

VOICE POSITION PAPER

THE UN-LED HUMANITARIAN REFORM PROCESS

As NGOs deliver the bulk of humanitarian assistance in the field, they are fully concerned by any reform affecting the sector which aims to improve the assistance to populations in need. Therefore they are engaging in processes aimed at reforming the effectiveness of the sector, including the UN-led humanitarian reform process [1]. This paper sets out how the objectives of the humanitarian reform process complement and align with the objectives of the EU Consensus on Humanitarian Aid, and makes recommendations to EU Member States on this subject.

In 2005, the UN initiated a reform process for the humanitarian sector, focusing on three pillars: **leadership, coordination and financing** [2]. The fourth element - **partnership** - was added after the adoption of the Principles of Partnership (PoP) in 2007 by the Global Humanitarian Platform [3]. This last element is indeed vital and should form the basis of the other pillars. NGOs are convinced that an effective form of partnership will lead to improvements in all the pillars and overall greater aid effectiveness.

The European Union including its Member States is the world's biggest humanitarian donor. Therefore, the EU should play a lead role in safeguarding a principled humanitarian aid and improving its effectiveness, accountability and transparency. In 2007, the EU adopted the *European Consensus on Humanitarian Aid* (hereafter called 'the Consensus'), which gives the EU a humanitarian policy framework. The Consensus reaffirms principles which are essential for humanitarian reform, such as the Humanitarian Principles, as well as the concepts of partnership, coordination, and accountability. In addition, the Consensus reinforces the importance of International Humanitarian Law.

EU humanitarian aid is based on the Humanitarian Principles of humanity, impartiality, independence and neutrality, and the Consensus affirms that humanitarian aid is not a crisis management tool [4]. However, these principles are at risk of being compromised due to the increasing international trends towards a whole-of-government approach and/or the comprehensive or integrated approaches, which could be to the detriment of people in need. Therefore, it is one of the elements discussed in this paper, under the pillar 'coordination'. Another important facet is accountability to disaster-affected communities as this is (or should be) central to efforts improving the humanitarian system.

The European Union commits to "contribute to shaping the international humanitarian agenda, and work together in international fora" (art.29). In addition, "the EU reiterates its strong support for humanitarian system reform with the aim of ensuring a better response to those in need" (art.67).

European Consensus on Humanitarian Aid

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VOICE calls on the Member States and institutions of the European Union to make full use of their position in relevant international humanitarian forums to shape the UN-led humanitarian reform process using the essential principles contained in the European Consensus for Humanitarian Aid.

A. LEADERSHIP

This pillar is the most challenging aspect of the UN-led Humanitarian Reform, but at the same time it is also the most crucial one. In an emergency context, qualified, dedicated and independent humanitarian leadership from the UN is indeed vital for the effective and efficient delivery of humanitarian assistance. The Office for the Coordination of Humanitarian Affairs (OCHA) is the main body of the UN for coordination of responses to humanitarian crises. But even more essential in humanitarian crises is the functioning of the Humanitarian Coordinators (HC). Strengthening this role and, as such, quality ground-level leadership of OCHA is considered as the key to success for the coordination of the humanitarian response. From the NGO point of view, it is one of the elements of the reform process which has seen the least progress over the last five years [5].

Leadership is also needed within the Humanitarian Country Teams (HCTs). In accordance with the Principles of Partnership (PoP), strong HC leadership would help ensure that the HCT is the main decision-making body where UN agencies and NGOs come together at the strategic level to work towards effective implementation of operations, rather than simply information sharing. This would include prioritisation of projects, gaps analysis, awareness raising of needs, contingency planning and developing operational strategies.

The EU strongly supports “the central and overall coordinating role” of OCHA, and agrees that “a Humanitarian Coordinator [needs to be] designated and deployed” in the field where necessary (art.25).

RECOMMENDATIONS

- **The EU should re-affirm and support OCHA in its central mandate as an independent humanitarian body and have OCHA re-invest in its functions of analysis, advocacy and lobbying [6]. Moreover, OCHA should properly support the HC.**
- **EU Member States need to use their influence in relevant forums and boards of UN agencies to ensure that the procedures for appointing the Emergency Relief Coordinator (head of OCHA) and the HCs are transparent and their selection based upon the knowledge and competencies of the candidate, which should necessarily include humanitarian expertise.**
- **EU Member States should demand a global evaluation of the leadership pillar, in accordance with the evaluations of the other pillars that have already been carried out.**
- **EU Member States should push the UN to clarify the mandate and scope of action of HCTs and to ensure that a clear distinction between military and humanitarian objectives is kept where relevant, which would lead to increased engagement from NGOs in HCTs.**

B. COORDINATION (Clusters, NGO participation and other actors)

Evaluations to date indicate that the introduction of **clusters** has led to some improvements in sectoral coordination, e.g. in terms of identification of gaps, mapping of aid agencies' presence and activities, avoiding duplication, lesson learning and planning [7]. However, NGOs perceive there is certainly still room for improvement in the coordination of humanitarian actors, which is essential for effective and efficient delivery of aid to people in need.

In order to function and have an impact on the efficiency and quality of aid delivery, clusters need experienced, skilled and dedicated cluster coordinators, which is not always the case [8]. In addition, when a UN cluster lead agency is responsible for both funding and programming, this conflict of interests can be to the detriment of coordination based on the Principles of Partnership: "In various experiences, cluster leads have been perceived as prioritizing own agency's projects (...), instead of prioritizing on the basis of need [9].

The EU recognises the need to increase coordination, coherence and complementarity among humanitarian actors (art.50); and fully supports efforts towards achieving that, including the cluster system (art.70).

RECOMMENDATIONS

- **EU Member States should ensure that cluster leads are held accountable by the HC. In addition, they should promote the training of cluster leads in ensuring both effective cluster management and a collaborative approach that respects and promotes the PoP.**
- **EU Member States as donors should recognise and actively support the engagement that NGOs are already making in leading and co-leading clusters at global, national and sub-national level.**
- **Coordination responsibilities in clusters should be separated from funding decisions.**



While NGOs deliver the majority of humanitarian aid, the **participation** of NGOs remains a major challenge both in global clusters and at the field level. This is also the case for national and local NGOs. In order to ensure broader inclusion at these coordination mechanisms, barriers need to be addressed, such as the choice of language, the location of meetings and the time and cost requirements of engaging.

These barriers to participation are problematic as NGOs consider the equality and complementarity of different humanitarian actors essential to be able to respond effectively to the needs of the crisis affected populations. Decision-making in the cluster system is still often seen as too UN-centred, which could be contrary to the principle of complementarity of the PoP.

In the Consensus and its Action Plan, the EU reaffirms its commitment to the plurality, diversity and complementarity of partners [10]. The European Community's pledge to seek to "continue [to] work with partners to ensure quality and accountability in humanitarian aid, while facilitating flexible and rapid response where necessary" is one of its added values on the international donor scene (art.97). Finally, in the Consensus Action Plan, EU Member States commit to further encourage the application of the Principles of Partnership [11].

The EU believes that efforts to improve the global coordination of humanitarian response "should be broadly inclusive of all humanitarian actors" (art.70).

RECOMMENDATIONS

- **EU Member states should recognise and promote the Principles of Partnership (PoP) in relevant UN forums and hold the UN accountable to them. Adherence to these principles should be reflected in cluster coordination and management, and is expected to contribute to improving the effectiveness of coordination mechanisms.**
- **EU Member States should seek ways to improve engagement of local and national NGOs in these coordination mechanisms.**



Apart from NGOs and the UN, **other actors** such as the military also operate in humanitarian settings. There is an increasing international trend towards comprehensive approaches (e.g. in Afghanistan), where humanitarian concerns are integrated into a political and security strategy. In addition, humanitarian NGOs are concerned with the various roles the UN has, including a humanitarian and a military one in the case of many UN peacekeeping operations. Given the critical importance of access to populations, operational NGOs may be cautious in being too closely linked to the UN in these sensitive security contexts. This works to the detriment of coordination.

The use of civil protection resources and military assets in response to humanitarian situations must be in line with the Guidelines on the Use of Military and Civil Defence Assets in complex emergencies and the Oslo Guidelines on the Use of Military and Civil Defence Assets in International Disaster Relief, in particular to safeguard compliance with the humanitarian principles of neutrality, humanity, impartiality and independence. The EU will promote a common understanding of these guidelines. The EU will encourage common training on international law and the fundamental humanitarian principles” (art. 57). “

RECOMMENDATIONS

- **The EU needs to use its influence to ensure that OCHA is a visibly distinct entity for humanitarian aid, especially in the context of UN integrated peacekeeping missions.**
- **EU member states with participation in international military forces in humanitarian environments must ensure that it is understood that the foundation of all humanitarian action is to respect the principles of humanity, impartiality, independence and neutrality in all circumstances as committed to in the European Consensus and the Good Humanitarian Donorship initiative.**
- **To this end, EU Member States should ensure that their armed forces are familiar with and adhere to international guidelines on humanitarian-military relations such as the MCDA and Oslo Guidelines [12].**

C. FINANCING and ACCOUNTABILITY

One of the added values of the EU as a donor is its “intrinsic support for a plurality of implementing partners – the UN, the Red Cross/Crescent Movement and the NGOs – and [its acknowledgment] that each has comparative advantages” (art.50).

In order to effectively conduct their life-saving mission, humanitarian agencies need to have access to flexible, timely and adequate funding. The UN-led humanitarian reform has focused on pooled funding mechanisms, such as the Central Emergency Response Fund (CERF) and in-country pooled funds. The purpose is to improve the speed and predictability of emergency funding, as well as to improve the funding of forgotten crises. NGOs in general support the idea behind the pooled funding, and in some cases, the in-country pooled funds have indeed increased funding for NGOs.

However, the original objectives have yet to be achieved. Experience with pooled funding shows that the **delivery** has been **slow** in many cases (as witnessed in Pakistan), which compromises timely and adequate humanitarian response to rapid-onset emergencies. Moreover, in general, the pooled funding mechanisms have led to a change in funding allocation [13]. A greater percentage of Member States' humanitarian funding is now being channeled through the UN and the pooled fund mechanisms, which are not easy to **access** for NGOs.

These impediments regarding timeliness and access are problematic, given that the needs in the field can best be fulfilled by a **diversity of humanitarian actors**; the NGOs, the Red Cross movement and the UN have specific comparative advantages to respond to the complexity of needs of crisis affected populations.

The EU has committed to “ensure that humanitarian aid pledges are transformed into commitments and disbursements in a timely way” (art. 36). The EU also pledges for “all EU donors [to] seek to maximise the opportunity for flexibility within their systems and streamline procedures to the extent possible in order to reduce the administrative burden on implementing organisations” (art.52). In addition, the EU has committed to carefully consider “cost effectiveness criteria (e.g. overheads in proportion to aid going to recipients)” (art.44).

As a result of Member States' increased allocation through pooled funding, the volume of **bilateral funding** available for NGOs is reducing, leading to unpredictability and uncertainty with regards to being able to fulfil the needs of the affected population. After all, bilateral funding is often more flexible, which enables NGOs to cover the needs during different phases of humanitarian crises. In addition, bilateral funding can be dispersed more quickly in the case of sudden crises and leads to fewer overhead costs as the 'aid chain' is shorter. In the long term, the change in allocation could jeopardise the overall delivery of the humanitarian system.

VOICE members thus would like to stress that while NGOs support the rationale behind the pooled financing instruments and the donor support that these instruments receive, at the same time it is vital that Member States guarantee the diversity of funding to ensure the coverage of the above-mentioned complexity of needs.



The EU believes that “accountability to those in need in the countries facing humanitarian crisis, to ensure that the aid is suitably adapted to the circumstances and is provided in a way that enhances prospects for recovery” is a core element of accountability in the humanitarian context as a whole (art.43).

Despite this EU commitment, the perspective that is least visible in the humanitarian reform debate is that of crisis affected populations. NGOs comment that: “The humanitarian reforms have done little to change existing incentive structures to focus more on how money is spent than on beneficiary perspectives or assessing the impact of reforms on crisis affected communities” [14]. It is clear that downward accountability to these populations should be at the core of the process. Otherwise it can lead to situations where funding does not seem to be primarily attributed according to need [15]. Even if many agencies have incorporated accountability mechanisms into their response, there is still a significant gap between theory and practice [16]. This issue therefore remains one of the main challenges for the humanitarian community.

RECOMMENDATIONS

- **As EU Member States are major donors to UN agencies and many pooled funding mechanisms, VOICE is calling upon EU Member States to:**
 - * **Recognise that it is fundamental that the UN agencies they support are accountable to crisis affected populations and that funding is allocated according to need.**
 - * **Push for consistent monitoring and evaluation of the added value of pooled funds for crisis affected populations.**
 - * **Hold relevant UN agencies accountable for the transparent, coherent and predictable allocation of these funds.**
 - * **Ensure that these pooled funds are flexible (timeliness, conditions, broad range of use) in order to facilitate access by NGOs, including national and local NGOs, and that financial support from pooled funds is disbursed in a prompt way, as required in humanitarian contexts.**
 - * **Ensure that the mechanisms for disbursement of these funds are cost-effective.**
- **Due to the problems related to the functioning of the pooled funding mechanisms and the importance of being able to respond effectively and quickly to emergencies, it is essential that EU Member States maintain bilateral funding to NGOs.**

Given the increasing challenges facing the humanitarian community, all humanitarian actors agree that the UN-led humanitarian reform is needed. It is important not to lose sight of the reason for this reform – namely the goal of improving impact of humanitarian action for crisis-affected populations. The above recommendations are offered with the aim of keeping their well-being at the heart of humanitarian reform.

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[1] For example, several VOICE members have contributed to a “*Review of the engagement of NGOs with the humanitarian reform process*”, based on 5 in-depth country studies. The Synthesis Report of this study was published in October 2009 and VOICE wishes to complement this NGO contribution. (www.icva.ch/doc00003914.pdf.)

[2] When former UN Secretary-General Kofi Annan talked about the upcoming humanitarian response review in his ‘*In larger freedom*’-report, he also mentioned predictable right of access and guaranteed security for humanitarian workers and field operations as an important pillar (www.un.org/largerfreedom/chap5.htm), but this element was not retained in the subsequent agenda.

[3] The five PoP are: equality (mutual respect between partners, irrespective of size and power), transparency (dialogue, information sharing, financial transparency), results-oriented approach (effective, reality-based and action-oriented), responsibility (ethics, integrity, prevention of abuse, competency to deliver on commitments) and complementarity (comparative advantages, local capacity as asset). For more information, please consult: www.globalhumanitarianplatform.org/doc00002628.doc.

[4] European Consensus on Humanitarian Aid , http://ec.europa.eu/echo/policies/consensus_en.htm , art. 10, 15.

[5] See e.g. IASC, GPPI, URC (2010) ‘*Cluster Approach Evaluation 2: Synthesis Report*’: pp.28-29.

[6] Coordination Sud (2009) ‘*OCHA Workshop-Coordination Sud on Humanitarian Reform*’. Paris, 18 December 2009.

[7] See e.g. 1) ALNAP (2010) ‘*The State of the Humanitarian System. Assessing performance and progress, A pilot study*’. 2) Cluster Approach Evaluation 2, p.10: “*The evaluation team concludes that these investments are beginning to pay off as the benefits generated by the cluster approach to date already slightly outweigh its costs and shortcomings*”.

[8] Review of the engagement of NGOs with the humanitarian reform process, pp.18-19.

[9] Review of the engagement of NGOs with the humanitarian reform process, p.45.

[10] See e.g.: Consensus, art. 20, 21, 50.

[11] ECHO (2008) ‘*European Consensus on Humanitarian Aid-Action Plan*’, action 26.

[12] Oslo guidelines: [www.reliefweb.int/rw/lib.nsf/db900sid/AMMF-6VXJVG/\\$file/OCHA-Nov2006.pdf?openelement](http://www.reliefweb.int/rw/lib.nsf/db900sid/AMMF-6VXJVG/$file/OCHA-Nov2006.pdf?openelement). Guidelines on the Use of Military and Civil Defence Assets in complex emergencies (MCDA guidelines): www.coe-dmha.org/Media/Guidance/3MCDAGuidelines.pdf.

[13] Stoddard, A. (2008) ‘*International Humanitarian Financing: Review and comparative assessment of instruments*’, p.2.

[14] Review of the engagement of NGOs with the humanitarian reform process, p.34.

[15] European Network of NGOs in Afghanistan (2010) ‘*Humanitarian needs still low priority in Afghanistan*’.

[16] Quote from global clusters donors meeting, in: HAP (2009) ‘*The 2009 Humanitarian Accountability Report*’, p.38. Geneva: HAP.