



Round Table

Global Humanitarian Reforms: What impact on European NGOs?

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VENRO

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VENRO is the Association of non-governmental organisations (NGOs) operating in the area of development. It comprises around 100 German NGOs working as executing agencies of private or church development co-operation, emergency relief and educational, public relations and lobbying activities relating to development cooperation.

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VOICE is a network representing some 90 European non governmental organisations (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 European Union on emergency aid, relief, rehabilitation and disaster preparedness. As a European network, it represents and promotes the values and specificities of humanitarian NGOs, in collaboration with other humanitarian actors.

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Peter Runge and Kathrin Schick, Introduction

In 2005/2006 former UN Emergency Relief Co-ordinator Jan Egeland developed reform proposals on a strengthening of the response capacities of the UN humanitarian system. The reforms, which have been implemented step by step since 2005, are to improve the speed, co-ordination, effectiveness and planning capacity of the humanitarian system as a whole in major disasters. The proposals by Jan Egeland have had far-reaching consequences not only for the UN system but also for the international Red Cross Family and the private humanitarian aid agencies.

Simultaneously, in the 2nd half of 2006 the EU Commission started drawing up an "EU Humanitarian Aid Policy Statement". This communication from the Commission to the European Parliament and the Council called "Towards a European consensus on humanitarian aid" was published on June 13, 2007 during Germany's presidency of the EU Council. The EU Commission's document deals with the changing framework conditions for humanitarian action, describes the common values and principles of humanitarian aid, and outlines guidelines for the implementation of European humanitarian aid.

From the angle of the non-governmental organisations (NGOs), Germany's EU Presidency in the first half of 2007 offered an excellent opportunity to discuss and advocate for the principles of humanitarian aid, the plurality of actors, the protection of humanitarian space and other necessary framework conditions, and the role of NGOs in the humanitarian system.

Therefore, VENRO, the network of German development and humanitarian NGOs, and VOICE, the network of European humanitarian NGOs, invited to a "Round Table" discussion on "Global Humanitarian Reforms: What impact on European NGOs?" which took place on March 12, 2007 in Berlin. The distinguished panelists included representatives from UN OCHA, ECHO, the German Foreign Office and NGO networks.

The "Round Table" offered participants the opportunity to exchange their point of view on the current humanitarian reform debate. Hopefully, some of the suggestions have made their way into the drafting of the "Joint declaration on the European Consensus on humanitarian aid". The different presentations are documented in this conference report. We hope that you will find this report useful for your own work.

Dr. Rainer Lucht, Comments on the humanitarian reforms of the UN

Before starting with my comments on the reform, I would like to give some introductory remarks:

1. We speak about the “humanitarian UN reform”. There would be no such big debate from NGO side, if the reform were only to deal with the UN humanitarian system itself, a quite important issue looking at its outdated setup and for a long time due to be reformed and streamlined to be more effective and efficient.

But the UN is more ambitious with its proposal. Instead of doing first its homework and going step by step, its proposal doesn't deal so much with the internal reform (as this seems to be politically too difficult to succeed as we see in the whole UN reform process), but it tries to reform the whole humanitarian system and includes arbitrarily the other humanitarian actors outside the UN, the NGOs and the Red Cross/Red Crescent family.

2. Let's speak about “timing”. Most of us German NGOs have so far not been involved in the global reform debate, going on for some time in Geneva and some other countries. But as the ongoing debate has shown obvious shortcomings in the original UN proposal and the UN was forced to take this into account I hope that the NGOs come in time to contribute their comments, in particular during the German EU Presidency because there is a debate going on about EU policy on humanitarian aid. The EU, is one of the biggest actors in the global humanitarian system, has a very important role and influence in the reform process.
3. My third comment is about “politics and humanitarian aid”. The UN proposal comes as a result of the

Humanitarian Response Review (HRR) commissioned by OCHA to evaluate speed, predictability, coordination and effectiveness of global humanitarian system. HRR is strongly influenced by emphasizing the deficiency of humanitarian response in the Darfur conflict.

We should not forget that most shortcomings are the helplessness and failure of the political community to come to a political solution for a human tragedy like Dafur, something far beyond the realm and influence of humanitarian aid. Humanitarian aid should not be blamed for political failures nor can a reform of humanitarian system cover up or substitute these political shortcomings.

In spite of our critical comments we don't deny the need to improve the global humanitarian system regarding effectiveness and credibility, because of

- the inefficient and unclear coordination in big emergencies;
- the missing resources in forgotten and chronic emergencies;
- the increasing threats to civil population and humanitarian aid organizations in conflicts;
- the increasing violations of humanitarian principles and International Humanitarian Law (IHL) in conflicts.

By means of our VENRO position paper¹ we would like to contribute to the current reform debate and comment on the UN proposal. To start with, I would like to highlight some basics and principles in our

¹ VENRO, VENRO Policy Paper on the Current Proposals by the United Nations on a Reform of the Global System of Humanitarian Aid, March 2007, cf. www.venro.org

understanding of humanitarian aid which should remain cornerstones also of a reformed system. I emphasize these points right from the beginning, because in the original UN proposal they are not prominently considered and fixed.

1. Humanitarian Principles

They are enshrined in government and NGO commitments (1994 CoC of Red Cross/Red Crescent families and humanitarian NGOs, 1994: Basic rules of German Humanitarian Aid, 1996: EC-Regulations on Humanitarian Aid), which again are rooted in IHL. This has strong implications: humanitarian aid should not be used or misused for non-humanitarian objectives, especially as political instrument. Therefore I support the recent comment of my OCHA colleague, Mr. Strohmeyer, during our debate in Bruxelles on 22th February: “We should firewall the humanitarian principles” within the humanitarian reform.

The German Government and the European Union are called upon to

- continue to guarantee and internationally campaign for the independence and neutrality of the NGOs in humanitarian aid that act in self-responsibility in accordance with their own mandates and implementing strategies;
- step up their engagement at international level for the observance of humanitarian international law and exert their influence in particular where aid organisations are denied independent and neutral support by the conflict parties and/ or access to the people affected is impeded or prevented;
- not to subordinate their humanitarian aid to foreign and security policy objectives but, in accordance with the Humanitarian Imperative, offer support wherever it is most urgently needed;

- strictly observe that exclusively those actors receive support who feel themselves committed to the humanitarian principles.

2. Role of humanitarian NGOs in humanitarian aid

Humanitarian NGOs are recognized – in Germany’s last government report on humanitarian aid NGOs are called “the real actors of humanitarian aid” – and appreciated within the European Union, especially by ECHO. Why is that?

- Because of their professional experience and capacity to provide quick and effective aid;
- Because they are part of civil society in our countries and mobilize their support;
- Because they cooperate closely with local partners and networks in the beneficiary countries, that means on the one hand improving impact and sustainability of their aid programs, and, on the other hand, strengthening civil society there.

Also the humanitarian UN organizations highly depend on support and capacity of NGOs, but surprisingly the UN in its reform initiative.

- has not involved NGOs in the development of the reform proposal;
- and doesn’t see NGOs as a partner on equal importance in the new system

The reform concept has the tendency to develop a new global system of humanitarian aid with the new instruments and measures that institutionalises the dominance of the United Nations while assigning the NGOs the role of implementing organisations. For the German NGOs two points are essential:

- The plurality of civilian non governmental humanitarian actors, the so called three pillar system composed of NGOs, Red Cross/Red Crescent

family and UN organizations is and should remain an important fundament of humanitarian aid system;

- Multiple financial support for humanitarian aid, especially from our civil society mobilized mainly by NGOs, is crucial for the strength and independence of humanitarian aid.

The German Government and the EU are called upon to:

- stand up for the NGOs being given the opportunity in the reform dialogue with the UN institutions to have a say and be involved on a par in the further development of the reform process that corresponds to their important role in civil society and in the global system of humanitarian aid.

After these basics I would like to comment on three key elements of the reform proposal:

1. Establishment of a new Central Emergency Revolving Fund (CERF)

Establishment of a new 500 million US\$ UN fund is proposed to act quicker (within 72 hours) in lifesaving emergencies and better in forgotten crisis instead of the previous financial appeals with its time consuming and cumbersome procedures and limited success.

- This means to get non- earmarked funds in advance which would be automatically refilled according to expenditure.
- This assumes a high confidence of donors in transparent and efficient management and use of these funds by UN.

Our concerns:

- Only UN organizations and IOM have a direct access to the CERF, while NGOs as implementing organizations need first partnership agreement,

project contracts and project proposals approved by the UN to get funds.

- It's not clear, if CERF is an additional financial instrument accessible for NGOs or it is intended to reduce other existing and proved public financing instruments and concentrate humanitarian funding on CERF and UN.
- There is no participation of NGOs in the management of CERF, or in planning and implementation of humanitarian aid programs financed by CERF.
- We fear additional transfer and management costs in disadvantage of needed aid, as access for NGOs – which mainly do the job in the field – has to pass cumbersome procedures through costly bureaucratic layers.

CERF could be a valuable instrument if

- it is a complementary funding instrument, not substituting other proved instruments;
- it is accessible to NGOs and with a participatory management;
- it guarantees transparency, efficiency and effectiveness.

The German Government and the EU are called upon to:

- ensure that Germany's financial contribution to CERF is not made at the expense of the already existing national budget lines (e.g. humanitarian aid /Foreign Office and development- oriented emergency aid /BMZ);
- raise the meagre budget line for humanitarian aid in the context of the intended increase of German Official Development Assistance (ODA) independently of financial commitments for CERF;

- urge, as donors to the UN, that the CERF system
 - a) contributes to greater efficiency, speed and transparency rather than making humanitarian aid more expensive and bureaucratic;
 - b) does not result in the NGOs being excluded or their being attributed the role of mere implementing organisations but ensuring them appropriate participation in planning and implementing humanitarian aid measures and their having a say in the appropriation of funds;
 - c) is evaluated in terms of these aspects as soon as possible.

2. The cluster approach: a new co-ordinating mechanism?

The number of actors performing humanitarian aid has been growing for years. This means new challenges for the currently existing co-ordinating mechanisms. The approach is aimed at defining a uniform, binding co-ordinating body for different sectors. Usually under the directorship of a UN sub-organisation, the capacities and resources of qualified organisations are to be established in nine activity areas in order to thus be able to respond to potential supply gaps in the countries at an early stage.

Our concerns:

- Coordination must not result in more bureaucracy, centralization, hierarchy and more expensive implementation structures.
- The predominant task of OCHA should be first of all improving the co-ordination of the UN organizations working in Humanitarian Aid.
- International aid must first of all be the task of the national government of the respective country. Connected with the additional aid organisations at local level, they usually play the most important role in implementing aid.
- More than 50 percent of response capacity world-wide is provided by non-governmental organisations. The issue of co-ordination also shows that the reform project does not sufficiently consider such aspects.
- If the United Nations would assume a predominant role within the world-wide system of humanitarian aid that would have negative consequences from the angle of the NGOs. The UN would simultaneously be a co-ordinating body, a donor and a privileged recipient of aid money. Given this overlapping of roles, NGOs fear that massive and possibly insuperable conflicts of interest could develop within the UN and between the UN and NGOs.

We think coordination and synergies are very important. The UN should have an important role, but whole system should be more participatory and inclusive, more locally centered, not more bureaucracy, hierarchies, centralism and not costlier.

The German Government and the EU are called upon to urge that

- the system of UN co-ordination must guarantee more rapid, efficient and effective aid for the victims of disasters;
- the reforms do not result in an unhealthy centralisation of decision-making and distribution powers in the UN, which would be forfeiting the plurality of humanitarian actors and humanitarian approaches in favour of a centralistic approach;
- that the NGOs are conceded true participation in the co-ordination of humanitarian aid measures (planning, implementing, allocation of funds) in the new system.

3. Humanitarian Aid and „Integrated UN missions“

Of course we all see the UN reform proposal and its coordination role in HA in a broader context, within the general UN reform. This reform intends among other things to give the UN a better backing and stronger operational role in its political and military intervention capacities to resolve conflicts and wars:

- “The responsibility to protect”- as an approach which gives the UN the right to intervene in states if these are” not willing or able” to protect their population against massive threats and persecution in civil war and conflict.
- “Integrated UN missions” – as an UN instrument with political objectives which combines and coordinates robust military intervention (UN Charta, Chapter VII) with humanitarian, reconstruction and development action.

Our concerns:

- Whereas co-operation on a partnership basis and co-ordination between civil aid organizations and UN sub-organizations should generally be sought in natural disasters without a conflict background. Currently the UN attempts to integrate humanitarian aid as part of a political overall strategy in conflict and post-conflict situations.
- Furthermore, a clear delimitation of humanitarian measures from the political and military objectives of the UN is of crucial significance.
- Experience in recent conflicts has shown that:
 - a) The UN and other political actors lost their acceptance among the population combating factions or the national government or were regarded as a biased intervention an attacked, with the consequence that they were no longer able to act. The result is that humanitarian aid is dependent on the success or

acceptance of the UN political and military efforts.

- b) This “humanitarian space” must not be forfeited to the benefit of what might appear to be efficiency-enhancing, politically oriented coherence and co-ordination.
- Already without such institutional embedding in so- called “Integrated Missions”, civil aid workers and foreign armed forces have blended into a common enemy for the population in countries such as Afghanistan, Iraq, Somalia, Sudan, which has grave consequences for the security of the staff working for aid organizations.

The German Government and the EU are called upon to urge that

- the independence of humanitarian aid from political influence in conflicts continues to be ensured so that it can be performed in accordance with the humanitarian principles and conflict parties do not regard it as biased interference in the conflict (this principle also has to apply if the German Federal Government or the EU themselves are actors in a conflict, e.g. in the framework of UN missions);
- co-ordinating humanitarian aid must above all aim at more effective aid and must not be an element of Integrated UN Missions to achieve political and military peace enforcement.

Summary:

We hope to contribute to an open and broad dialogue with the UN to improve the global humanitarian system in its effectiveness and credibility. There can be a positive role of the UN, if improvements are participatory and inclusive, if they don’t result in more bureaucracy and centralism, rely on the humanitarian principles and civil society organizations and avoid mixing humanitarian aid with non-humanitarian objectives, especially in military conflicts.

Dominic Crowley, Global Humanitarian Reform - The NGO perspective from the field

Reviewing material for this presentation it was evident that many of the issues are contested.

Too much to cover in a week, far less fifteen minutes. As such, this will be a superficial overview of some of the issues.

Typically perhaps, there is no single NGO perspective – but nor is there a single donor view either.

I will try to reflect on some of the main arguments, with the warning that some of these views are contradictory.

The Humanitarian Reform Process

The starting point for much of the reform process may be seen as Kofi Annan's "In Larger Freedom" of March 2005 – which came perhaps in response to pressure from donors, but captured the general sense of the need to change the management of humanitarian responses.

Drawing largely on the responses to the tsunami, Darfur and eastern DRC, and basing its recommendations on the need for "leadership and coordination from the United Nations", the report damns with faint praise the response of the international community to the range of crises faced in 2005, stating: "the system that comprises the humanitarian community of agencies and non-governmental organizations has been performing reasonably well, under the circumstances". The report then identifies three areas in which reform needed to be made to ensure more effective humanitarian responses in all emergencies:

1. More predictable human and financial response capacity

2. Strengthened field coordination structures
3. Predictable right of access and guaranteed security for our humanitarian workers

Two years on, where are we?

Although most NGOs have welcomed the reform process, this response has been uneven, ranging from watching from the sidelines, to 'critical engagement' (Save UK and Oxfam) to Médecins sans Frontières (MSF) forthright rejection of the whole process.

MSF's critique of both the "Good Humanitarian Donorship" process and the wider reform process goes to the heart of the process - essentially they argue that, particularly in complex emergencies, the UN cannot provide independent and untainted leadership. MSF believe that the proposed reforms will dilute the humanitarian nature of 'humanitarian aid' by strengthening an integrationist system which makes humanitarian considerations subordinate to political and security ones.

This is specifically an issue in complex emergencies.

In support of this, they cite – among other things - the Secretary General's note on integration of January 2006 which reaffirms 'integration' as the "guiding principle" for the design and implementation of multi-dimensional UN peacekeeping operations. The note states that the UN presence must be based "on a clear and shared understanding of priorities and a willingness by all actors toward the achievement of common objectives".

MSF believe that although the Special and Personal Representatives and Envoys of the Secretary General (SRSG) is instructed to "uphold humanitarian principles and support an effective humanitarian operating environment", the UN's humanitarian action has been subordinated

to political considerations and, as a result, humanitarian principles and needs will be secondary to political objectives and strategy.

You do not have to go to the extremes of Afghanistan and Iraq to see the difficulty of delivering impartial aid in an environment in which Western forces are deployed.

- The perception of the UN as partisan in Somalia.
- The overtly political decisions made by the EU in relation to what should have been humanitarian aid interventions in Palestine and Darfur, but which were subverted to a political agenda.

But where is the process at? To take each of the focus areas in turn:

1. More predictable human and financial response capacity

At the heart of the drive to secure *more predictable funding* is the CERF – restructured, renamed and relaunched in March 2006 – and appropriately, today is the first anniversary of this relaunch - to complement existing humanitarian funding by ensuring a rapid response to emergencies and a greater equity/proportionality of funding.

How successful has it been?

As with each of the elements of the reform, it is easy to be critical – the attitude of NGOs to the success or failure of the CERF seems largely to be informed by their attitude towards the reform process as a whole. It is important to bear in mind though that this is a new process for the UN and the NGOs alike, and to date there seems to be a willingness on the part of the UN to make it an iterative one – improving the process as they learn from its application.

Objective criticism is made difficult though by the lack of analytical data. NGOs have been trying to plug that gap by analysing the dispersal and impact of CERF funds, but the conclusions contained in the recent papers from Save UK and Oxfam in recent months have been somewhat at odds with each other, with Oxfam's analysis being far more positive than that of Save.

It is good to hear that OCHA is looking to address this issue in the course of 2007.

CERF represents 3% of OHA in 2005, but this figure is distorted by the level of funding allocated to the tsunami. However, it seems likely that this percentage may grow, especially if the calls from the UN and some NGOs to put more money through either the CERF or the cluster leads is taken up by the donors... each of these has serious implications for NGOs working in the field...

The Department for International Development (DfID), for example, seem keen to push funding through these mechanisms– its wat/san allocation in Palestine went through Unicef as the cluster lead – and it encouraged NGOs to seek funding for flood response in east Africa in Nov 2006 through the CERF – raising questions as to the role of the cluster leads and of the nature of the CERF.

It is difficult to assess CERF's impact, but, its first year report card suggests that it has been relatively successful and that some of the problems encountered in the initial months are being addressed.

Responses in countries such as Kenya, Timor Leste, and Darfur benefited from access to CERF funding, and NGO access to this funding has been good in countries the DRC, Liberia, Darfur and Somalia – as opposed to access to the Pooled Funds.

However, the speed of access to these funds has been problematic, with delays of up to 96 days for some applications to the CERF in Somalia².

It is hoped that the newly standardised administrative procedures, adjustments to UN field accounting systems, and increasing levels of awareness of the CERF mechanisms among UN and NGO staff, will improve the speed of decision making and disbursements.

Reflecting this positive report, donors have pledged \$342 million for 2007 and there are suggestions that income may reach \$400 million.

There is a question though as to how critical, analytical or engaged the donors are of the utilisation of the CERF.

It is important to note though that \$291 million (85%) comes from top six donors – UK, Norway, Netherlands, Sweden, Ireland and Spain - while there remains a significant group of what can be termed ‘sceptical states’ including the US, Germany, France, Japan, Italy, and Austria, who have shown a lack of enthusiasm to support the CERF process.

This must give rise to questions as to how representative the reform process is.

ECHO of course does not contribute – with a capped budget, it is not possible for ECHO to release ‘new’ money. ECHO’s approach towards needs assessment and support to NGOs means that it can release funds at least as quickly as the CERF and ensure that they go to the primary implementers and its mandate requires the

submission of specific proposals rather than the allocation of money on the basis of future possible needs.

There is also a question as to decision making around the allocation of funds – who decides what is a ‘forgotten’ or ‘neglected’ crisis?

It is the view of many NGOs that ECHO should not be pushed to contribute to the CERF, but could perhaps improve field co-ordination

There is room for improvement however.

The key question is whether the reforms have improved the speed and quality for those affected by disaster. There is no doubt that the CERF has helped to narrow some funding shortfalls, but in reality, CAP coverage has only increased by 3% and significant shortfalls remain.

Among the key steps being sought by those NGOs supporting the reform process are that:

The speed and predictability of funding and disbursement is improved, with CERF funding available in a more timely manner, and donors making significant, long-term commitments to it

Donors need to increase sustainability, predictability and volume of funding
Double the size of CERF to \$1 billion, ensuring that NGOs have direct access to at least 50% of this fund given that they are the primary deliverers of humanitarian responses – perhaps through the identification of pre-approved NGOs who could have rapid access to this money.

This of course raises the issue of selection criteria, accreditation and, potentially, future independence of action.

UN needs to continue to improve the process so as to speed up the disbursement process in-country.

² DRC – 64.3% of CERF funding to NGOs – 45 days between application and disbursement of CERF funds
Liberia – 83% of projects funded under CERF were NGO projects – 58 day delays
Darfur – 43 day delay
Somalia – disbursement between 14 and 96 days, largely due to the absence of LoUs between UN and NGOs.

At the same time, transaction and administration costs need to be reduced. Currently project support costs are capped at 7% - does the UN take 7% and the implementing partner another 7%? If not, then how is the 7% divided? Overheads taken must be commensurate with value added to the interventions

The level of accountability needs to be improved – there must be increased transparency and efficiency of utilisation of CERF funds – and wider and deeper impact assessments must be mandatory and comprehensive.

Standardised reporting system and common indicators are needed, along with a process to document the timeliness and efficiency of allocations at the field level – how much, how quickly, to what end – not just which NGOs have received funds.

NGOs to be more actively included in all in-country decision making processes to avoid the stands offs that have been seen in Cote d'Ivoire and Somalia.

If we are in the process, then we want to have a full role in it – not to feel as though we are a belated addendum.

Donors need to start monitoring how their money is being spent and whether it achieves its objectives

The process of determining how best to ensure more predictable human capacity was undertaken via the Humanitarian Response Review, whose report in August 2005 made 36 recommendations, the most important of which was the establishment of the cluster leadership approach for programme sectors in which there were gaps, and the use of the cluster model as a means of developing 'surge' capacity to ensure a rapid response to new disasters.

As such, the review provided a direct link with the issue of improved co-ordination...

2. Strengthened field coordination structures

...which may be seen to cover the role of the clusters and of the Humanitarian Co-ordinator.

While supporting the idea of improved co-ordination of activity, MSF argue for increased distinction and separation between the NGOs and the UN, so ensuring a diversity of humanitarian actors and the increased likelihood of a variegated and more successful response to crises... and this is an important issue.

Inherent within the MSF critique is the suggestion that the cluster system implies an unacceptable level of accountability to the UN, and that strengthening the responsibilities of the HC without addressing the problems inherent in having a triple mandated representative merely deepens an untenable situation.

Following from this is the argument that the reforms to date have resulted in excessive co-ordination structures and added layers of bureaucracy rather than enhancing the scope for independent and flexible humanitarian action.

Cluster model

However, the process has continued and its first application in a sudden onset emergency was in response to the Pakistan earthquake in November 2005. Action Aid's description of this response as "shambolic" might be overly harsh, but it reflects a wide sense of unease in the NGO community as to how the system worked. Among the key issues that emerged:

- Slowness in establishing the clusters
- The inability of some cluster leads to manage meetings
- 'Over-clustification' – too many meetings and sub-meetings – a sense that the process was taking on a life of its own and that

attending meetings was a full-time job

- The doubling of workload for the cluster leads who were required to manage two jobs – their own and that of the cluster lead, often with no clear understanding as to how to separate these functions or prioritise between them
- High staff turnover, with too many people brought in on short contracts, especially in the first months of the response – a problem for both the UN and NGOs
- The need for the early and full engagement of the government in a management role.
- The need for clear mechanisms for the engagement of national NGOs – cf. the TEC report
- The lack of accountability of the process

Some of these issues are being addressed, but there is a sense that many have been seen in subsequent emergency responses.

At the global cluster level, there is a sense that NGOs are strengthening the UN via secondments and the completion of workplans.

Strengthened leadership of the Humanitarian Coordinators (HCs)

As part of the humanitarian reform process, the HCs have been given increased responsibility for managing emergency responses. Reversing a situation whereby HCs had to *persuade* UN agencies to carry out tasks, cluster leads are now answerable to the HCs if they fail to respond to a crisis quickly and effectively.

However, there would appear to be serious deficits in terms of the availability of suitable candidates for the HC posts. Acknowledging this, the UN has established a comprehensive recruitment strategy and has sought nominations from

the non-UN sector. The outcome of this process is unclear and will, presumably, take time to have an impact.

The UN's overall goal is to ensure that the HCs are able to provide leadership in humanitarian emergencies, particularly in terms of OCHA's advocacy mandate, but questions remain as to the implications for OCHA of becoming more deeply embedded in a 'coherence' model of UN engagement – the dreaded integrated missions - as this may be seen to call into question their capacity to operate independently of the UN's political or security agenda in some situations.

3. Predictable right of access and guaranteed security for our humanitarian workers

...is perhaps the starting point for all interventions, but seems to have been somewhat neglected in the reform debate.

If the ongoing failure of the international community to address crises such as Darfur reflects anything, it would seem to be that unless the issues of access and security are addressed, all the other reforms that are being undertaken will be to no avail in the most complex of emergencies.

To put this in context, since the establishment of the UN in 1945, the eight largest humanitarian disasters (as measured by the loss of life) have come about as a result of conflict: Korea, Vietnam, Cambodia, Sudan, Afghanistan, Rwanda, the DRC and Northern Uganda.

Complex emergencies remain the most deadly of emergency phenomena and, globally, the risk of death from the effects of violent conflict still outnumbers the risk of death in a natural disaster by a factor of about 4:1. IFRC's 'World Disasters Report' suggests that approximately two million people were 'affected by natural disasters' between 1992 and 2001, but that

40 million or more were displaced by war during the same period.

So, while there may be a relatively small number of complex emergencies, their impact is enormous and responding effectively to their impact on civilian populations must be at the heart of any humanitarian reform process.

There has been considerable discussion around the need for closer co-ordination between the UN and non-UN organisations, but relatively little discussion around the need for space and distance between us – particularly in complex emergencies in which there is a DPKO deployment. The neutrality of UN forces is often questionable, and there may be security implications for agencies if they are seen to have an over-close linkage with the UN in any of its facets, not just its military ones.

Simply stated, in complex emergencies it might be the case that the security of humanitarian organisations is better served by maintaining a distinction between the UN and other organisations.

There are some organisations who believe that this principle should apply to the whole reform process.

To date, much of the reform process seems to be about strengthening the UN rather than the humanitarian community and, as such, it has not been seen as a genuinely global process. Attempts to ensure NGO inclusion have been deemed by some as attempts to co-opt NGOs into a UN process, raising questions as to the autonomy that the UN sees NGOs having in future emergency responses.

‘Delivering as One’ may be the UN’s new motto for humanitarian responses, but perhaps the emphasis of NGOs should be on differentiation – working to support the principles of reform, but making it genuinely global, ensuring that we reform ourselves to be better at implementing our own programmes, rather than as an adjunct to the UN – and continuing to put pressure on donors to support a diversity of actors rather than being driven down a road towards monolithic responses.

Paul Grossrieder, The role of the EU in the process of Global Humanitarian Reforms.

Humanitarian NGOs need to be independent

The main feature and value added of the European humanitarian NGOs is their independence. NGOs need to preserve this independence and their approach of aid based on the humanitarian principles.

Independence is founded in the International Humanitarian Law (IHL) and the humanitarian principles. The humanitarian space in which only the humanitarian interests are taken into account, should be preserved. These pre-requisites need to be promoted by the European Commission (EC) but also by the governments of the EU Member States.

DG ECHO remains a positive “ally” to the NGOs. The ECHO Framework Partnership Agreement makes it possible to fund HA programmes and projects on basis of needs and not of political considerations. The Good Humanitarian Donorship Initiative once applied by all Member States and provided NGOs are being included, would give more coherence to the donors’ practice in terms of a needs-based approach.

The threats on independence

The current development of EU crisis capacities (under the Common Foreign Security Policy, suggestions of the Barnier report, etc) is threatening the independence of humanitarian NGOs.

Civil protection is a major instrument in the Community Mechanism, which depends of EC DG Environment. Any crisis-affected country can request assistance through the MIC. The issue is the confusion between independent

humanitarian NGOs and civil protection which is a State actor. When the Barnier Report is proposing a “Europe-wide civil protection force” and the creation of a “one-stop-shop” for the EU’s humanitarian response, which would coordinate civil protection with traditional humanitarian actors, this would undoubtedly weaken the principled approach defended by ECHO and the humanitarian NGOs, as well as the NGOs’ independence.

VOICE maintains that the military is not a humanitarian actor. Military forces are the extension of political will and, as such, are not in the position to alleviate human suffering in an impartial and fully needs based manner. In Afghanistan, for instance, the PRT’s create a large confusion between military and humanitarian actors and erode the humanitarian principles. This confusion and “blurring of lines” may also cause security problems for aid workers.

Concerning the use of military assets in crisis, VOICE follows the position expressed by EC Commissioner Louis Michel: “they [military assets] should be called upon when there is a need that can not reasonably be covered by civilian means...”

For a diversity of civilian humanitarian actors

The diversity of actors (NGOs, Red Cross families, and UN-agencies) is a factor of enrichment of humanitarian approaches and is a guarantee for independence of the humanitarian NGOs.

Why should all humanitarian actors be aligned on the UN and become mere UN implementing sub-agencies? Coordination does not have to be synonym to one “uniformed” approach.

A process called the Global Humanitarian Forum started in July 2006 in Geneva, with

the participation of the UN Emergency Coordinator, the UN agencies, the Red Cross family and NGOs (through the networks ICVA, Interaction, SCHR and VOICE). Its objective is to promote the diversity of humanitarian actors, and put all actors on equal footing.

While the process was initially an excellent initiative, it is now going through a difficult phase, as there is a strong temptation to include this process into the overall UN reform process.

Given the different conceptions of humanitarian action within the EU, VOICE welcomes the EC Commissioner and DG ECHO for having launched an extensive Questionnaire to all stakeholders in order to establish a coherent

European humanitarian aid policy. This initiative will lead to an EC Communication on Humanitarian Aid which will give the strategic policy orientations of the EC, as well as to the Council Conclusions by the end of the German EU Presidency.

Mobilisation

There are worrying orientations within the humanitarian European environment. The above points are the most crucial ones.

The European NGOs need to actively advocate and mobilise the political stakeholders in their own countries – as it is the case in France, for instance. This mobilisation will counter trends such as politisation – or even militarization – of humanitarian aid, and is a crucial precondition to save the independence of the NGOS and their added value.

Johannes Luchner, The role of the EU – the donor perspective.

- The European Commission - DG ECHO - as a major donor continues to **support** the humanitarian system reform, with its underlying aim of improving the effectiveness of the delivery of humanitarian aid at a global level. Whatever the perspective - donor, UN Agency, or NGO we must all play our part in this important collective endeavour.
- The European Commission is a strong traditional supporter of the UN and multilateralism, and we acknowledge the specific role for OCHA and the ERC at the core of the humanitarian response coordination effort. However, we are also looking to ensure that the reform process is inclusive, and not simply perceived as a UN-affair.
- In Brussels, we are strongly committed to a plurality of implementing partners for the humanitarian aid funded from the Community budget, which we see as essential to ensuring the organisations best placed to respond to any particular crisis have access to funding to do their job of saving lives and protecting the vulnerable.
- Broad participation, including of the humanitarian NGOs that are active in the field is the key to the success of the reform initiatives. We recognise that this requires willingness and adaptation on all sides, and that there should be proven added value of reform elements, such as the cluster system.
- Clearly, reforms are not an end in themselves but must be well implemented and lead to a marked improvement of the global response on the ground in any given crisis.
- This is still very much "work in progress" and we can all see that the performance so far is mixed. A number of specific issues, in particular around the practical implementation of the Cluster approach and the allocation and accessibility of common and pooled funding are emerging.
- We would very much urge you to **stay** engaged in working in clusters both at the global level and, where appropriate in the field, to ensure a shared analysis of needs and capacities and a coherent response strategy.
- We know well your concerns in terms of the UN role. Let me assure you that we can and do offer our **constructive critique** of the reform implementation to OCHA and the other UN actors in our regular contacts with them. Later this week in Brussels, we will be meeting with OCHA on a whole host of strategic issues and looking critically at the reform.
- ECHO prides itself on being a learning organisation, and we are always interested to hear the views and practical experience of NGOs of involvement in the reform process and on your inter-reaction with the UN humanitarian agencies. Specific operational examples of good practice and of problems encountered are always useful for us to hear.
- Turning to the specific EU perspective, as you know DG ECHO is currently in the middle of a broad partner and Member State consultation on EU humanitarian aid policy, in which many of you have been involved. This should lead the Commission to adopt a Communication towards the end of the German Presidency.
- The purpose of the Communication will be to position the EC on policy issues

and challenges arising on humanitarian aid and to provide a basis for a proposed EU-level consensus on principles and practice of humanitarian action (a kind of collective "statement of intent" that should be endorsed by the Commission, the EU Member States in the Council and the European Parliament). The Communication itself will be by its nature a short "political" document capturing the challenges and ensuring the momentum needed to bring about positive practical changes in the delivery of humanitarian aid.

- One element that has come out very strongly in the consultation is that the EU should not try to 'reinvent the wheel' be it on developing logistics capacities and pre-positioning or on adopting guidelines on delivery of humanitarian aid, where these already exist at an international level. This is certainly not our intention. Rather we aim for a more coherent and coordinated EU input to underpin the international response.
- Now if I may turn to a specific question of interest to many NGOs, namely the CERF. Here I can speak only for DG ECHO and not from a general EU donor perspective. I think we can all support the stated aims of the CERF, namely funding for rapid action in sudden onset disasters and for ensuring an adequate response to neglected crisis. But the devil is in the detail. For the NGOs, the question of direct access to CERF funding is obviously a major concern.
- For ECHO as a donor we are already able to address directly through our own instruments both rapid reaction (through our Primary Emergency and Emergency decisions) and neglected crisis – which we specifically programme into our annual strategy based on the so called Forgotten Crisis Assessment. Being able to support the multiplicity of implementing partners through these instruments is fundamental for ECHO.
- DG ECHO simply does not have additional resources to donate to the CERF and we continue to insist in our dialogue with other donors and the UN that contributions to the CERF should represent additional money.
- However eighteen of the EU Member States currently contribute almost two-thirds of CERF funding and as donors we maintain a strong interest in the implementation of the CERF.
- We are seeking further reassurance from the UN that allocation of CERF funds is done clearly and transparently according to established needs-driven criteria and that donations to the CERF represent additional contributions and are not simply diverting funding from elsewhere.
- Our initial concerns about the impact of managing the CERF on OCHA, who are trying to manage a budget not too dissimilar from that of DG ECHO with just a handful of people have not been greatly assuaged by its first year of operation.
- Response times for 'rapid reaction' contributions have been subject to administrative delay – perhaps teething trouble, but more worryingly OCHA acting more and more as a "surrogate" donor, is in danger of being distracted from its core tasks of overall coordination and strong advocacy for humanitarian action.

But, I would like to finish on an upbeat note. We should not be distracted from the very real progress being made in the reform framework on working more closely together to ensure a better, more accountable, efficient response to humanitarian crisis. Certainly, there is

more to be done. But the lessons of the past few years have shown that the necessity for the humanitarian community

to pull together, embracing its diversity but united in its purpose, is greater than ever.

Dr. Johannes Bundscherer, View of the German Presidency

The European Union – Commission and Member States – is the largest humanitarian donor in the world, contributing more than half of humanitarian assistance worldwide. ECHO alone is the second largest donor of humanitarian aid, and many EU Member States are among the most generous humanitarian donors. The European Union is therefore – with the US – the most important partner in the United Nations humanitarian system and has a special responsibility to play a constructive role in discussion on the reform of this system.

ECHO is currently elaborating a policy paper on European humanitarian aid in cooperation with the German EU Presidency. Germany considers it useful to have a common European understanding of our principles for supplying humanitarian aid. A questionnaire has been circulated among governments and NGOs, and both sides have provided substantial feedback showing that there is indeed a large measure of common understanding on our humanitarian policy.

A paper was discussed at the NGO Round Table in Brussels on 22 February. The next step will be to discuss ECHO's report on the results of the consultation process at the informal Humanitarian Aid Committee meeting in Berlin at the end of March. Our goal is for a Commission Communication to be endorsed as Council Conclusions.

We would once again like to thank the Finnish Presidency, which undertook the valuable task of presenting a study on Donor Financing Decisions in EU humanitarian aid, showing very impressively the efficiency of European humanitarian funding. This stems from the diversity of Member States' practice and policies, which nonetheless follow the same humanitarian principles. Diversity

has proved to be a hallmark of efficient European humanitarian aid.

The discussion of the policy paper is focusing on the principles of Good Humanitarian Donorship, the reform of the UN humanitarian system and the role of civil protection assets in humanitarian aid, among other things.

As Council Presidency, Germany cannot anticipate the outcome of deliberations between Member States and the Commission. Below, therefore, are simply some thoughts from the German perspective:

Germany is one of the largest international humanitarian donors, and we are working to increase our humanitarian assistance. As part of our efforts to fulfil Europe's commitment to increase ODA expenditure to 0.7% of GNI by 2015, we also want to increase the share of our humanitarian expenditure in relation to Germany's ODA, which would mean a substantial increase in humanitarian funding.

German aid is renowned for being fast, efficient and needs-based. I would particularly like to stress the swiftness of German humanitarian interventions. In the case of natural disasters, decisions are taken at one hierarchical level within hours, and funds can be disbursed within days – also to UN agencies. Not even the Central Emergency Response Fund (CERF) could possibly match this swiftness.

We agree that the UN must have the funds it needs to react adequately and quickly to sudden crises. The CERF, to which Germany contributes, is a useful addition to the international humanitarian system. We believe its operations and reaction time could still be improved, and we look forward to an independent evaluation of its activities. We are aware of criticism from

the NGOs and support their calls for direct access to the CERF.

Germany is a firm supporter of the OCHA's leading role in coordinating humanitarian assistance at global and local level. Coordination of European humanitarian assistance can only supplement and support the OCHA's activities. There is room for further improvement in cooperation between the EU and the OCHA, and we support the idea of establishing an OCHA office in Brussels.

The so-called cluster approach is a useful concept to fill gaps in humanitarian coordination. It is still in its trial phase and will have to prove its efficiency in practice. Cooperation between the clusters, transparency and respect for the freedom of the different humanitarian players must be enhanced.

With regard to the use of military and civil defence assets (MCDA), we agree with most humanitarian actors that the Oslo and MCDA Guidelines continue to provide valuable orientation on when and when not to use these assets. It is clear that military and civil defence assets should be used to complement NGO, UN and Red Cross activities, not compete with them.

Germany endorsed the principles of Good Humanitarian Donorship in 2003 and is actively involved in the ongoing efforts to reform the international humanitarian system. However, it must be pointed out that the various donors interpret Good Humanitarian Donorship in different ways. Member States have different traditions and legal frameworks, and this diversity is an important asset which should be respected and encouraged. Good Humanitarian Donorship not only involves

strengthening the role of the UN in humanitarian crises or granting "early and predictable funding" by contributing unearmarked contributions to UN funds and programmes. It primarily involves swift, needs-based assistance.

While we recognize that the UN plays an important role in the international humanitarian system, we also know that each humanitarian aid partner has particular advantages in particular environments. The ICRC and NGOs, for example, generally have better humanitarian access in military conflict situations, as the UN system – all the more so when it delivers "as one" – can be perceived as partisan by a conflict party, as is already the case in crises such as those in Darfur and Somalia.

German humanitarian aid is therefore provided in cooperation with the NGO community, the Red Cross and Red Crescent family and UN aid agencies, with a special focus on the first. NGOs receive more than half of our earmarked funding, in accordance with the paramount role they play in international humanitarian aid.

At the same time we respect other donors' practices of focusing on more flexible funding of the UN system, which, as mentioned above, plays an important role in international humanitarian aid.

It is this diversity which makes worldwide humanitarian aid strong and effective. We see this diversity among European and other donors as a strong asset.

The German Presidency is working hard to enhance European efforts to strengthen the international humanitarian system.



Round Table

Global Humanitarian Reforms: What impact on European NGOs?

12th March 2007, 14.00 – 17.30 hrs.

Berlin Office of the German Caritas, Reinhardtstr. 13, 10117 Berlin

Agenda

- 14.00 hrs. Welcome and Introduction
- Part I: The Humanitarian Reforms of the United Nations: What role for NGOs?**
- 14.15 – 14.30 hrs. VENRO position paper on the humanitarian reforms of the UN
Dr. Rainer Lucht (Diakonie Katastrophenhilfe)
- 14.30 – 14.45 hrs. The UN perspective
Hansjörg Strohmeyer (UN OCHA)
- 14.45 – 15.00 hrs. The NGO perspective from the field
Dominic Crowley (Concern/VOICE Board)
- 15.00 – 15.45 hrs. Debate
- 15.45 – 16.00 hrs. Coffee break
- Part II: The role of the EU in the process of Global Humanitarian Reforms**
- 16.00 – 16.15 hrs. The European NGO perspective
Paul Grossrieder (President VOICE)
- 16.15 – 16.30 hrs. The donor perspective
Johannes Luchner, DG for Humanitarian Aid (ECHO)
- 16.30 – 16.45 hrs. The Presidency perspective
Dr. Christoph Bundscherer, German Foreign Office
- 16.45 – 17.30 Debate and conclusions
- Chair: Jürgen Lieser (*Vice-Chairman, VENRO*)

Round Table

„Global Humanitarian Reforms: What impact on European NGOs?“ Berlin, 12th March, 2007

List of participants

	Name	Organisation
1	Bacchetta, Adrio	Ärzte ohne Grenzen
2	Backhurst, Jane	VOICE-Board
3	Bitsch, Heinz	HELP-Hilfe zur Selbsthilfe e.V.
4	Bundscherer, Dr. Christoph	Auswärtiges Amt
5	Crowley, Dominic	VOICE-Board
6	De Wolf, Will	VOICE-Board
7	Eberwein, Prof. Dr. Wolf	Institut d'Etudes Politiques, Grenoble
8	Eckart, Sabine	medico international
9	Faehrmann, Kerstin	Bundesministerium für wirtschaftliche Zusammen- arbeit und Entwicklung
10	Fastenau, Axel	Deutsche Gesellschaft für Technische Zusammen- arbeit
11	Geiser, Alexandra	action medeor
12	Grossrieder, Paul	VOICE-Board
13	Giannone, Sonia	VOICE-Secretariat
14	Hempel, Hendrik	terre des hommes Deutschland
15	Höchst, Claudia	World Vision Deutschland
16	Hönicke, Dr. Thomas	Technisches Hilfswerk
17	Jeffreys, Anna	VOICE-Board
18	Kipfer-Didavi, Dr. Inez	Johanniter Unfallhilfe
19	Köhler, Traudel	Bundesministerium für wirtschaftliche Zusammen- arbeit und Entwicklung
20	Köngeter, Friedemann	AWO international
21	Lieser, Jürgen	VENRO / Caritas international
22	Luchner, Johannes	ECHO
23	Lucht, Dr. Rainer	VOICE-Board
24	Mantel, Gilles van	VOICE-Secretariat
25	Meissner, Jutta	Johanniter Unfallhilfe
26	Moke, Dr. Markus	IFHV/Ruhr-Universität Bochum
27	Padberg, Andrea	Welthungerhilfe
28	Perekrestenko, Mike	ADRA
29	Petersen, Barbara	Deutsches Rotes Kreuz
30	Runge, Peter	VENRO
31	Saslowsky, Jean	VOICE-Board
32	Schick, Kathrin	VOICE-Secretariat
33	Schmalbruch, Dr. Gerhard	EuronAid
34	Schmidt-Eule, Dr. Matthias	Caritas international
35	Spieker, Dr. Heike	Deutsches Rotes Kreuz
36	Strohmeier, Hans-Jörg	UN OCHA
37	Suominen-Picht, Elena	Auswärtiges Amt
38	Zentel, Karl-Otto	DKKV