



VOICE COMMENTS AND RECOMMENDATIONS

to the EC Communication – Towards a European Consensus on Humanitarian Aid – July 2007

VOICE (Voluntary Organisations in Cooperation in Emergencies) is a network representing some 90 European NGOs active in humanitarian aid worldwide. Seeking to involve its members in information, training, advocacy and lobbying, VOICE is the main NGO interlocutor with the EU on emergency aid, relief, rehabilitation and disaster preparedness and promotes the values of humanitarian NGOs.

1. Overall comments

The process launched by the European Commission (EC) to develop an EU consensus on Humanitarian Aid is of high importance for the future of EU humanitarian aid given the crucial role the EU plays as a global donor on humanitarian aid. Given the complexity of developments in the EU both at political and institutional level (development of crises capabilities and a range of new actors) the consultation launched by DG ECHO, and the current discussions in member states, in the EU institutions and among relevant stakeholders are both timely and have to be welcomed.

VOICE, the network of European humanitarian NGOs, has been actively involved in the consultation process which preceded the EC Communication and in lobbying EU member states concerning the importance of the humanitarian principles, the need for a diversity of civilian professional non-state actors in the delivery of EU humanitarian aid as well as the importance of clear mandates and roles for other actors becoming involved in humanitarian operations.

Given the above mentioned context the Communication, and the initial response to it from the European Parliament is very encouraging. For an EU document of this kind, we think that the Communication is generally strong. The communication is therefore to be welcomed. It marks real progress in terms of understanding the humanitarian imperative, the need for distinction between different actors across the system, and the complexities of the ongoing debates. It is hoped that much of the Communication will be sustained through the upcoming process and appear in the final European Consensus on Humanitarian Aid. VOICE applauds it as a very good start, but will work for the consensus to go further. Although the supporting working documents which accompany the EC Communication shed some light on the issues and operability of the proposed approach, the Communication lacks clarity regarding certain key aspects, which should be clearly defined and spelled out in the Consensus.

VOICE calls for the EU Consensus on Humanitarian Aid to establish a roadmap which clearly defines the actions and measures the EU plans to put in place in order to implement the intentions in the Communication over the next five years.

2. Commitment to humanitarian principles

The Communication strongly reinforces the centrality that humanitarian principles should continue to play in European humanitarian policy and, by extension, as a basis for decision making in relation to which countries will be the focus of the European humanitarian aid budget. As such, the humanitarian nature and identity of ECHO should be maintained despite its instrumentalisation within External Affairs.

For all humanitarian actors the Humanitarian principles are essential in order to access people in need. The erosion of them leads to increased insecurity for humanitarian workers, especially national staff of INGOs, who are by far the most vulnerable. Attacks on humanitarian workers can, in turn, lead to the withdrawal of humanitarian agencies from an area, leaving vulnerable communities stranded without the humanitarian aid they desperately need.

The EU should pro-actively promote humanitarian assistance delivered according to International Humanitarian Law and the principles of impartiality, independence, and neutrality in all relevant international fora in order to protect humanitarian space. There is a need for more specific initiatives in which the EU could implement this commitment in addition to actively using the EU Guidelines on promoting compliance with international humanitarian law.

The Communication insists that humanitarian aid is of a nature different from other forms of aid and must respect principles of impartiality and independence. Yet, while also calling for greater coherence with other political instruments, more clarity has to be developed on how such a coherence will be achieved while not jeopardising the neutrality, impartiality and independence of humanitarian aid.

3. *Diversity of humanitarian actors*

It is positive to see that the Communication's overall principles and vision reflect the need for a diversity of civilian humanitarian actors recognising the "essential and complementary roles of European and local NGOs, the UN and the Red cross movement" (ref Section 3.2) .

Any discussion of the complementarity and diversity of actors implies a delineation of role and function between the different actors. While the Communication acknowledges and seeks to strengthen the co-ordinating role of OCHA, and references the need for a diversity of humanitarian actors, it significantly understates the role of NGOs and fails to clarify what that role might be. It shows too little commitment to NGOs and their added value, and why the EC is implementing a large part of their humanitarian aid through NGO partners. NGOs have an added value and a range of comparative advantages to other humanitarian actors such as being able to respond quickly, take community-based, participatory approaches, and mostly being more cost-effective than other actors.

Given that NGOs deliver the majority of humanitarian interventions, (between 50 – 80%) and do this in an accountable and cost-efficient manner, the consensus needs to ensure the inclusion of a statement reinforcing a commitment to enhancing the capacity of NGOs even further and the fact that such organisations reflect the active citizenship of the European public.

The Communication also recommends that 'an overall EU policy approach' be established. It is critical that the EC and EU member states are transparent in the design and implementation of this. The Communication recognizes that partnership with civil society organisations is key to the effective provision of aid. The EC and member states must actively engage with the respective networks and civil society organisations in member states in the development of this overall policy approach through meaningful consultation processes.

4. *Principled Humanitarian Aid - other actors*

It is positive to see that the Communication's overall principles and vision reflect the need for a clear distinction to be made between humanitarian aid and crisis management instruments, including the use of civil and military assets, but much of the wording remains vague and open to interpretation, particular with regard to complex emergencies. It reflects perhaps the lack of consensus on this between Member States and Partners, which is of considerable concern.

The EC therefore should do more to generate inclusive debate on what is meant by to "co-ordinate/combine" humanitarian aid and civil protection which 55% of Member States seemed to opt for, while on only 1% of 'partners' were in favour (p32, Staff Working Paper). Similarly while 92% of partners welcomed more "co-ordination", there needs to be much greater clarity through developing a definition on what is meant by that , and how that might occur, both at the level of policy and practice. Simply reaffirming complementarity between Military and Civil Defence capabilities and humanitarian organisations does not suffice.

It would appear that agreeing on wording around the role and function of civil protection mechanisms was among the most difficult and contentious aspects of finalising the Communication. It is therefore to be welcomed that the principle of 'last resort' central to the MCDA and Oslo Guidelines is clearly reflected.

Self-evidently, the debate around this clause cannot be considered outside of the current challenges to the recently-revised Oslo Guidelines. In revising these guidelines in October 2006, the intent was to ensure their complementarity with the MCDA guidelines. As such, the use of state military assets to deliver humanitarian responses for life saving activities was described as a matter of 'last resort' – a principle already inherent in the earlier version of the Oslo Guidelines.

While the EC Communication mentions Civil protection only as last resort when applied in complex emergencies, VOICE members insists that Civil Protection should only be used in search and rescue in natural disasters since in complex emergencies the state nature and political motivation might easily jeopardize the principles of impartiality and independence.

The Civil Protection Unit/ DG Environment and certain member states are seeking to draw a distinction between civil protection and the military with the intent of deploying civil protection mechanisms more consistently in response to crises outside of Europe, and in accessing humanitarian aid budget to deliver a response by state instruments. There is a strong concern in the NGO community in relation to this – and to the fact that if there is significant potential for civil protection mechanisms to be deployed in a manner divorced from UN co-ordination mechanisms – something that the EC Communication stresses the need for. There is concern that if the assets of European member states are deployed in response to natural disasters, then the next demand will be for such mechanisms to be deployed in response to complex emergencies. This concern is reflected in the Communication which includes the idea of civil protection mechanisms being used in response to complex disasters - something that has been precluded in the past.

Humanitarian NGOs are aware that the military sometimes has a role to play in humanitarian crises when it comes to ensuring access to crises affected populations, the protection of populations and the maintenance of law and order so civilian humanitarian actors can do their work. However, they must always be last resort as stated in the SCHR guidelines on military-humanitarian relationship.

VOICE calls for greater clarity over division of roles and mandates between DG ECHO and DG Environment in relation to civil protection in humanitarian response. Concerning the role of the EU military in humanitarian crises, the consensus should call for the development of an EC framework on civil-military relations which is based on the Oslo and MCDA Guidelines and which envisages to make civil-military relations more effective. The EU should also give a strong emphasis on the preference for a civilian coordination through UN OCHA of humanitarian response for all humanitarian operations.

5. Funding for Humanitarian Aid

In the EC Communication the EU's commitment to "adequate provision of humanitarian aid" remains vague and non-committal. A key issue around funding is not so much the setting of targets, but where the money is sourced. For example, if there is to be more funding to the CERF and other UN reform initiatives, is this additional funding? Similarly, if the EU sees a greater role for civil protection assets to deliver relief, this needs to be drawn from other budgets, not the humanitarian one. When funding is allocated the EU has to take into account that earmarked funding gives greater transparency and accountability to the European taxpayer.

The EC Communication raises the important point that where capacity gaps are identified (eg, logistics, supplies), the EU needs to ensure "that these capacities are available *to a full range of partners.*" To date, there is concern in the NGO community that initiatives like the CERF are only open to the UN. NGOs can only access the CERF through arrangements with a UN Agency, which produces delays.

The Consensus should clearly recognize that the current funding for ECHO's humanitarian operations is insufficient, which the frequent use of the Emergency reserve over the last years clearly has shown. This should be addressed in the upcoming revision of the EC Financial Perspectives.

Given that contributions to the Central Emergency Response Fund (CERF) are unearmarked, the EU should commit to work for greater transparency and accountability concerning procedures and impact of the CERF before it decides whether the EC should contribute directly to the CERF. Any such allocation had to come from additional new resources, as stated in the framework of the CERF.

6. *Quality and Professionalism*

The focus on the need for speed of response combined with quality and an adherence to agreed standards is to be welcomed, as is the Communication's strong endorsement of some of the codes and standards derived as a result of the humanitarian sector's continuous attempts to ensure greater professionalism. However, further emphasis on quality/professionalism of NGOs should build on NGO/sector-led initiatives, such as HAPI, SPHERE and ECB, rather than impose accountability models in a top-down fashion.

The consensus should make a reference to emergency education and the INEE minimum standards for education response. This is despite the fact that education has increasingly been recognized as a key way to protect children caught up in crises. In addition, most families and their children prioritize it when asked what they need. Many major donors – the UK, US, Germans, Spanish, Dutch and Norwegians now fully recognize it as a central plank of any emergency response.

7. *Disaster Risk Reduction (DRR)*

It is encouraging that DRR has been given a prominent place within the Communication, and that it is clearly presented as an issue for the Union's developmental functions rather than just for ECHO. However, considerably more work is required to ensure a common understanding of what is covered by DRR, and a shared commitment between the different strands of the Union – it would seem that this is an issue that each member state needs to resolve prior to the completion of the consensus text.

It would be helpful for this debate to move beyond the Hyogo Framework Agreement which, although it provides the basic structure for discussion among the international community in relation to DRR, almost entirely neglects the issue of climate change and is extremely weak on the requirement for emergency response capacity.

Disaster Risk Reduction is an issue for both humanitarian and development interventions. Disasters should not be the starting point for DRR responses. Instead, risk reduction interventions must be seen as an integral part of development interventions in disaster-prone countries which frequently suffer from droughts, floods, earthquakes and the like. Therefore the recommendation in the Communication that the EU should 'mainstream DRR in humanitarian and development operations' is welcomed. The Communication also recommends that the EU should 'promote international efforts with the Hyogo Framework for Action'.

The Hyogo Framework for Action should guide the European Commission in mainstreaming DRR into its humanitarian and development policy and programming. The EC should also ensure that the Hyogo Framework becomes a document that informs the development practice of the Member States. A comprehensive, time-bound EC strategy for mainstreaming DRR is crucial to ensure that all EC development programmes and projects are designed with evident consideration for potential disaster risks and to resist hazard impact, and do not inadvertently increase vulnerability to disaster. The EC strategy should also ensure that all EC disaster relief and rehabilitation programmes are designed to contribute to developmental aims and to reduce future disaster risk, while using a 'people centred approach'. This puts communities at the helm of identifying local hazards and reducing risks.

The Communication rightly recognizes that preparedness and local response to a crisis are key to saving lives and that the Hyogo Framework recognizes coping capacities at the local, regional and national level should be increased. The EC should ensure that its disaster preparedness and mitigation activities incorporate community-based measures, which help to reduce a community's dependence on external assistance. Most lives are saved in the first few hours of a disaster, and very often emergency relief aid from the international community does not arrive until a few days later.

VOICE recommends that DG ECHO's DIPECHO funding mechanism and disaster preparedness programme should be built on to support longer-term DRR programming which works with local communities and authorities to address vulnerability to disasters.

The Communication recommends that 'adequate EU funding is made available for disaster preparedness and risk reduction activities. However no target for this funding is included.

VOICE recommends that the EC and EU member states should allocate at least 10 per cent of additional new funding to humanitarian assistance budgets to reducing disaster risks and should significantly increase resources for DRR within development aid budgets.

The EC Communication rightly recognizes that climate change is increasing the number and severity of extreme events such as floods and droughts, that the most vulnerable groups are affected most severely by disasters, and that therefore the promotion of DRR strategies and preparedness activities is essential.

VOICE recommends that the EC should coordinate its approach to these issues, ensuring that climate change is accounted for in DRR processes and DRR is integral to adaptation interventions. DRR interventions aimed at reducing the causes of vulnerability have significant overlaps with climate change adaptation.

8. *Linking Relief, Rehabilitation and Development (LRRD)*

When LRRD is stressed in the EC Communication there is no real articulation of what this means, and little consideration of the role that may in future be played by the early recovery cluster. The Communication seeks to link the issue of LRRD with the functioning of the Stability Instrument, although exactly how they see this link working is unclear. There is considerable concern among many NGOs as to the role and function of this instrument, and the likelihood that the considerable budget that has been allocated to this will be expended based on political decisions rather than humanitarian ones.

The Consensus should identify more specific commitments on bridging the institutional separations between EC humanitarian and development programmes. LRRD should inform all emergency interventions and clearly identified funding for recovery/rehabilitation work has to be established. The Consensus should mention the work done by the UN Cluster Working Group on Early Recovery, which covers essentially the same topic and propose that the EC is associated to this working group). The EC/EU should acknowledge the necessity of a thorough revision of LRRD, the concept that underlines it, the tools to be put in place, and the structural adaptation that may be needed.

9. *Reform of the Global humanitarian architecture*

It is to be welcomed that coordination and complementarity are stressed in the EC Communication and it is assumed that all the efforts the humanitarian community is taking to improve coordination are recognized. However, the EC Communication misses an opportunity to restate the need for greater balance and genuine partnership in developing and implementing the humanitarian reform agenda, namely the need to "ensure inclusion of humanitarian actors and NGOs" (p28, Staff Working Document). While this is well reflected in the 'Working Document,' with most respondents calling for greater inclusion of humanitarian actors and NGOs, it is not adequately stated in the final communication.

Therefore there needs to be greater recognition of NGOs efforts and role in reforming the global humanitarian system through, for example, the variety of accountability initiatives that are currently underway (ALNAP, HAP etc). The reform process is not simply a UN affair, although it is often described as though it were.

Very little reference is made to the humanitarian reform exercise that the UN is undergoing. Given that this is going to shape the humanitarian landscape for years to come, we would expect the EU to position itself more clearly on this. Notably, clusters are only mentioned as a coordination tool. They are indeed one at country level, but the work done in cluster working groups at a global level is more of a policy nature and it is surprising that the EU, the world's largest humanitarian donor, does not play a stronger role to influence it, apart from providing some funding.

NGOs remain critical, but constructive to the cluster system. They believe that, if made to work, and that includes consistent, sustainable funding for a broad range of NGOs to participate, that it will lead to improved results on the ground. Clusters need to bring with them joint visioning and identification of the challenges and problems to be addressed. so that a more complete response can be delivered. Leadership is required to make this work. The humanitarian reforms will only work if NGOs also take on leadership roles – in sectoral responses (e.g. clusters), in decision-making, and in global humanitarian partnership teams (as being discussed at the moment in the run-up to the Global Humanitarian Platform). The principle of partnership should guide the collaboration between UN agencies and NGOs when jointly assessing and analyzing what needs to be done. The independence of NGOs has to be taken into account in the responses.

There is a need to clarify what a “rapid quality EU-coordinated field level humanitarian response anchored in international relief efforts” actually means, particularly in terms of the relationship between ECHO and the UN. In practice, there can sometimes be tensions, with the NGOs being left in the middle having to answer to many different information needs and conditions. The Communication remains too vague on this point, and does not sufficiently address the concern that while partners welcome more co-ordination, the EU should strive to improve it within the context of UN co-ordination, not a ‘specific EU coordination’ structure (p32, Staff Working Paper).

The EU should position itself more clearly in the Global Humanitarian Reform process. It should participate and actively support the ongoing discussions vis-à-vis the different clusters also when it comes to developing further methodologies for common needs assessments. The EU should also consider how to support global humanitarian partnership teams which are under development both in relation to the UN reforms and the Global Humanitarian Forum. The EU should also stress that the Global Humanitarian Reform process needs to include the UN, the Red Cross Movement, the NGOs and the donors and be based on the principle of partnership where the complementarity of all actors is clearly recognized.

10. Good Humanitarian Donorship (GHD)

The need for clear positions is perhaps one of the key and recurrent themes within the EC Communication - as is its strong appeal for **coherence and complementarity** of donor policy and practice between the member states. The recommendation of the application of **GHD** is broadly positive when the EC Communication proposes that the GHD principles to which European governments have signed up to should provide a common framework for decision making and action. To date, the GHD principles have not really been delivered on, and it is a key question for member states as to whether they can accept and deliver on the concept of harmonisation, and this is potentially an issue on which NGOs should seek to hold donors accountable.

There is a need for more specific commitments on GHD. The Consensus should seek to redress the imbalance inherent in the exclusive focus on enhancing UN capacity that pervades the GHD principles through developing further the proposal of Good Humanitarian Partnership in the EC Communication. Synergies with the Global Humanitarian Platform which aims to bring NGOs, Red Cross and the UN together to work on partnership, coordination, best practices etc. should be explored.

11. Protection

The lack of discussion of protection in crises is lamentable. The EU needs to address this complex and nuanced issue to outline how it defines protection in complex emergencies; and how it intends to become more active and deliver on it, using its wide range of complementary mechanisms.

More of a focus is needed on how to identify and reach the most vulnerable groups, particularly children, who often make up at least half of all disaster victims, and whose voices are rarely heard in terms of need and impact. The Consensus should therefore make particular reference to children, women, elderly people and handicapped.

12. Capacity of the humanitarian sector

The suggested continued focus on “‘forgotten crises’ and neglected needs” is to be applauded, but the lack of clarification as to what this actually means – and the on-going lack of agreement between the UN and ECHO (for example) as to which countries should fall into this category – is a cause for concern and an issue that should be addressed.

While the EC Communication seems to imply, that the EC is seeking to develop an operational presence on the ground to “help fill” the “gaps” in the international community’s humanitarian response capacity. If this is the case, it is a course of action at direct variance with the feedback given to ECHO by all of its partners – the NGOs, the Red Cross Movement and the UN.

The EC Communication gives a strong focus on quantitative measures such as rapidity, efficiency, and effectiveness. There should be more focus on the need to measure aid by its impact on local populations, rather than only in terms of what has been delivered, how much money was spent etc. Impact assessments and evaluations must put affected people at their heart, and must take into account their views – particularly of women and children, the bulk of emergency victims.

The Humanitarian Response Review most explicitly outlined the need to build capacity of the humanitarian sector, particularly in logistics and protection. This is where NGO leadership is most needed – NGOs deliver the bulk of the work, and have long experience in how to build capacity, train up and mentor staff.

Brussels, July 2007

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Contact: +32-2-541.13.60 / e-mail: information@ngovoice.org