

## II

(Information)

## JOINT DECLARATIONS

## COUNCIL

**Joint Statement by the Council and the Representatives of the Governments of the Member States  
meeting within the Council, the European Parliament and the European Commission**

(2008/C 25/01)

**THE EUROPEAN CONSENSUS ON HUMANITARIAN AID**

**The humanitarian challenge**

1. Humanitarian aid is a fundamental expression of the universal value of solidarity between people and a moral imperative.
2. Humanitarian crises include both man-made and natural disasters. Their impact is increasingly severe, linked to a number of factors, such as the changing nature of conflict, climate change, increasing competition for access to energy and natural resources, extreme poverty, poor governance and situations of fragility. The main victims are civilians, often the poorest and most vulnerable among them, mainly living in developing countries. Humanitarian crises have led to large numbers of displaced people, both refugees and internally displaced persons.
3. Humanitarian actors today face a number of major challenges. There has been an increasing tendency for International Law, including International Humanitarian Law, Human Rights Law and Refugee Law, to be ignored or blatantly violated. The 'humanitarian space' that is needed to ensure access to vulnerable populations and the safety and security of humanitarian workers must be preserved as essential preconditions for the delivery of humanitarian aid, and for the European Union (EU) and its partners in the humanitarian field to be able to get assistance including protection to crisis-hit people, based on respect for the principles of neutrality, impartiality, humanity and independence of humanitarian action, enshrined in International Law, in particular International Humanitarian Law.
4. Humanitarian aid provided by the EU is a shared competence between the Member States and the European Community <sup>(1)</sup>. It builds upon a long tradition and reflects the diversity of its actors. EU humanitarian action is framed in an overall international approach that brings together the United Nations, the Red Cross/Crescent movement, humanitarian NGOs and others, in support of local responses to humanitarian crises through a partnership approach with the affected communities. National authorities in countries faced with crisis retain the primary responsibility for protecting populations confronting disaster.
5. Collectively the EU provides the largest share of current official international humanitarian aid, comprised of Community and EU Member State bilateral contributions. As such the EU has both the experience and the duty to ensure that its overall contribution to the humanitarian response is effective and appropriate, underpins the international humanitarian effort to deliver aid to people in need, and addresses adequately the challenges facing humanitarian actors today.
6. The European Consensus on Humanitarian Aid provides a common vision that guides the action of the EU, both at its Member States and Community levels, in humanitarian aid in third countries. This common vision is the subject of the first part of the Statement; the second part sets out the European Community humanitarian aid approach to guide implementation of this vision at the Community level and further specifies priorities for concrete action at the Community level.

<sup>(1)</sup> Community humanitarian aid is based on Article 179 (Development Cooperation) of the Treaty establishing the European Community.

7. The European Consensus on Humanitarian Aid is jointly agreed by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the European Commission. In doing so, we seek to confirm our commitment to the principles underpinning EU humanitarian aid, to enhance existing commitments for good donor practice across the EU, in partnership with other humanitarian stakeholders, and to put in place the foundations for working more closely together to ensure the most effective implementation of EU humanitarian aid in the years to come.
12. Neutrality means that humanitarian aid must not favour any side in an armed conflict or other dispute.
13. Impartiality denotes that humanitarian aid must be provided solely on the basis of need, without discrimination between or within affected populations.
14. Respect for independence means the autonomy of humanitarian objectives from political, economic, military or other objectives, and serves to ensure that the sole purpose of humanitarian aid remains to relieve and prevent the suffering of victims of humanitarian crises.

## PART ONE — THE EU VISION OF HUMANITARIAN AID

### 1. Common Objective

8. The objective of EU humanitarian aid is to provide a needs-based emergency response aimed at preserving life, preventing and alleviating human suffering and maintaining human dignity wherever the need arises if governments and local actors are overwhelmed, unable or unwilling to act. EU humanitarian aid encompasses assistance, relief and protection operations to save and preserve life in humanitarian crises or their immediate aftermath, but also actions aimed at facilitating or obtaining access to people in need and the free flow of assistance. EU humanitarian assistance is provided in response to man-made crises (including complex emergencies) and to natural disasters as needed.
9. Local response to crisis and disaster risk reduction, including disaster preparedness and recovery, are essential to saving lives and enabling communities to increase their resilience to emergencies. Capacity building activities to prevent and mitigate the impact of disasters and to enhance humanitarian response are also part of EU humanitarian aid.

### 2. Common Principles and Good Practice

#### 2.1. Fundamental humanitarian principles

10. The EU is firmly committed to upholding and promoting the fundamental humanitarian principles of humanity, neutrality, impartiality and independence. This principled approach is essential to the acceptance and ability of the EU, and humanitarian actors in general, to operate on the ground in often complex political and security contexts. The perception of the EU and its commitment to these fundamental principles in humanitarian action are linked to behaviour and engagement on the ground of all EU actors.
11. The principle of humanity means that human suffering must be addressed wherever it is found, with particular attention to the most vulnerable in the population. The dignity of all victims must be respected and protected.

15. EU humanitarian aid is not a crisis management tool.

#### 2.2. International Law

16. The EU will advocate strongly and consistently for the respect of International Law, including International Humanitarian Law <sup>(1)</sup>, Human Rights Law and Refugee Law. In 2005, the EU adopted Guidelines on promoting compliance with international humanitarian law. The EU is committed to operationalising these Guidelines in its external relations <sup>(2)</sup>.
17. The EU recalls the commitment to the responsibility to protect, in accordance with UN General Assembly Resolution 60/1 of 24 October 2005 (2005 World Summit Outcome). Each individual state has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. The international community, through the United Nations, also has the responsibility to protect populations from those crimes. Where national authorities are manifestly failing to meet the responsibility to protect, the international community has confirmed that it is prepared to take collective action through the UN Security Council.

#### 2.3. Good Humanitarian Donorship

18. Whilst acknowledging a diversity of capacity, scale and of specific modalities applicable to humanitarian aid within the EU, in agreeing this European Consensus, all EU donors commit themselves to the Good Humanitarian Donorship (GHD) Principles and undertake to work together, and with others, to seek to apply donor best practice <sup>(3)</sup>. This includes the allocation of humanitarian funding in proportion to needs and on the basis of needs assessments.

<sup>(1)</sup> Member States are Parties to the Geneva Conventions and their Additional Protocols (1977).

<sup>(2)</sup> EU Guidelines on promoting compliance with international humanitarian law (OJ C 327, 23.12.2005, p. 4).

<sup>(3)</sup> The Principles and Good practice of Humanitarian Donorship, Stockholm, 17 June 2003; endorsed by the OECD-DAC in April 2006.

19. As the EU, we undertake to promote a substantive debate about elements of best donor practice to ensure that good donorship translates into better assistance for people facing humanitarian crisis.

20. The EU recognises that the global level of humanitarian need requires a consolidated international approach in partnership with others, including encouragement of aid financing from new and emerging official donors and private benefactors respecting the humanitarian principles.

21. Partnership is at the core of implementation of humanitarian aid and the EU therefore would welcome a broader international partnership approach, which brings together donors, implementing partners and other stakeholders, to ensure effective humanitarian action, building on the existing body of standards and best practice.

#### 2.4. Relationship to other policies

22. The principles that apply to humanitarian aid are specific and distinct from other forms of aid. EU humanitarian aid, including early recovery, should take long-term development objectives into account where possible, and is closely linked to development cooperation whose principles and practices are outlined in 'the European Consensus on Development' <sup>(1)</sup>. EU humanitarian aid is delivered in situations where other instruments related to crisis management, civil protection and consular assistance may also come into play. Hence, the EU is committed to ensure coherence and complementarity in its response to crises, making the most effective use of the various instruments mobilised. Therefore the EU should enhance efforts to raise awareness of and take into account humanitarian principles and considerations more systematically in its work throughout its Institutions.

#### 2.5. Gender dimension in Humanitarian Aid

23. Recognising the different needs, capacities and contributions of women, girls, boys and men, the EU highlights the importance of integrating gender considerations into humanitarian aid.

24. The EU recognises that the active participation of women in humanitarian aid is essential, and commits to promoting that involvement.

### 3. Common Framework to Deliver EU Humanitarian Aid

#### 3.1. Coordination, Coherence and Complementarity

25. The EU strongly supports the central and overall coordinating role of the United Nations, particularly the Office for the Coordination of Humanitarian Affairs (OCHA), in promoting a coherent international response to humanitarian crises. This role is considerably strengthened when OCHA has an active field presence (and a Humanitarian Coordinator is designated and deployed). Stronger EU co-ordination would enhance the overall international humanitarian response, including concerted efforts to improve the humanitarian system, and would also reinforce the EU ambition of working closely with other humanitarian actors.

26. Therefore, without prejudice to their respective competences and traditions, EU humanitarian donors will work together through strengthened EU coordination and promotion of best practice with a view to promoting the EU common vision in a flexible and complementary way that reinforces international efforts. This means that the EU will seek to act in a concerted way to protect the 'humanitarian space' and to strengthen the overall humanitarian response, including identifying gaps and supporting well-organised delivery of aid where it is most needed.

27. EU humanitarian donors will endeavour to ensure good donor practice through sharing understanding on need and appropriate responses and through concerted efforts to avoid overlap and to ensure that humanitarian needs are adequately assessed and met. There should be a particular focus on coherence of response strategies to a given crisis, and on working in partnership in the field.

28. The EU will focus on:

— real-time sharing of information on situation assessments and response intentions for specific crises (at headquarters level and in the field),

— enhancing policy-level exchange on aid and intervention strategies, including in an appropriate forum for regular policy debate in the Council,

— exchanges to develop best practice and share sectoral expertise,

— ensuring that lessons are learnt systematically from response to crises.

29. The EU will contribute to shaping the international humanitarian agenda, and work together in international fora and on advocacy efforts for humanitarian issues.

<sup>(1)</sup> Joint statement by the Council and the Representatives of the Governments of the Member States meeting within the Council, the European Parliament and the Commission on European Union Development Policy: 'The European Consensus' (OJ C 46, 24.2.2006, p. 1).

30. Without prejudice to the humanitarian principles of neutrality and independence, the EU commits to ensuring policy coherence, complementarity and effectiveness by using its influence and the full range of tools at its disposal to address the root causes of humanitarian crises. In particular, humanitarian aid and development cooperation, as well as the various instruments available to implement stability measures, will be used in a coherent and complementary fashion especially in transitional contexts and situations of fragility, in order to use the full potential of short- and long-term aid and cooperation.

### 3.2. *Providing adequate and effective aid*

31. Humanitarian aid should be transparently allocated on the basis of identified needs and the degree of vulnerability. This means that aid recipients should be identified based on objectively verifiable criteria and that aid should be delivered in such a way that defined priority needs are matched by adequate funds.

32. In order to ensure an adequate, effective, equitable and flexible allocation of aid, a rigorous approach to needs assessments must be applied both at global and local levels. Taking into account existing initiatives, the EU will seek to promote a common understanding of needs-assessments at the EU level in order to improve current practices and their application. The EU reconfirms the importance of working closely with international partners on needs-assessment. An analysis of global needs requires agreement on a suitable methodology and programming principles. Informed assessments of local needs, particularly in the first stages of a sudden-onset crisis, require appropriate field presence and experience, reliable information and clear priority setting. The United Nations Disaster Assessment and Coordination (UNDAC) teams have a core role in field assessment when deployed.

33. The EU affirms its commitment to ensuring a balance of response between different crises based on need, including aid for protracted crises. Forgotten crises or crises where intervention is particularly difficult and where the overall international humanitarian response is inadequate, warrant special attention from the EU. Neglected needs in response to specific crises also deserve particular consideration.

34. In the humanitarian context, emergency food aid is an integral and important part of a short term humanitarian response strategy to meet the needs of vulnerable populations. Consequently emergency food aid has to be based on rigorous and transparent needs assessment, which provides an analysis of the most adequate and appropriate mix of food aid and non-food responses, and takes into account the risk of unduly disrupting markets. Linking food aid with other forms of livelihood support helps to

enhance the coping mechanisms of the affected populations.

35. Whenever possible, without unduly disrupting markets, aid including food aid, should draw on local and regional resources and procurements. Drawing on such resources and procurements not only avoids additional environmental and financial costs, but also involves local capacities and promotes the local and regional economy. Innovative modalities for aid delivery, including non-commodity based approaches (such as cash and vouchers), should also be considered.

36. The EU will ensure that humanitarian aid pledges are transformed into commitments and disbursements in a timely way and clearly linked to needs assessments, adjusted as required in response to evolving circumstances.

37. Humanitarian aid must be based on assessed need, rather than specific targets. However, there is a substantive shortfall of funding at a global level for responding to existing humanitarian needs. It is anticipated that the need for humanitarian assistance may well increase in the short to medium term as a result of demographic, political/security and environmental factors (including climate change). Matching humanitarian needs is likely therefore to require mobilisation of more resources internationally, including from an expanded donor base.

38. Collectively, the EU already provides the largest share of official international humanitarian aid. The EU is already committed to an increase in overall Official Development Assistance (ODA), from which humanitarian aid contributions are also drawn. The EU aims to demonstrate its commitment to humanitarian response by mobilising adequate funding for humanitarian aid based on assessed need. In this respect, an assessment of the adequacy of the resources available to the European Community humanitarian aid would be appropriate in light of its comparative advantage. Member States should also consider increasing their bilateral humanitarian aid contributions within the increase in overall ODA.

39. In responding to humanitarian need particular vulnerabilities must be taken into account. In this context, the EU will pay special attention to women, children, the elderly, sick and disabled people, and to addressing their specific needs. Moreover, protection strategies against sexual and gender based violence must be incorporated in all aspects of humanitarian assistance.

### 3.3. *Quality, effectiveness and accountability* <sup>(1)</sup>

40. Addressing the issues of speed and quality are both critical in delivering humanitarian aid effectively. As donors we

<sup>(1)</sup> Principles, standards and evaluation criteria for humanitarian aid are set out in the Annex to this Joint Statement.

have the responsibility to ensure that aid delivered represents the best available option and is suitable for the purpose it is intended. Therefore, humanitarian action should follow a set of internationally recognised standards and principles. These have been encapsulated in the 'Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organisations in Disaster Relief' <sup>(1)</sup> and broadly incorporated in the 'Humanitarian Charter'. Widely recognised minimum standards in Disaster Response have been set out in general and per sector including through the Sphere Project <sup>(2)</sup>. These principles for aid provision correlate to the internationally accepted OECD-DAC criteria for the evaluation of Humanitarian Aid <sup>(3)</sup>. The EU also notes positively the work on International Disaster Response Laws, Rules and Principles (IDRL).

41. The EU subscribes fully to these sets of principles, standards and evaluation criteria, which alongside the GHD initiative, constitute the general framework for ensuring a quality approach to the provision of EU humanitarian aid.
42. Policies in the different sectoral areas of humanitarian aid intervention, such as health, nutrition, water and sanitation, livelihood support and protection, must be adapted to context and to recipients in order to have maximum impact. The 'do no harm principle' is the minimum requirement underlying such policies and aid approaches, which also means that environmental and other longer-term considerations must be taken into account from the outset even in short-term emergency interventions.
43. Accountability in the context of humanitarian aid encompasses both accountability to European citizens on the good use of public funds, and 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.
44. Qualitative input and performance indicators, cost effectiveness criteria (e.g. overheads in proportion to aid going to recipients) and, as far as possible, a participative approach with local populations at the various stages of the assistance programmes, particularly in protracted crises, are all elements that the EU will consider carefully.
45. Accountability to people assisted commits the aid provider to work within a framework of quality standards, principles, policies and guidelines, and promotes training and capacity building activities, ensuring the involvement of those assisted. A quality approach demands a high level of assurance from partners through the application of partner eligibility criteria and performance monitoring

during implementation of the operation. Such quality assurances should be achievable by partners, taking into account their size and degree of specialisation.

46. Accountability measures therefore include financial control and reporting on humanitarian operations, evaluation and measuring results and effectiveness, cost and impact analysis of different response options, quality assurance, transparency, participative approaches to assistance, and communication.
  47. Regular evaluation and lessons learnt exercises reviewing response to specific crises are valuable components in enhancing the effectiveness of humanitarian aid. The EU could usefully work together on both joint approaches and on exchange of information on evaluation done by each individual donor. The EU will therefore exchange information on evaluation planning, results and responses, including on quality of partnership and undertake joint lessons learnt exercises in response to major crises involving multiple donors. The EU should collectively review its overall humanitarian aid provision regularly, where possible on a yearly basis.
- 3.4. *Diversity and quality in partnership*
48. In support of local capacities, a swift and efficient response to humanitarian crises depends on the availability of partners in the field, in particular civil society and mandated international organisations, whose legitimacy, expertise and resources allow them to cope with a particular aspect of a crisis.
  49. The UN and its Relief agencies are at the core of the international humanitarian system as a norm setter, a coordinator and also a major implementer of humanitarian aid. Similarly, the International Committee of the Red Cross has a specialised mandate based on international treaties and is in many contexts, particularly in conflict situations, one of the few — sometimes the only — partner with access in order to be able to provide protection and to deliver humanitarian assistance. Red Cross and Red Crescent National Societies supported by the International Federation of Red Cross and Red Crescent Societies are particularly well-rooted in local communities and are often best placed to provide an immediate response to natural disasters. Non-Governmental Organisations (NGOs) are essential to the humanitarian response as they deliver the majority of international humanitarian aid due to their field-presence and flexibility, often with a high-level of specialisation. They are also a direct expression of active citizenship at the service of the humanitarian cause.

<sup>(1)</sup> 'Principles of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Response Programmes' (1994).

<sup>(2)</sup> Sphere 'Humanitarian Charter' and Minimum Standards.

<sup>(3)</sup> OECD-DAC Guidance for Evaluating Humanitarian Assistance in Complex Emergencies.

50. The EU underlines its intrinsic support for a plurality of implementing Partners — the UN, the Red Cross/Crescent Movement and the NGOs — and acknowledges that each has comparative advantages in responding to certain situations or circumstances. However, the EU also recognises the need for close coordination, coherence and complementarity between implementing Partners on the ground.
51. Within the EU and internationally there are various approaches to selection and quality assurance of implementing partners in provision of humanitarian aid. EU donors' criteria for selection of implementing partners include professionalism and management capacity, capacity to respond to identified need (technical and logistical capacity, including presence and access), adherence to the humanitarian principles and international law, as well as international codes of conduct, guidelines and best practice in delivery of aid, specialist knowledge or mandate, cost-efficiency, local partnership and experience in operational contexts, readiness to take part in coordination activities established for overall operational effectiveness, accountability, including reporting transparently on results, and quality of implementation capacity, including sound financial management. On the basis of their various traditions, EU Member States and the Commission will exchange information about their practice of selection of implementing partners.
52. The allocation of aid requires specific administrative procedures that vary from one donor to another. All EU donors will 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, whilst ensuring quality in partnership and strong accountability in aid delivery.
53. Local response to coping with humanitarian crisis is a vital component. Local actors are on the front line when disaster strikes suddenly and increasingly also at the core of the humanitarian response in complex emergencies. The EU will examine how best it can offer support to capacity-building activities for sustainable strengthening of local disaster response, and encourage implementing partners in fostering partnership with local organisations in affected communities.

### 3.5. Capacity and Rapid Response

54. Within the EU, various capacities already exist for rapid deployment of specialist teams and rapid dispatch of humanitarian aid or relief items. The EU seeks to avoid

duplication by reinforcing its efforts to address capacity gaps building on existing systems in support of international efforts, particularly the various regional logistical hubs.

55. The EU will therefore examine ways to strengthen its rapid response to humanitarian crises by working together building on existing comparative strengths, in coordination with efforts made by the wider humanitarian community. The EU seeks to underpin international efforts to map and plug identified response gaps, such as those related to the international coordination of logistics, transport, communications, and surge-arrangements for responding rapidly to disaster. The EU will promote access for the broad range of partners to common humanitarian services.
56. In the first instance the EU will contribute by a transparent and comprehensive mapping of all elements of its current capacities, with the aim of getting an overview of existing and potential capacities and the most efficient way of utilising them.

### 3.6. Use of civil protection and military assets and capabilities

57. 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 <sup>(1)</sup> and the Oslo Guidelines on the Use of Military and Civil Defence Assets in International Disaster Relief <sup>(2)</sup>, 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 also encourage common training on international law and the fundamental humanitarian principles.

### Civil Protection <sup>(3)</sup>

58. European humanitarian aid may draw on various Community and Member State instruments, including civil protection resources, which cover a wide range of State-owned and non-State assets. These assets, when deployed in a humanitarian context in third countries, are under civilian command and are in principle deployed in response to a formal request from the affected State. They are dispatched bilaterally, through the UN or through the Monitoring and Information Centre (MIC) within the framework of the Community Civil Protection Mechanism. Increasingly, Member States use their civil protection capacities in disaster responses in third countries, principally

<sup>(1)</sup> Guidelines on the Use of Military and Civil Defence Assets to support United Nations Humanitarian Activities in Complex Emergencies (March 2003).

<sup>(2)</sup> Guidelines on the Use of Military and Civil Defence Assets in International Disaster Relief — 'Oslo Guidelines' (re-launched by UN OCHA in November 2006).

<sup>(3)</sup> In this context, the term 'civil protection' refers to relief operations only. Besides relief operations, civil protection can also be used as a crisis management tool under Title V of the Treaty on European Union and in support of consular assistance.

in natural disasters and technological and environmental emergencies. Where deployed in any humanitarian crisis, the use of civil protection resources should be needs-driven and complementary to and coherent with humanitarian aid. Therefore, proper coordination between different European actors and instruments is essential, as is respect for the overall coordinating role of the UN. At EU level, the use of civil protection resources in the framework of the Mechanism is subject to close cooperation with the Presidency. Civil protection personnel deployed for humanitarian purposes will always be unarmed.

59. In natural disasters and technological and environmental emergencies, civil protection resources can provide an important contribution to humanitarian actions based on humanitarian needs assessments and their possible advantages in terms of speed, specialisation, efficiency and effectiveness, especially in the early phase of relief response.
60. In complex emergencies recourse to civil protection assets should rather be the exception. Their use in complex emergencies, including in situations of fragility, is especially delicate and sensitive as it risks compromising the perception of the neutrality and impartiality of the relief effort. This can result in exposing relief workers as well as the affected population to attacks from warring parties, and in being denied access to the affected population not only in the current, but also in future emergencies. These risks need to be carefully weighed against the immediacy of the needs of the population and the need for civil protection resources to cover them.

#### Military assets

61. Under very specific conditions, humanitarian aid may draw upon military assets, notably for logistical and infrastructure support mainly in the context of natural disasters. The EU has developed a General Framework for the use of Member States military or military chartered transportation assets and ESDP coordination tools in support of EU disaster response <sup>(1)</sup>. Standard operating procedures have been developed. The EU has also put in place arrangements for military support to EU disaster response (identification and coordination of available assets and capabilities) <sup>(2)</sup>. In order to avoid a blurring of lines between military operations and humanitarian aid, it is essential that military assets and capabilities are used only in very limited circumstances in support of humanitarian relief operations as a 'last resort', i.e. where there is no comparable civilian alternative and only the use of mili-

tary assets that are unique in capability and availability can meet a critical humanitarian need.

62. Where military assets or capabilities are deployed in such circumstances, the primary responsibility of the competent authorities of the affected State as well as the overall role and responsibility of the United Nations in coordinating international relief assistance in third countries need to be respected.
63. The EU reaffirms that a humanitarian operation making use of military assets must retain its civilian nature and character. This means that, while military assets will remain under military control, the humanitarian operation as a whole must remain under the overall authority and control of the responsible humanitarian organisation, notably OCHA and the Humanitarian Coordinator (with overall responsibility for the relief effort). This does not infer any civilian command and control status over military assets.
64. The EU considers that civil-military coordination, as the essential interaction between civilian/humanitarian and military actors in humanitarian emergencies, is vital to protect and promote humanitarian principles. Coordination is facilitated by dialogue, liaison and common training.
65. The EU affirms its commitment that the provision of Member States military or military chartered transport assets and/or other capabilities for humanitarian life saving actions should be provided at no cost to the affected State or receiving humanitarian actor. The EU encourages increased efforts of humanitarian and military actors to improve mutual understanding and respect on respective mandates and roles and to liaise on potential approaches to disaster response. To this end the EU is committed to sending where needed and appropriate civil-military liaison officer(s) to facilitate and actively engage in civil-military coordination.

#### 4. International Humanitarian Action

66. Humanitarian action is a collective responsibility at an international level, involving many different organisations, governments, local communities and individuals. For the EU, supporting the development of the collective global capacity to respond to humanitarian crises is one of the fundamental tenants of our approach. The EU commits itself not to duplicate existing international mechanisms.

<sup>(1)</sup> General Framework for the use of Member States military and military chartered transportation assets and ESDP coordination tools in support of EU disaster response, doc. 8976/06.

<sup>(2)</sup> Military support to EU disaster response — Identification and coordination of available assets and capabilities, doc. 9462/3/06 REV 3 and doc. 14540/06 + COR 1.

67. International efforts to ensure an adequate overall humanitarian response have been reinforced in recent years by UN-led reforms of the humanitarian system, in cooperation with other humanitarian actors and donors. The EU reiterates its strong support for humanitarian system reform with the aim of ensuring a better response to those in need.
68. One important challenge is increasing the overall volume of funding for humanitarian action to match the growing needs. The EU supports the aim of enhancing the predictability and flexibility of humanitarian financing both through multilateral and direct (bilateral) mechanisms, each with comparative advantages. For this purpose new financial mechanisms have been put in place, notably the UN Central Emergency Response Fund (CERF) and Common Humanitarian Funds <sup>(1)</sup>. These new mechanisms are welcomed by the EU as a useful supplement to a range of available financing instruments. The EU recalls that contributions to the CERF should be additional to current commitments <sup>(2)</sup>, and should not displace direct financial support available to other humanitarian operations and to the full range of implementing partners.
69. The EU welcomes the emphasis given by the UN to 'under-funded' crises through a specific component of the CERF aimed at channelling supplementary resources to those crises, in particular where these correspond to 'forgotten crises' <sup>(3)</sup>, and recalls the importance of transparent, needs-based allocation of CERF funding.
70. Another major focus of attention for improving the global response to humanitarian crises is the attempt to ensure better coherence and coordination of the various actors, and a clear prioritisation and identification of response gaps through the application of the 'cluster approach' <sup>(4)</sup> and the strengthening of the Humanitarian Coordinator system. The EU fully supports these efforts, recalling that they should be broadly inclusive of all humanitarian actors and should serve the purpose of improving humanitarian aid delivery on the ground to those most in need.
71. Beyond the efforts pursued within the EU on humanitarian assistance, the EU fully recognises the need to reinforce work closely with others on issues of good donorship and effective humanitarian response and advocacy.
- The EU reaffirms that its efforts should be firmly anchored in broader international approaches, with the UN-OCHA in the central coordinating role. UN General Assembly Resolution 46/182 remains a guiding reference in this respect.
72. The EU recognises that its contribution, as a Union of traditional (governmental) donors of humanitarian aid, represents only a small part of the overall solidarity and humanity so often expressed through private donations, and extended family or group support to those in need. An expansion of the governmental donor base could contribute significantly to meeting increasing humanitarian needs. All forms of humanitarian aid should be given in accordance with the humanitarian principles. To ensure that resources follow needs and to help reinforce accountability, it is important that all donors report their humanitarian aid contributions to the UN-OCHA managed Financial Tracking Service. Ways to record more fully sources of funding that do not come via governments in the Financial Tracking system could usefully be explored in order to maintain an accurate picture of the overall humanitarian response.
73. The EU will continue to work closely with other major donors of official humanitarian assistance both in the Good Humanitarian Donorship initiative and through the wide range of contacts between donors in both bilateral and multilateral contexts. The EU will also encourage joint and bilateral outreach efforts to expand the donor base beyond its traditional limits.
74. The EU recognises that a key element in saving lives — in particular in sudden onset natural disasters — is local capacity. Therefore, it will strengthen its efforts to provide more local capacity building to those best placed to respond when disaster strikes.
75. The EU recognises that reducing risk and vulnerability through enhanced preparedness is essential to preserving

## 5. The Aid Continuum/Contiguum

### 5.1. Reducing Risk and Vulnerability through Enhanced Preparedness

<sup>(1)</sup> Country-based pooled funds accessible to humanitarian implementing partners and managed by the UN Resident Coordinator/Humanitarian Coordinator.

<sup>(2)</sup> UN General Assembly Resolution 60/124 of 15 December 2005.

<sup>(3)</sup> Humanitarian Crises identified by the Commission's (DG ECHO) Forgotten Crisis Assessment as having limited donor-response, overall funding shortages and a low-level of media attention.

<sup>(4)</sup> Inter-Agency Standing Committee 'Guidance Note on using the cluster approach to strengthen humanitarian response', 23 November 2006. The cluster approach operates on two levels. At the global level, the approach builds up capacity in identified key 'gap' areas. At the field level, the cluster approach strengthens the coordination and response capacity by mobilising clusters of humanitarian agencies and actors to respond in particular areas of activity, each cluster having a clearly designated and accountable lead.



life, especially in zones vulnerable to natural disasters and climatic change. The EU is committed to promoting disaster risk reduction and disaster preparedness in developing countries through coherent and coordinated action at local, national and regional level. Therefore the EU will promote international efforts within the Hyogo Framework for Action as well as support for the coordinating role of the International Strategy for Disaster Reduction, to increase coping capacities at all levels through strategic planning and action.

76. The EU will establish an overall EU policy approach to support action in this area with special focus on disaster prone countries and regions and the most vulnerable groups. The EU will support community-based preparedness activities in humanitarian operations and mainstream disaster risk reduction in its development policy based on ownership and national strategies of disaster prone countries <sup>(1)</sup> <sup>(2)</sup>.

#### 5.2. Transition and Early Recovery and ensuring the link to Development Aid

77. Recovery and reconstruction in the aftermath of a disaster is a major challenge, which requires structural and development action beyond immediate emergency aid. Thus it is important to ensure that humanitarian, development and other relevant aid instruments work better together, in particular in situations of fragility and where communities are seeking to recover from the effects of crisis. Achieving better linkage between Relief, Rehabilitation and Development (LRRD) requires humanitarian and development actors to coordinate from the earliest phases of a crisis response and to act in parallel with a view to ensuring a smooth transition. It necessitates mutual awareness of the different modalities, instruments and approaches on the part of all aid actors, and flexible and innovative transition strategies. At an international level the 'early recovery cluster' is looking specifically at addressing the link between relief and development aid at the earliest stages of disaster response.
78. The EU will work together on advancing practical approaches to LRRD. These approaches should be based on experiences and lessons learnt and address improved cooperation between humanitarian and development agencies and other aid actors, including in the international community, particularly at field level and in situations of fragility or complex emergencies. In transitional

environments, there remains a need to ensure synergies between humanitarian aid and development aid whilst respecting their distinct objectives, principles and approaches.

#### PART TWO — THE EUROPEAN COMMUNITY AND HUMANITARIAN AID

79. Community policy in the sphere of humanitarian aid is governed by Council Regulation (EC) No 1257/96 of 20 June 1996 <sup>(3)</sup> which sets out the principal objectives of the Community's humanitarian aid to third countries.
80. The Community will apply the common principles and good practice defined in Part One, within the common framework outlined to deliver EU humanitarian aid.

#### 1. Comparative advantage

81. The Community can be distinguished by its comparative advantage and added value, which enable complementarity with bilateral policies of Member States and other humanitarian donors.
82. On behalf of the Community, the Commission provides added value through the following roles:
83. First, a global presence. Implementation of Community humanitarian aid is supported through a network of field experts located world-wide, working out of field offices, including Regional Support Offices. This makes the Community as a donor one of only a few with extensive field-level specialist humanitarian presence. In addition the Commission is able to draw upon the support of its extensive network of Delegations. This allows the Community to do its aid allocation function efficiently based on presence, expertise (notably in assessing need), and rapidity of response, and to assist partners actively on the ground in improving the overall humanitarian response. Furthermore, the Community is well positioned to rapidly complement as required EU Member States' bilateral contributions in response to crisis.
84. Second, with the support of Member States, ensuring coherence in Community policies, in particular at the meeting points between Community policies in the area of humanitarian aid, development, food security, public health and human rights, including through Linking Relief, Rehabilitation and Development (LRRD), disaster risk reduction and preparedness strategies.

<sup>(1)</sup> The European Consensus on Development, paragraph 21.

<sup>(2)</sup> In this context, the EU notes positively the Build Back Better principles outlined in 'Key propositions for Building Back Better' — A report by the UN Secretary-General's Special Envoy for Tsunami recovery, William J. Clinton, December 2006.

<sup>(3)</sup> OJ L 163, 2.7.1996, p. 1.

85. Third, promoting good humanitarian practice. Over the years, the Community has acquired high levels of recognition as a reference donor and important contributor to humanitarian action. The Community leads the way in ensuring that humanitarian aid allocations are needs based and that no humanitarian crisis is overlooked in the international humanitarian response. The Community is also in a unique position to be able to encourage other humanitarian donors to implement effective and principled humanitarian aid strategies.
86. Fourth, the Community often has a comparative advantage in being able to intervene in politically sensitive situations more flexibly.
87. Fifth, in facilitating coordination. The Commission will continue to promote close coordination between its own activities and those of the Member States, both at decision-making level and on the ground. The Commission will also support coordination with other donors and work with the UN system to ensure strategic coordination of both specific crisis responses and policy issues at headquarters and field level.

## 2. Putting good donorship into practice

88. On the assessment of needs, the Commission has developed a specific methodology for analysing general vulnerability and state of crisis at a comparative country level on an annual basis — the Global Needs Assessment. This is shared publicly and has been disseminated widely as 'good practice' in the framework of Good Humanitarian Donorship. This approach frames the Community's annual humanitarian aid programming strategy. Detailed needs assessments that shape specific crisis responses are conducted, drawing on valuable operational expertise and linking closely to implementing partners.
89. To ensure an equitable approach that pays particular attention to crises that are neglected in the overall humanitarian response, the Commission applies a specific approach to identifying 'Forgotten Crises' and to ensuring an appropriate funding response.
90. The Commission, through its disaster preparedness funding, including DIPECHO, supported by the humanitarian aid budget, has acquired considerable practical experience of disaster preparedness focussing on community-based activities, including: awareness raising, emergency drills, local early-warning systems, training and education. Such activities serve to mitigate the effects of disaster upon vulnerable populations. This community-based disaster preparedness approach should continue alongside further efforts to mainstream Disaster Risk Reduction into longer-term development aid.
91. The Commission will maintain a high quality response and the ability to react quickly. In order to do this it could usefully reinforce its pre-crisis readiness, including situational assessments and analysis of capacities to respond and surge arrangements, in particular making use of the Commission's extensive humanitarian field expertise and presence (ECHO experts and Regional Support Offices). Commission arrangements will continue to provide added value and should link to those of Member States and of its implementing partners (including the United Nations Disaster Assessment and Coordination teams).
92. The Commission works in close partnership with the humanitarian organisations — in particular the UN relief agencies, the Red Cross/Crescent movement and NGOs that are best placed to implement humanitarian aid on the ground. A strong partnership approach is enshrined in the agreements governing the relations with these organisations.
93. For both civil protection and crisis response mechanisms the Community needs to ensure the independence of humanitarian action from other objectives such as political and military.
94. Financial accountability on the Community budget is stringent at the EU level. Reporting requirements and procedures for the humanitarian aid managed by the Commission are therefore currently amongst the most thorough of any major official donor. This is a clear requirement in terms of accountability to European citizens that is carefully monitored by the institutions and reflected by the fact that all Community financing decisions are made public. The Community undertakes to continue efforts to streamline and simplify its procedures for humanitarian aid in order to reduce the administrative burden on implementing organisations within the framework of the applicable rules. Harmonisation of reporting by the Community in the humanitarian sphere will take place in accordance with the applicable provisions on general financial accountability and control.
95. In order to guarantee and enhance the effectiveness and consistency of Community and Member States' humanitarian aid systems, the Commission operates the '14 point system' for Member States to report their humanitarian contributions. This reporting is harmonised with and forwarded on to OCHAs Financial Tracking Service, contributing to the overall quality of humanitarian reporting.

96. Member States and the European Parliament encourage the Commission in implementing good donor practice and undertake to look carefully at the question of the adequacy of budget allocation for humanitarian aid under future Financial Perspectives.
97. Concretely, the Community will seek in the medium term to:
- strengthen its role in humanitarian advocacy,
  - enhance efforts to raise awareness of humanitarian principles/considerations in the work of the EU institutions,
  - act as a driving force, in particular within the EU, for advancing a well coordinated 'best practice' approach to the provision of humanitarian aid,
  - facilitate participation of all Member States in their provision of humanitarian aid through sharing of accumulated experience and offering specific guidance (e.g. on modalities, partners) as appropriate, with particular attention to encouraging participation of civil society from the newly acceded EU Member States,
  - work with others, including the UN, the Red Cross/Red Crescent Movement and humanitarian NGOs, on ensuring better needs analysis and on identifying continuing response gaps,
  - promote sharing of strategies, needs-assessment and context analysis more systematically to improve collective performance to delivering aid better,
  - promote value-added sectoral policies based on international best practice in specific policy areas (e.g. children in emergencies, food aid, health),
  - reinforce coordination with other policies and instruments (LRRD, stability and civil protection instruments),
  - improve further its ability to respond rapidly and flexibly in case of sudden-onset disaster,
  - examine more closely the issue of transport and logistics and pre-disaster readiness, including pre-positioning of stocks,
- continue work with partners to ensure quality and accountability in humanitarian aid, while facilitating flexible and rapid response where necessary,
  - continue to streamline and simplify its administrative requirements so as to strengthen collaboration with partners and improve field effectiveness,
  - ensure consistent understanding and application of internationally agreed standards and guidelines in the delivery of aid, supplementing those guidelines with a tailor-made approach if gaps are identified,
  - systemise lessons learning on crisis response, in addition to maintaining the regular programme of external evaluation and audit, thereby contributing to increasing the effectiveness of Community funded aid operations,
  - communicate the impact and importance of Community humanitarian aid to the European public to ensure continued high-levels of support from citizens.
98. The Community therefore seeks to add value by putting good donorship and strong partnership into practice itself, whilst encouraging others to do so, by promoting quality needs-based responses that assimilate lessons learnt from previous crises, and by continually striving to improve performance and professionalism in the delivery of aid.

#### PART THREE — FINAL PROVISIONS

99. In agreeing this Statement, the Council and the Representatives of the Governments of the Member States, the European Parliament and the European Commission commit to work towards furthering the effectiveness of EU humanitarian aid.
100. The European Commission will present an action plan for practical measures to implement this Statement, in close consultation with other relevant stakeholders and with due consideration of the respective roles and competences of all the actors involved in the provision of EU humanitarian aid.
101. EU progress in implementation of this Consensus on Humanitarian Aid should be discussed regularly in Council and with the European Parliament, and be reviewed five years after signature.

## ANNEX

**Principles, standards and evaluation criteria for humanitarian aid**

- Relief and protection should be provided in accordance with respect for Human Dignity, humanitarian values and human rights, as established in international law. This requires that the provision of aid should not be influenced by specific interests be they economic, political, cultural or religious. The assessment of the needs should in all cases be the foundation stone of the humanitarian programme. This refers to the humanitarian principles of impartiality, neutrality and independence from any political, economic or religious agenda, including the foreign policy of any government or group of Governments (→ *OECD-DAC criteria of impact, coverage and effectiveness*).
  - Quality emergency relief should be provided as close as possible to as many affected people as possible, as rapidly as possible, given the resources available. This requires the development of appropriate and timely emergency preparedness and response capacities (→ *OECD-DAC criteria of timeliness, coverage and efficiency*).
  - Aid administrators should be accountable for the results and impact they achieve, not just for how resources are managed. They should be accountable to affected people and to donor taxpayers. Professional planning, monitoring, evaluation and audit are tools for achieving accountability and transparency (→ *OECD-DAC criteria of impact, sustainability, coverage and effectiveness*).
  - All affected people should be treated as dignified, capable human beings, rather than as helpless objects. The way aid is provided may be as important as the aid itself. Affected populations should participate in the making of decisions that affect their lives. Participation is both a universal right and good management practice (→ *OECD-DAC criteria of appropriateness and relevance*).
  - Aid should be provided in a manner that takes account of the complexity and variety of human vulnerabilities and should include cross cutting issues such as gender and immediate and longer term impact on the environment. The needs of men are not identical to those of women. Nor are the rights and needs of children the same as those of an adolescent or an adult. Similarly, specific ethnic or religious groups may require particular approaches, considerations and sensitivities, regarding e.g. the type of food provided for their consumption (→ *OECD-DAC criteria of appropriateness and relevance*).
  - While immediate life-saving and sustaining needs are an absolute priority, emergency relief should be a solid foundation for longer term human development, including cultural and environmental development. Longer term planning and coordination with developmental donors is needed to achieve integrated programmes that will link emergency programmes with middle term programmes, in particular rehabilitation, reconstruction and developmental programmes. This should aim to assist populations re-establish and strengthen their own traditional coping mechanisms (→ *OECD-DAC criteria of impact, connectedness, coherence and sustainability*).
  - Emergency resources should be managed professionally and with full attention to the cost implied. Good practice in managing and supporting staff is a key management function, whereby staff safety, well-being, rights, dignity and effectiveness are priorities (→ *OECD-DAC criteria of (cost) efficiency and effectiveness*).
  - Potential unintended harmful effects of the humanitarian response (e.g. prolonging the conflict) or effects that promote inequity amongst recipients of aid should be identified from the initial stages of the programme design and should be pro-actively avoided (→ *OECD-DAC criteria of effectiveness, appropriateness, relevance and impact*).
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