulation on Humanitarian Aid, which entered the *acquis communautaire* in June 1996 (NGOs made some contributions to the drafting of this document). But NGOs felt the 'PFA' represented neither 'framework' (because it was not consistent from project to project) nor 'partnership' (because it was based on control rather than trust, and because of the lack of dialogue).

The 1999 FPA

The second FPA, finalized in February 1998 and implemented from January 1999, was also characterized by an emphasis on the technical and logistical capacities of partners to carry out humanitarian operations, with some improvements in terms of dialogue. As far as humanitarian principles were concerned, the FPA's preamble mentioned that the partner's impartiality would be taken into account. The FPA's provisions included indications for how the 'spirit of partnership' would be realized: both sides of the partnership undertook to exchange information regularly, "both bilaterally and collectively". ECHO would participate in meetings for coordination and exchange of information organized by its partners, and would "support a forum for debating issues of mutual interest" as well as arranging meetings with humanitarian organizations to study humanitarian objectives and principles. Finally, the provisions also stated, "ECHO and a representation mandated by the humanitarian organizations agree to meet once a year to monitor the implementation of the Framework Partnership Contract and its procedures."

The 2003 FPA

In 2003 a third FPA was finalised; it came into force on 1 January 2004. It would represent a ‘new approach’ in terms of partnership as well as operational practice. The concept of a ‘quality partnership’ takes in both accountability to the beneficiaries of the humanitarian projects as well as accountability to the European taxpayer. While this may in part be attributed to the consultation process described below, it can certainly be seen as a product of a new regime of financial controls in the European Commission, exemplified in the 2002 Financial Regulation which began to directly affect humanitarian operations at the beginning of 2003. Indeed, developments towards the new FPA were seriously disrupted in 2002 when ECHO’s drafters had to make substantial adaptations based on the Financial Regulation.

The result is an approach characterized by the rigorous selection of partners described above, which serves as grounds for a more active trust than the partnership assumed in previous FPAs. In practice, rather than negotiating with NGOs about the inputs (supplies, personnel, logistics, etc.) they will use in their projects, emphasis is put on whether the NGO has, at the end of the project, met the objectives it set out to achieve. The results-oriented approach assumes partnership with highly professional, high-quality humanitarian organizations that have proven experience and established internal practices for emergency work. In ECHO’s view, the new approach implies treating partners as ‘responsible adults’, with the assumption they will do well, rather than as ‘children’ who are likely to misbehave. In the past NGOs were accustomed to ex-ante controls and supply-side negotiations with ECHO and other donors, as well as to adjusting budgets for feasibility to cover essential costs considered ineligible. The extreme transparency of the new approach requires some tough mental and bureaucratic adaptations, which many NGOs have not immediately welcomed. However, other Commission services are now looking at the newest FPA as a model they would like to emulate: they are also struggling to work with NGOs under the rigid new Financial Regulation, and see that the FPA model can help to avoid these difficulties. Finally, EU Member States are beginning to consider using ECHO’s FPA as a quality standard.

<u>Three different Framework Partnership Agreements</u> (Dates of entry into force)
• FPA 1: 1 September 1993
• FPA 2: 1 January 1999
• FPA 3: 1 January 2004

3. The Consultation Process

ECHO’s process of drafting the Framework Partnership Agreement has been time consuming and challenging. The later revisions of the Agreement were written and issued by ECHO, but with the involvement of NGOs in the form of a consultation process. ‘Consultation’ means that ECHO has been willing to listen to and work with the concerns and interests of the NGOs. It has sought advice from its partners, but at the end of the day it was ECHO who set the rules. It is important in this sense to distinguish ‘consultation’ from ‘negotiation’.

The main interlocutor for ECHO in this ongoing consultation process is currently the FPA Watch Group. This group, facilitated by VOICE, was established by the humanitarian NGO community to represent the views of most ECHO NGO

partners in monitoring, review and consultation of all matters relating to the FPA. The evolution of this group is a positive example of improving partnership between donors and NGOs. Besides concrete achievements such as amendments in the FPA, and less-concrete but very important achievements like building trust and partnership, the experience acquired through repeated consultations during the FPA exercise may be used to address other challenges in the future.

II. THE FPA WATCH GROUP

1. Background and History

The Dialogue Group and the opportunities of 1997

The roots of the FPA Watch Group lie in the so-called Dialogue Group. Since the first FPA entered into force in 1993, NGOs, together with other ECHO partners (UN, Red Cross), tried to enter into a dialogue with ECHO about the content of the Agreement. The first few years of the FPA were characterised by an ad-hoc group of partners, together with VOICE trying to discuss the FPA and pressure ECHO, but with very little response from ECHO's side, although some meetings were held. This grouping had been referred to as the 'Dialogue Group' as early as 1994. The General Conditions of the first FPA stated that the agreement would be valid through the end of 1994 and that this period could be extended on common agreement. Instead, ECHO kept on extending the agreement without prior consultation of the NGOs throughout the 1990s. Only in May 1997 did ECHO announce to its partners that it wanted to start a process of consulting NGOs and conducted a meeting at which it set out its proposals for the revision of the FPA. In June 1997 NGOs signatories to the FPA organised themselves, within VOICE and more widely as a Dialogue Group, to prepare a response to ECHO's proposals.

A political and a technical response

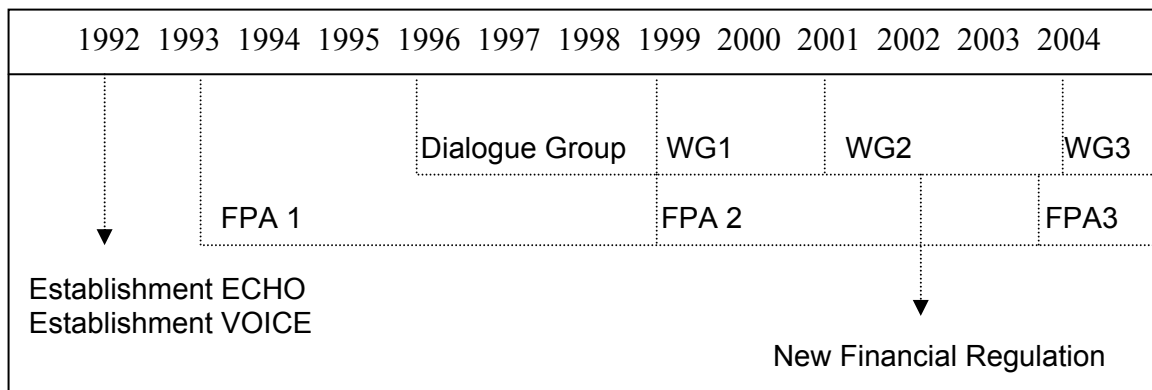
The response of this Dialogue Group broke into two parts: one was 'political', dealing with the values and principles of partnership. This aspect served as a reference framework for the revision of the general conditions, the operating contract, the annexes and the standard forms. The second part of the Group was 'technical', focusing on the administrative, financial and operational aspects associated with the implementation of the contracts. In September 1997 both working groups met with ECHO. The Policy Group presented their proposals for the revision of the preamble and provisions of the FPA, while the technical group proposed revisions on the general conditions and annexes, based on 100 pages of comments submitted by ECHO's partners.

Achievements of the Dialogue Group

Responding to the work of the political working group, ECHO accepted several proposals for the increase of contact between the two parties, such as conducting annual meetings to monitor the implementation of the FPA and an increased exchange of information. These partnership principles would be enshrined in the next FPA preamble and provisions. ECHO would not take on board the proposal of the Group to include the concept of 'dialogue' however. It rather committed itself to 'consulting' the partners at regular intervals. This slight distinction

suggested ECHO's concern that enshrining 'dialogue' in the contract could permit interference from the partner organisations in ECHO's decision-making processes.

The vague definition of 'partnership' that was used didn't satisfy the partners though. They were afraid that consultation would turn out to be a 'listening session' and hoped that with dialogue they could avoid the pitfall of a relationship as mere subcontractors. Furthermore the Group was disappointed in ECHO's rejection of their request to formalise the consultation process. Instead, ECHO saw consultation limited to a Forum and an annual meeting to monitor the FPA and its procedures. Therefore, the Group considered that it did not succeed in formalising the terms of a dialogue that would satisfy the expectations of both sides. Although not all wishes were satisfied, important progress was made on the occasion of this 'technical' consultation.



Composition and Legitimacy of the Dialogue Group

The Dialogue Group spent considerable time on the FPA revision process, which was not helped by the fact that all communication was still done by fax. The group was mainly composed of members of some of the bigger Brussels-based NGOs. UN agencies and the Red Cross were also involved since the FPA was the same for all types of partners. VOICE's participation in the Dialogue Group helped it appear to represent all VOICE members – including the smaller NGOs. Some people believe, however, that the role of VOICE was mainly limited to being a 'secretariat', unable to bring forward all the interests of its members. Therefore one major problem of the Dialogue Group has been the perception that it was rather exclusive. It was seen as being a 'closed' group in which it was difficult to get involved for outsiders and smaller NGOs. Another problem with the Dialogue Group was that it did not have any formal recognition, neither from ECHO nor from the NGO partners. In a way this was desirable for ECHO because it meant no obligations towards the Dialogue Group. But it rendered the Group's position rather weak. The 'FPA Watch Group', as we still know it today, has attempted to overcome these two problems.

2. Genesis of the FPA Watch Group in 1999

Main task 'monitoring' overshadowed by consultation

'FPA Watch' was set up by VOICE as a working group when the re-negotiated FPA entered into force in January 1999. Whereas the Dialogue Group had focused on consultation on the content of the FPA, the first task of the Watch Group was to monitor its implementation, to regroup the problems and to enable all different

ECHO partners to coordinate their complaints and responses. Preparation of the annual revision of the FPA between ECHO and its partners was seen as a second task. Looking back, due to the fact that ECHO started another revision process right after the 1999 FPA entered into force, the primary task of monitoring went unfulfilled and the Watch Group as well was mainly involved in consultation on FPA revision.

Composition of the Watch Group

Although the Watch Group was to be facilitated by VOICE, the Group intended to be there for *all* ECHO partners. For the first Watch Group, VOICE proposed a group of NGO representatives/ECHO partners chosen according to the following criteria:

1. Participation of members and non-members of VOICE
2. Representation of most of the Member States
3. Good knowledge and a regular contractual relationship with ECHO
4. Participation in the Working Group of the Dialogue Group for the consultation process with ECHO since they were ‘the memory’ of the previous discussions with ECHO.

A revolving system would allow for a reasonable renewal of members that were experts in the matter, guaranteeing at the same time a sufficient continuity of expertise within the group. The International Federation of Red Cross and Red Crescent Societies (IFRC) has held observer status within the Group since the beginning of 2000, and has made an important contribution to the Group over the years.

Legitimisation process

Following doubts from ECHO as to the legitimacy of the Watch Group in December 1999, from January to March 2000 over a hundred organisations from 17 European countries sent signed faxes to VOICE stating they wanted to be represented by the FPA Watch Group. This legitimisation of the FPA Watch Group was also considered to be very important for the sake of relations with the new European Commissioner for Development and Humanitarian Affairs at the time, Poul Nielson, who was not considered to be very ‘NGO friendly’.

2001 renewal of the Watch Group process: legitimisation and composition

In Spring 2001 the FPA Watch Group was renewed. Members at the time had to reconfirm their membership and all ECHO partners were asked to become candidates in order to enlarge the Group to 20 persons. The new Group adopted a ‘terms of reference’ and in April all ECHO partners were once again asked to legitimise the representation of the FPA Watch Group. The representation by small and large organisations was seen as more important than participation on the basis of nationality in this Group. A main event in the life of this Watch Group was the entry of the new Financial Regulation and the EC’s Implementing Rules in 2002 with all its implications, because the Watch Group had already worked hard on the revision process and the process was in a well-advanced stage. However after the regulation was issued a lot of this work was negated, the situation changed completely and the consultation was stopped. More about this era of the Watch Group’s history is described in the next section.

After the new FPA entered into force in January 2004, a new Watch Group was set up in the midst of unprecedented enthusiasm to monitor the implementation

phase. Almost 40 mainly new, motivated people agreed to join the Group and a new Task Force was formed.

3. The Work of the Watch Group

The Watch Group at work

According to the 2001 Terms of Reference, the Group's work included three main methods. Firstly, an e-mail address was established for all ECHO partners to communicate their experiences in relation to the implementation of the new FPA (application problems, procedures, problems in definition of terms, etc.). The Watch Group would analyse the problems encountered by NGOs and divide this work among themselves. This email address enabled partners to express concerns, which could then be reported anonymously to ECHO by the Group. Many organisations will more easily express problems and criticism when a group supports them. Only those problems shared by several NGOs and/or having potential impact on all ECHO partners would have to be sent to the mailbox and would be discussed in the group.

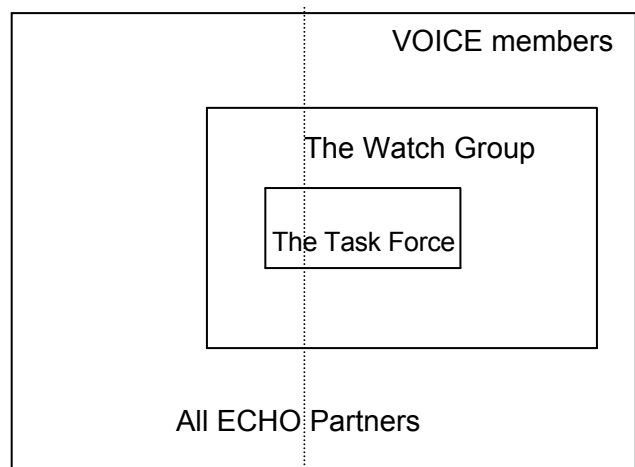
Secondly, the Group intended to meet 3-4 times a year to discuss 'case studies' in order to decide what reaction it needs to make towards ECHO. Thirdly, on a regular basis members of the group would take direct contact with fellow members of their network or national platforms, in order to discuss potential problems to be found in the broader humanitarian community. The FPA Watch Group would not undertake activities that fall under ECHO's responsibility, but would pressure ECHO to live up to the responsibilities of the partnership and the contract (for example, FPA training).

Task Force

In order to facilitate its work, the FPA Work Group created an executive body, the Task Force, responsible for responding to ECHO proposals, for informing the group as a whole and for leading discussions with ECHO. The Task Force also prepares documents needed for those tasks, such as drafting letters, minutes, and agendas. The Task Force has also been the motor behind the FPA Watch Group, ensuring that the Watch Group stays motivated and spending much energy on the process. The role of the Watch Group can be considered to be parliamentary, since they bring up the problems, whereas the Task Force is the executive, because they do much of the practical work.

VOICE in the Watch Group

Although the group receives administrative support from VOICE, the group is not a VOICE working group. VOICE represents the interests of its members, acts as a facilitator and sets up communication channels between the group and all ECHO partners. During the time of the Dialogue Group, VOICE had mainly a facilitating role but since the establishment of the FPA Watch Group its role became much more active. VOICE publishes all the minutes of Watch Group



meetings on its website. This enables all ECHO partners to follow the advancements of the Group and the issues discussed. VOICE members are regularly updated about the activities of the Watch Group and the Task Force via the regular 'VOICE FLASH' e-mail bulletin.

Issues

In 1999 and 2001, in order to ensure it reflected the real concerns of NGOs, the FPA Watch Group sent out questionnaires to all ECHO partners asking about the main problems they encountered relating the FPA. The responses served as guidance for later discussions with ECHO. The Watch Group decided that a special emphasis should be put on the fact that many problems can be avoided if the new FPA is applied in a correct way and according to the spirit of the consultation. Many problems arose from the fact that some of the interpretations given by ECHO's users' guide and by some ECHO officials (both at desk and field level) were found to be inaccurate. The Watch Group worked on a large variety of technical issues through the course of the years: administrative costs, lump sums, procurement, arbitration, co-financing etc. Members of the Task Force went through the ECHO documents concerned and drafted their amendments, whereupon they were proposed to ECHO.

Investment in the Watch Group

The Watch Group members covered the costs of their participation themselves, with ECHO occasionally reimbursing travel expenses for Watch Group meetings involving ECHO. The Watch Group numbered from about 15-20 persons, while the Task Force was made up of 6-8 individuals. Initially the Watch Group met as often as every two months, while the Task Force would meet more regularly. In 2003 alone, the Task Force and Watch Group spent some 37 hours in meetings, including some 9 official meetings with ECHO, and produced over 40 pages of minutes. All told, an enormous amount of time and money from all parties was invested in the consultation process.

III. CHALLENGES AND ACHIEVEMENTS

All interviewees consulted for this paper have stated that the Watch Group should be considered a success and has contributed a lot to the advancement of 'partnership'. Along the way the process has been very challenging, however. The Watch Group spent a lot of time on discussing smaller or bigger technical modifications of the FPA rather than monitoring its implementation and impact. It is, however, not easy to verify the direct influence of these discussions on the content of the different Agreements.

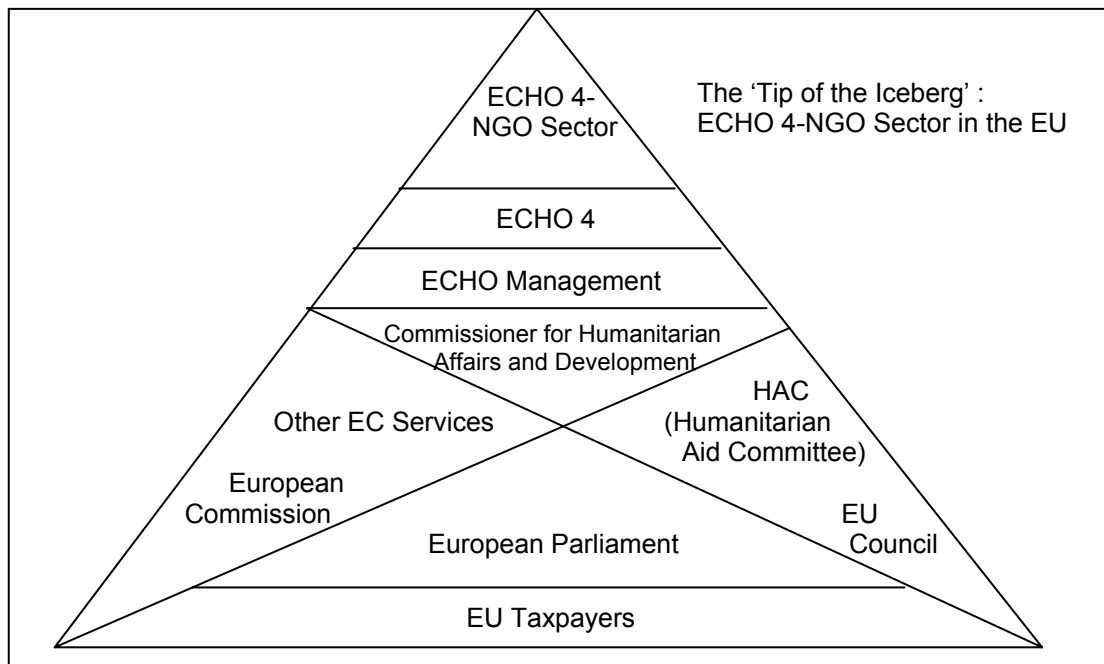
1. ECHO's Limitations

Understanding ECHO's constraints

One of the challenges in ECHO and its partners understanding each other has been the constraints of ECHO, due in part to its character as a service of the EU institutions. Humanitarian NGOs need a certain flexibility in order to be able to do their work and they have often been frustrated to have the feeling that ECHO does not

understand this fact. In truth, ECHO knows the humanitarian context intimately, and many of its staff, especially in the field, have previously worked with NGOs, the UN or the Red Cross. But the drafters of the FPA are not free to adapt the contract to whichever needs the NGOs present: on the contrary, they are just the tip of an iceberg of the big European machine.

One example of this has been the delays and modifications caused by the 2002 Financial Regulation. Another is that while the preamble, provisions, and most of the annexes to the 2003 FPA can be modified by signature of ECHO’s director, modifications to the most controversial element of the FPA – Annex V on procurement of goods and services – demands the approval of the wider European Commission authorities.



‘Windows of Opportunity’ for partner impact

ECHO has consulted the FPA Watch Group considerably, but at the end of the day the Framework Partnership Agreement remains a Commission document. ECHO officials have stated, “We formed the *shape* of the Agreement; the partners together with the EC Regulations determined the *content*.” ECHO’s challenge has been to satisfy all stakeholders, both within and outside the EC. In practice this has meant that the input of the Watch Group alone could not be the deciding factor for a certain provision to be included or excluded. In the words of another ECHO official: “Only a ‘window of opportunity’ of different factors has been able to trigger amendments in the documents.” For NGOs it has sometimes been difficult to accept or to understand ECHO’s constraints in its decision-making. It is not easy to determine whether ECHO has not on occasion hidden behind the iceberg for leverage. But according to an ECHO official: “the new FPA is now as flexible as it *can* be, given the circumstances.”

Between flexibility and firm guidelines

But whereas NGOs want flexibility in the FPA because humanitarian workers in the field cannot work within a framework that’s too tight, partners also need clarity and accountability from ECHO and consider this as an important aspect of partnership. While in some areas they prefer rules that are open for interpretation, they

often demand firm guidelines from ECHO on how to interpret the rules. NGOs are worried of the consequences if in the final audit of their project or programme their interpretation differs from that of the auditors. This uncertainty and the inability of ECHO to provide these guidelines within the desirable time has created and continues to create obstacles to trust, and may in the long term lead some NGOs to engage less with ECHO.

2. Capacity Challenges and Fatigue

It is especially true of people working within the humanitarian community that they are used to moving fast and to taking decisions quickly. One of the Watch Group members pointed out that it is very important for NGOs to understand the asymmetric nature of the partnership with ECHO to avoid fatigue. As long as the Watch Group members do not have too many expectations that they can change things, and are able to be flexible, many obstacles can be overcome.

Seeking a 'perfect' result with few resources

Generally speaking the consultation process has been very long and often moved very slowly. Fatigue was not only apparent at the time of the 2002 Financial Regulation. Different decision-making processes within the Commission slowed the process down, but also other factors contributed to this challenge. In the first place the drafting of the FPA has to be done very precisely to ensure an airtight legal document. ECHO 4's NGO sector could not settle for less than a 'perfect' result within the limits of their possibilities. The fact that the unit worked with very little staff and has suffered some turnover did not help to speed up this process (over the years, VOICE has unsuccessfully asked ECHO management for more human resources in this sector in order to improve its capacity). Some NGO representatives had trouble sympathising with this need for bureaucratic precision, given the inconveniences it caused.

Financial Regulation fatigue

The advent of the Financial Regulation was a special case causing Watch Group fatigue. For about six months between its adoption and the adoption of EC implementing rules (July-December 2002), the Watch Group was not consulted at all, and thereafter far less than previously. This event was a major setback to the Watch Group. Many Watch Group members felt their work had been for nothing and it triggered feelings of disappointment and dissatisfaction. It made the partners realise that a lot of the power was beyond their reach. The result was a great sense of fatigue and the Watch Group managed to stay together with support and the encouragement from the Task Force and VOICE.

Moving beyond ECHO 4-NGO Sector

ECHO 4-NGO Sector has been the Watch Group's main point of contact since this small team drafts the FPA. This is also a suitable contact because the NGO sector is not responsible for operational contracts or grants, allowing NGOs to express criticism where there is no money involved. Nonetheless, frustrated by the limitations of this small team, several members of the Watch Group expressed the desirability of involving others from ECHO in the consultation process. They find it would be helpful to involve desk officers and auditors in the process for example, since these

have different competences and direct contact could create more influence for the Watch Group. In addition, the fact that the relationships with ECHO 4-NGO, the Task Force and VOICE became so close at times, while positive overall, made criticism awkward and risked to hinder the objective nature of the process.

3. Building Trust between Partners

Whereas it is not easy to credit the Watch Group with concrete technical changes during the consultation processes, both the partners and ECHO agree that the work of the Watch Group has contributed to create trust and understanding between the two parties. Over time the Watch Group managed to become a serious and formal interlocutor, and ECHO has become willing to consult it on important matters. As one of the Watch Group members said, “ECHO gave us the opportunity to discuss their Bible.” This is exceptional compared to other donors within and outside the EC.

Creating ‘trust’ is an ongoing process

The two parties spent a lot of time together. One of the Task Force members recalls that at the first meetings with ECHO there was a very distant atmosphere, while “at one of the last meetings, I walked in and had the feeling as if I was meeting friends.” Closer contact between ECHO and partners has certainly led to an improved perception of the ‘other’ through a better understanding of context, intentions and constraints. Some people mentioned that both the development of ‘primary emergency grants’ and the results-based approach of ECHO in the new FPA are indicators that ECHO is trusting its partners more. Nevertheless the project of creating real trust is still ongoing.

4. Challenges related to Watch Group Composition

Overrepresentation of ‘Brussels’ people

Not only with ECHO but also within the Watch Group itself, different challenges have been encountered. One of the main challenges has been the composition of the Group. The fact that the Watch Group has mostly met at the VOICE or ECHO offices in Brussels has meant a big investment in travel expenses, time etc. for organisations outside of Brussels. There was some criticism that people from Brussels and those from bigger organisations with relatively abundant resources were overrepresented. While this may be true, great care was taken by VOICE to ensure that it functioned efficiently as a secretariat to mitigate any information divide, circulating minutes, sending questionnaires, responding to emails, etc.

The challenge of high turnover within the Group

From the start of the Watch Group there has been a high amount of turnover within the Group. Sometimes representatives came only once, or someone else was sent. Some members argue that rotation of the expertise can be an advantage because it brings in ‘fresh blood’ and committed newcomers. But this turnover can also endanger the consistency of the Group. In 2004 the Watch Group decided that the representatives wanting to join the new Group will have to come to at least two out of three meetings. Due to the importance of balance in the group, it was also suggested that those who leave the group should resign in order that they might be replaced by

another organisation fitting more or less the same profile (big or small organisation, etc.).

Balance of NGOs

It is important for representation within the Watch Group to reflect the different interests of big, small and medium sized organisations, as well as differences between operational NGOs and those that mainly work through partners, and families of NGOs. Several Watch Group members feel that it is the responsibility of VOICE to ensure that all different kinds of organisations are represented.

5. Participation, Information Sharing and Organisation

Balance between 'giving and taking'

While many people in the Watch Group have put a lot of selfless work into the process, there also seem to be some advantages of joining the Watch Group. ECHO officials have noticed this: "there is a danger that a gap is created between people who are joining the Watch Group and organisations that are not represented. Organisations that have somebody represented in the Group often have better proposals." This correlation creates a risk that people will join the Group just in order to benefit from the information about the FPA coming from ECHO or from other members of the Group, whereas the Watch Group should be a platform to *share* information and not only to receive it. Some Watch Group members have said that only people who have a lot of experience with ECHO funds etc. should be represented. Others think everyone should get a chance to be in the Group and to learn. While there may be indirect advantages to participating in the Group, it should also be borne in mind that it takes time and resources away from NGOs' 'normal' business of humanitarian aid.

Gathering and sharing information

The idea of the Watch Group is that the members gather FPA-related problems from within their organisations, their network, national platform or local partners. This information will then be discussed within the Group, so that it can represent all ECHO partners at large. Two problems are encountered regarding this information sharing. Firstly, some Watch Group representatives have difficulties gathering this information due to lack of time or lack of motivation from their own people. Secondly, some organisations are hesitant to share confidential information that might be embarrassing or harmful (losing contracts, personal problems with desk-officers etc.). It is important for the process, however, that these representatives are as open as possible to permit accurate representation of NGO interests. To overcome the knowledge gap, it is likewise important that Watch Group members function as multipliers, communicating the expertise they gain by being part of the process, back towards those they represent. A more proactive approach to this would be desirable.

The timing of meetings and documents: room for improvement

One of the problems that several Watch Group members encountered in the Group has been that there was often little time to prepare meetings. In practice, documents from ECHO would sometimes arrive so late, or so many at a time, that Watch Group members couldn't find time to comment on them or get feedback from their colleagues before the meeting would start. Some blame ECHO for providing documents late deliberately, so that NGOs had less opportunity to make constructive

criticism: this wouldn't help for confidence building among partners. Timing of the meetings has been another part: meetings were often planned with too short notice, making it difficult and expensive for members from outside Brussels to attend meetings. On these points, ECHO, VOICE and the Group could all find room for improvement.

Working more strategically

With better organisation might come the possibility for the Watch Group, VOICE and the Task Force to work more strategically as well. Some Watch Group members point out that discussions sometimes lacked direction. VOICE, as a chair, could possibly play a role in focussing discussions more strategically. ECHO has expressed the opinion that if the Group wants to be as effective as possible it should be more proactive. Often the Watch Group has taken a very reactive stance and discussed minor technical changes. ECHO officials think it would benefit the Watch Group if the Task Force would *write down* constructive and concrete proposals for amendments in the FPA. ECHO has also called for the Watch Group to focus more on Annex V.

VOICE's role: doing too much or too little

Many people within the humanitarian community associate VOICE with the FPA Watch Group and most people interviewed consider VOICE to be indispensable to the Group. According to one: "VOICE is the mother of the FPA Watch Group" because VOICE complements the Task Force in animating the Watch Group. Its role has however, at times been a difficult 'balance' between doing too much and doing too little. There have been several discussions whether VOICE should play a more important role in the process or whether it should just serve as a secretariat. Some Watch Group members believe VOICE should take on a more active role, or should be more of a 'leader' than it is now, because it represents half of ECHO partners and is therefore the strongest 'voice' in the Group. At certain times, VOICE's role in the Watch Group was much stronger, but following VOICE's independence from the CLONG in 2001, whereafter its human resources became more limited, it has been more difficult for VOICE to meet expectations in the same way. A more 'leading' role could also be complicated by the fact that VOICE does not represent all ECHO partners but only its members.

IV: OTHER FORMS OF PARTNERSHIP

Partnership between ECHO and its partners is not limited to the consultation process on the FPA, much as this has been one of its most concrete manifestations. In fact, the Watch Group process runs parallel to a number of other forms of partnership that accompany the operational realities of the FPA and ECHO's political relationships with partners. Complementing one another, some of these forms have been pushed forward by the FPA process, while others have helped the FPA process along.

1. Operational Partnership

Close communication between partners on one hand and the ECHO desk officers and field staff responsible for projects and country programming on the other hand are an

important part of the effective implementation of ECHO's humanitarian programme. This is one area which many NGOs recognize as a primary element of 'partnership' with ECHO. Good relationships between NGOs and ECHO staff in the field are seen as particularly important for the success of projects, and must be carefully maintained by NGOs. NGOs also consider these relationships as opportunities to influence ECHO's geographical strategies. NGOs identify their relationship with the ECHO Desk officer in terms of partnership, too: it seems that compared to other donors, the ECHO desks offer more opportunities for dialogue and compromise concerning project implementation, finances and reporting. Finally, ECHO desks and field staff work together with NGOs and other partners to develop annual Global Plans for certain countries. Depending on the desk and unit head, the process often involves workshops in the field with partners to discuss local needs, priorities and challenges, as well as workshops in Brussels that might bring in other Commission services. In all, this process gives a well-rounded opportunity for commentary and discussion on ECHO's country strategy from partners and other stakeholders. The fact that ECHO has, from 2004, begun to publish all its financing decisions on the website is seen together with other efforts to enhance transparency as good practice in terms of operational partnership.

2. Training

ECHO staff and NGOs have, over the years, participated together in different training workshops held either in Europe or in the field. Some of these are on the initiative of partners with the presence of ECHO staff, while others sponsored by ECHO and mainly intended for ECHO field staff have included large numbers of partner participants. This has included specific training about the FPA. ECHO staff in particular have cited training events as good opportunities to build relationships with the partners. Learning together and exchanging experiences around topics of mutual interest helps develop recognition of the perspectives and commitment of the other side of the partnership. It should not be overlooked that most ECHO staff have worked with NGOs, the Red Cross or the UN at one point or another, and occasions like trainings help to recreate bonds that might be more difficult over the asymmetrical donor-grantee divide.

3. Annual Partner Meeting

Each year ECHO has held a General Meeting bringing together all of its NGO partners under the same roof. While this is one of the central 'partnership' events of ECHO's year, many NGOs perceive the Annual Meeting as a top-down affair. In recent years, the meeting has been held in the fall: typically, the European Commissioner responsible for humanitarian aid as well as the ECHO Director and other officials will address the partners, often outlining for them their plans for next year's strategy. ECHO has organized workshops at the Annual Meetings, to give the partners more opportunity to participate. VOICE has collaborated with ECHO to ensure that the programme would be relevant for NGO partners and that NGOs were sufficiently involved. But ECHO's own objectives for the meeting could still be better clarified.

4. Strategic Dialogue Meetings

A most recent addition to the partnership setup is the Strategic Dialogue Meeting, to which NGO partners have been invited since 2001. ECHO has held a series of these meetings each year with different types of partners (NGOs, UN, and Red Cross), inviting VOICE and Médecins sans frontières to represent the NGO category. While the main purpose of the meeting is to discuss ECHO's draft strategy for the following year, VOICE has found that the strategy is a 'fait accompli' by the time of the meeting. Nonetheless, VOICE sees the exchange with ECHO's Director and heads of unit as a good opportunity to raise bigger political and strategic concerns on behalf of the NGOs.

5. VOICE Partnership with ECHO

Though not an FPA signatory, VOICE, made up of typically about half of all ECHO's partners, shares a special kind of partnership with ECHO outside the framework of its facilitation of the Watch Group and FPA concerns. Since 1992 VOICE's relationship with ECHO management and its Policy and NGO-relations units has grown and developed. While the first Director of ECHO, Mr. Gomez-Reino, was reluctant to work together with VOICE, over time Directors Navarro and Adinolfi reacted well to having a network that could function as a convenient interlocutor representing partner NGOs. A 1999 Commission Communication expressed ECHO's intention to "enhance substantially its relationship with representative NGO such as VOICE". In this form of partnership, VOICE and ECHO have complemented each other to lobby the EP (concerning the humanitarian aid budget, for example), the Council (concerning crisis management, for example) and even the EU's Constitutional Convention in 2002-2003.

V: CONCLUSIONS

1. The Future

As interlocutors at ECHO have said, "We can congratulate the *method* of the Consultation Process, but only the *results* will judge if the process has been a success." This will soon become apparent when experience tells us whether the new FPA is an effective document in practice and when the partnership with ECHO and its implementing partners develops further.

How to shift from 'consultation' to 'monitoring'

The Watch Group has entered a new era. It has finally arrived at a stage where it can do what it was intended for, notably, to move beyond consultation and start to monitor the *implementation* of the Framework Partnership Agreement. There might be room for improvement for the next FPA but now it is time first to consolidate the 2003 FPA. The process needs to be reinitiated in order to make this shift from consultation to monitoring the implementation. The new Watch Group is a very good start, but the wider group of ECHO partners will have to be mobilised to report the problems they encounter back to the Group. They must take seriously the FPA

learning process that takes place within the Group, and support measures to set up appropriate training resources. Awareness should be raised about the existence of the Group and the e-mail address people can turn to.

Further support and training

There is a need for a Help Desk either in ECHO or in VOICE where humanitarian workers can refer questions about the FPA. For the last few years, the Watch Group, together with VOICE, has firmly requested that ECHO set up or support this kind of system that could assist all ECHO partners in interpreting and implementing the FPA. VOICE has been named as the most logical seat for such a service. In addition to the introductory training workshops about the 2003 FPA that have already taken place in 2003-2004, NGOs have also expressed the need for further, more detailed, training on the FPA. The Watch Group and VOICE will continue to use their good relationships with ECHO to pressure on behalf of all ECHO partners for both forms of support. Most Watch Group members agree that the Watch Group itself cannot fulfil these functions.

Duplicating a good model

It can be seen as a great achievement for ECHO and its partners that several other services within the Commission are now considering to adopt the *good practices* of this partnership. In the first place the idea of a Framework Partnership Agreement itself, but also the training tools, procurement rules and guidelines. All NGOs consulted for this paper considered their partnership with ECHO to be exceptional compared to other donors. It has also been suggested that not only the FPA model but also the Watch Group model could be duplicated. For example, similar working groups could be established on other issues than the FPA, for example on HIV/AIDS or concerning children. Some have suggested that VOICE could be a catalyst for meeting this need.

Continuing the process

All the work that has been put into the process by all parties deserves acknowledgement and congratulations – especially the members of the Task Force and their organisations who committed so much time and effort to the improvement of the FPA. The Group was also very appreciative of the great effort ECHO 4-NGO sector made to consult the NGOs. Mutual recognition of this kind is evidence of the success of this ongoing partnership, and an expression that this process is worth continuing into the future.

2. Lessons Learned from 12 Years of Partnership

From the Watch Group:

- Watch Group members should be motivated to move things forward. But in order to prevent fatigue, they should set limits on their expectations and be aware of ECHO's bureaucratic constraints.
- A continuous effort should be made to safeguard the 'representativity' of the group, meaning a fair balance of small and large organisations, operational and non-operational and from different countries. Also people should try to prevent turnover as much as possible in order to preserve the continuity of the Group. Formal recognition by the wider body of ECHO partners process has

proven extremely important for legitimising the Watch Group in ECHO's eyes: without this, fewer 'political' steps would have been achieved.

- Watch Group meetings should be planned well in advance, taking into account that some people come from far away.
- More attention should be paid to the strategy the Watch Group wants to follow. The Group should take a more proactive stance at times by making concrete suggestions and written proposals to ECHO. The Watch Group should consider whether to address different levels in ECHO management and different ECHO units with their comments and input.
- While many see the achievement of trust as hard to pin down, there are some indicators that trust between ECHO and its partners was improved: since it gives considerable freedom to NGO implementers, the development of the Primary Emergency procedure and ECHO's new results-based approach which assumes responsible and professional NGO partners can both be seen as trust indicators.
- It was observed that organizations involved in the Watch Group tend to have better ECHO proposals. While the Group can be applauded for its familiarity with the FPA, it should also see that non-Watch Group NGOs may have a deficit of FPA knowledge. To overcome the knowledge gap, it is important that Watch Group members communicate the expertise they gain by being part of the process back towards those they represent: a more proactive approach to this is desirable.
- Consultation (Revision) vs. Monitoring (Implementation): The Watch Group and its precursors have mainly worked on consultation, and always aspired to work on monitoring. In 2005 and beyond, the Watch Group should ensure that its monitoring tasks continue, even if ECHO offers opportunities for consultation on further revisions.

From the broader Consultation Process:

- The 'technical' partnership established through the Dialogue Group and Watch Group complements the other forms of partnership NGOs share with ECHO. While the situation has certainly improved over the years, in balance it looks like the financial and administrative aspects dominate the qualitative aspects of the partnership, and this is a challenge for future work. Nonetheless, NGOs that work with other European Commission services still do not have such a multidimensional partnership.
- Consultation has taken a long time and the achievements are not as concrete as one might wish. But the new approach of trust, quality and professionalism that is taken in the 2003 FPA can be seen, at least partially, as a result of the Watch Group's long efforts in building partnership with ECHO.
- Contractually, the Financial Regulation makes it more and more difficult for the EC and NGOs to work together. The newest FPA can be seen as a relative success in overcoming this since it facilitates EC-NGO grantmaking and gives attention to the specific exigencies of humanitarian work. The intention of the 2003 FPA was to lighten procedures, create less bureaucracy and more flexibility than in ECHO's earlier agreements. But even if more paperwork for NGOs is perceived under the newest FPA, this should be compared with the schemes of other DGs.
- Political will vs. administrative means. Capacity and time on both the NGO and ECHO sides were stretched to the limits at some points in the consultation process. It is important to recognize that unsatisfied expectations are sometimes the result of capacity limitations that can disappoint both sides.

REFERENCES:

List of interviewees and respondents:

- This paper is based on interviews with:
Jeannette Adriaenssens (International Federation of Red Cross and Red Crescent Societies), Jane Backhurst (WorldVison), Cecilie Bjornskov-Johansen (Dan Church Aid), Rachel Hastie (Oxfam GB),, Simonetta Risaio (Handicap International), Chiel Roelands (ICCO), Gianni Rufini (formerly of VOICE), Jean Saslawsky (Medecins du monde), Anne Simon (formerly of CARE International), Jennifer Tangney (formerly of VOICE) and Matthias Sommer (German Agro Action), and ECHO officials.
- The following organisations also have given their input:
Tearfund, Danish Refugee Council and Mercy Corps Scotland.

Documentation from VOICE archives:

- Framework Partnership Agreements
(Dates of entry into force)
 - 1 September 1993
 - 1 January 1999
 - 1 January 2004
- Minutes from meetings of:
 - The Dialogue Group 1994-1998,
 - The Watch Group 1999-2004
 - The Task Force 1999-2004
- Correspondence between the members of the Watch Group, the Task Force and the Dialogue Group.
- Correspondence between ECHO, the European Parliament and other EC actors and the Watch Group, the Task Force and the Dialogue Group.
- Outcome of Questionnaires April 1999 and June 2001.
- Terms of Reference:
 - Dialogue Group (28-4-1997)
 - FPA Watch Group 2001 (09-03-2001)
 - FPA Watch Group 2004 (12-10-2004)
- VOICE background papers, speeches:
 - VOICE, 'ECHO's Mandate and Operational Strategy VOICE's Position' 5 October 1994.
 - VOICE paper on the FPA and the values of Humanitarian Aid, 26 June 1997.
 - VOICE paper on the revision of the FPA, September 1997, by Sarah Lindley.

- VOICE Briefing Document on Revision of FPA, 3 October 1997 by Xavier Ortegat and Anita van den Eynde.
 - Gianni Rufini, 'Partnership, agreements and framework of Humanitarian Aid' 1999.
 - Gianni Rufini, Speech, 'State of ECHO-NGOs relations.' February 1999.
 - VOICE, 'The future of European humanitarian aid –the NGO view-' July 1999.
 - 'VOICE coordinator's note to VOICE members on the EC-NGOs relations.' November 2000.
 - VOICE 'Note on ECHO perspectives' November 2001.
- Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid.
 - APRODEV Background note on the ECHO Partnership Framework Agreement, April 1997.
 - Dialogue Group paper 'The FPA; comments and observations relative to the proposal for the revision of the FPA forwarded on 29 May 1997.'
 - Michael Edwards, 'European NGOs in Dialogue with the European Commission; an analytical note' June 1997.
 - Watch Group Discussion Paper, 'Ways and means to develop higher levels of partnership between ECHO and NGOs.' 7 February 2002.
 - Mowjee, Tasneem and Joanna Macrae. 'Accountability and influence in the European Community Humanitarian Aid Office', HPG Background Paper (Background research for HPG Report 12), Overseas Development Institute (ODI), December 2002.
 - Oxfam GB with support of ECHO, 'A Guide to ECHO Funding for NGOs; Trainer's Manual', May 2004.
 - The Economist, 'A rigged dialogue with society' 23 October 2004.