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# Europe's response to humanitarian disasters

Report[1]
Committee on Migration, Refugees and Population
Rapporteur: Mr Paschal MOONEY, Ireland, Alliance of Liberals and Democrats for Europe

*Summary*

The European region alone provides more than 60% of both material and financial international humanitarian aid. The scale of the disasters and the experience of dealing with them have highlighted the need for a wider analysis of Europe's response and responsibility towards humanitarian disasters both in Europe and elsewhere.

European States currently participate in international responses to humanitarian disasters through a number of mechanisms: by taking action directly and unilaterally through civil or military intervention subject to the authority of the recipient state; by channelling funds or aid donations through individual United Nations agencies, the International Red Cross and Red Crescent Movement and/or NGOs, which may or may not be earmarked for specific countries or for thematic aid; or by supporting coordinated intervention which may be channelled through multilateral or interstate organisations (UN and EU or NATO).

The problem now facing Europe as regards its role in improving further the international co-ordination framework for humanitarian assistance is political. At present, there is no political agreement between the member states as to how humanitarian assistance and civil protection, respectively, should be effectively organised. The report makes a number of recommendations in this regard.

[1] Your rapporteur wishes to thank Dr Simon Towle, expert, for his work in drawing up this report and Mr Sergio Piazzi, Senior Advisor for European Affairs, OCHA, for his invaluable assistance.



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## A. Draft resolution

1. The growing number of humanitarian disasters, coupled with their increasing scale and intensity, and the fact that they mainly hit areas of the world that are least able to cope with them – such as tsunamis in South East Asia, earthquakes in north Pakistan, Indonesia and Peru, floods in North Korea, China, Africa and India, forest fires in the Mediterranean, drought in Somalia and hurricanes in the Caribbean and the Indian ocean – raise questions about the adequacy of international aid structures to respond swiftly and effectively in disaster-stricken areas.

2. In addition, the humanitarian situation of people affected by armed conflict keeps deteriorating significantly, as conflicts continue to rage in many countries, imposing immense suffering on children, women and men who are caught up in them. The growing number of complex emergencies such as in Darfur, Somalia, Sri Lanka, Afghanistan, Iraq, Lebanon and the Palestinian territories raise further questions about restricted humanitarian access to the most vulnerable areas; about the frequent violation of humanitarian space; about the difficulties in safeguarding principles of neutrality, independence and impartiality for the safety of civil population and humanitarian aid workers; about civil and military cooperation in the delivery of humanitarian aid relief; and about the important role of the media.

**Comment [M1]:** What does humanitarian space mean??

**Comment [M2]:** This sentence does not work, are there two ideas involved .. independence and impartiality of humanitarian aid workers and safety of civilian population (and aid workers)

3. The European region alone provides more than 60% of both material and financial international humanitarian aid. The scale of the disasters and the experience of dealing with them have highlighted the need for a wider analysis of Europe's response and responsibility towards humanitarian disasters both in Europe and elsewhere.

4. In Resolution 1422 (2005) on Europe and the tsunami disaster the Parliamentary Assembly made an initial assessment of where Europe's responsibility lies in humanitarian disasters, calling on member states of the Council of Europe to honour the funds pledged and to give unequivocal support to the United Nations Office for the Co-ordination of Humanitarian Affairs (OCHA) in its central role at the heart of relief operations. Governments, international organisations and civil society were also called upon to ensure transparency and accountability in their humanitarian aid programmes.

5. It is widely felt today that the humanitarian aid community must strengthen core technical and logistical capacity and broaden its capacity base, as well as improve international co-ordination and performance. Leadership must be strengthened at field level by providing greater support to relevant authorities and civil society actors in the disaster-prone countries.

6. The United Nations Humanitarian Reform Agenda therefore aims to dramatically enhance humanitarian response capacity, predictability, accountability and partnership. It is an ambitious effort by the international humanitarian community to reach more beneficiaries, with more comprehensive needs-based relief and protection, in a more effective and timely manner. As a result of the reform agenda, a new system of clusters was introduced to fill in gaps and avoid overlaps between humanitarian actors, Humanitarian Coordinators were established to strengthen leadership at field level and the Central Emergency Response Fund (CERF) was upgraded to jump-start lifesaving relief operations within the first 72 hours of a disaster.

**Comment [M3]:** Shouldn't you explain this … as adopted by ..

**Comment [M4]:** Perhaps replace reform with Reform Agenda

7. European States currently participate in international responses to humanitarian disasters through a number of mechanisms: by taking action directly and unilaterally through civil or military intervention subject to the authority of the recipient state; by channelling funds or aid donations through individual UN agencies, the International Red Cross and Red Crescent Movement and/or NGOs, which may or may not be earmarked for specific countries or for thematic aid; or by supporting coordinated intervention which may be channelled through multilateral or interstate organisations (UN and EU or NATO). The various channels by which European states respond to humanitarian disasters therefore constitute a very complex environment.

8. The challenge of co-ordinating international and European humanitarian responses is undoubtedly a difficult task which requires a permanent knowledge base of available assets, competences, funding, tracking of donors and recipients, and ultimately evaluation of results.

9. The problem now facing Europe as regards its role in improving further the international co-ordination framework for humanitarian assistance is political. At present, there is no political agreement between the member states as to how humanitarian assistance and civil protection, respectively, should be effectively organised.

10. If a united co-ordination platform is to be achieved, member states need to decide which of their interested national ministries should play the central role in co-ordinating humanitarian aid within the various European and international humanitarian assistance and civil protection mechanisms or, alternatively, to set

up national bodies to ensure that competent and/or interested national ministries play a complementary and not a competing role in the provision of humanitarian aid.

11. Steps to improve member states' capacity to respond to humanitarian disasters must go hand in hand with additional financial and environmental measures to reduce future risks. Developing countries are more seriously affected by natural disasters and the losses caused represent a much larger proportion of their Gross Domestic Product (GDP). In the light of such inequalities, member states should endeavour to reach the target of 0.7 % of their GDP for public overseas development assistance.

**Comment [M5]:** Loss of life does not have a link with GDP

12. The Parliamentary Assembly consequently calls on the member states to :

12.1. designate a national focal point to co-ordinate national responses to international humanitarian crises and emergencies in order to avoid proliferation of unco-ordinated mechanisms, collision of mandates, competition for resources and overlapping of initiatives which have a negative impact on the international system's capacity to deal timely and effectively with emergencies at the global level;

12.2. request the national focal point to regularly report to the Ministry of Foreign Affairs and to the Parliamentary Committee on Foreign Affairs;

**Comment [M6]:** Better perhaps to say the relevant Parliamentary committee dealing with foreign affairs

12.3. entrust the national focal point and the Ministry of Foreign Affairs with a single level of decision making in response to international flash appeals;

12.4. give unequivocal support to the United Nations Office for the Co-ordination of Humanitarian Affairs (OCHA) in its central role at the heart of the relief operation;

12.5. create a permanent data base of existing capacities and assets that could be deployed for international relief operations to be shared with OCHA through the UN Central Register of Relief Capabilities;

12.6. seek a European political agreement as to when the military can be deployed in humanitarian relief interventions while respecting the co-ordination role of the United Nations and the principles set forth by the Oslo and MCDA Guidelines (Military and Civil Defence Assets);

12.7. ensure transparency and accountability of humanitarian relief programmes;

12.8. ensure that funds made available for deployment of the civil protection mechanism outside Europe are without prejudice to the existing funding for humanitarian relief;

12.9. honour the funds pledged for humanitarian assistance;

12.10. consolidate the support to the International Committee of the Red Cross (ICRC) to enable it to continue its vital neutral and independent humanitarian protection and assistance activities;

12.11. in terms of medium and long-term efficiency of resources, allocate humanitarian donor funding also for prevention;

12.12. endeavour to reach the target of 0.7% GDP for public overseas development assistance.

13. The Parliamentary Assembly recommends to the United Nations Office for the Co-ordination of Humanitarian Affairs (OCHA) to hold - in co-operation with the Council of Europe and the European Union - annual meetings of European national focal points for humanitarian response in order to review progress made and address outstanding issues of humanitarian concern with the view to recommend any action to be taken at national and European level to make international relief co-ordination more effective.

## B. Explanatory Memorandum by Mr Mooney, Rapporteur

### I. Introduction

1. The growing number of humanitarian disasters, coupled with their increasing scale and intensity, and the fact that they mainly hit areas of the world that are least able to cope with them, increasingly raise questions about the adequacy of international aid structures to respond swiftly and effectively in disaster-stricken areas. It is widely felt that the humanitarian aid community must strengthen core technical and logistical capacity and broaden its capacity base, as well as improve international coordination and performance from the perspective of strengthening leadership at field level by providing greater support to both disaster-prone countries and civil societies. Moreover, there is a need to provide more predictable and timely funding of emergency activities. This requires immediate access to start-up funds to cover initial deployment costs, particularly in the case of sudden-onset disasters where there is insufficient time to activate extensive appeals or fund-raising. Further still, preventive mechanisms need to be enhanced to predict, lessen and even prevent natural events from being transformed into such large-scale calamities, in other words, transform prevention into a culture of long-term and sustainable development, which also includes provision for ensuring that when disasters become "less prominent" they are not simply forgotten.

2. The explanatory memorandum aims to provide an overview of the current international humanitarian response mechanisms available to the international humanitarian aid community with particular reference to the channels used by European states, as well as elucidate and comment upon how the reform process is facing up to the challenge of improving the overall ability to coordinate and deploy aid effective, rapid and sustainable responses.

### II. International humanitarian response mechanisms

3. European States can participate in international aid responses to humanitarian disasters through a number of mechanisms, or combinations of the same. As such humanitarian intervention may involve taking action directly and unilaterally through civil or military intervention subject to the authority of the recipient state, in which case a donor state prefers to use its own deployment and response mechanisms and available assets to respond to a given disaster, for example to guarantee its own visibility or for geo-political and strategic reasons. Alternatively, a European state may channel funds/grants or aid donations through individual UN agencies, the International Red Cross and Red Crescent Movement[2] and/or NGOs, which may or may not be earmarked for specific countries or for thematic aid (in other words it may or may not want to have a stake in how the aid is deployed sectorally, where or in relation to which disaster it is used). Or further still, European countries may respond to humanitarian disasters by supporting coordinated intervention which may be channelled through multilateral or interstate organisations (UN and EU or NATO). Moreover, mention should also be made of humanitarian aid responses that are made independently of states, such as those of NGOs, whether international or grass-roots organisations, charities and ad hoc formations in response to a given disaster.

4. The various channels by which European states respond to humanitarian disasters therefore constitute a multifaceted and complex environment, and may involve their presence and/or participation in a given response at several levels. The challenge of coordinating international humanitarian responses is undoubtedly a difficult and challenging task, which requires a permanent knowledge base of available assets, competences, funding, tracking of donors and recipients, and ultimately evaluation of results. Moreover, the humanitarian aid community response mechanisms represent a rapidly evolving scenario, particularly since the beginning of the new millennium. In a European context, the two principal actors involved in coordinating responses to international humanitarian disasters are the United Nations OCHA (Office for the Coordination of Humanitarian Affairs) and the European Union ECHO (European Community Humanitarian Office), respectively.

5. The EU is a relatively recent but increasingly significant actor on the international humanitarian stage, and an essential partner supporting and complementing the UN's work in all three pillars: peace and security, human rights, and development. Furthermore, the EU's commitment to multilateralism is at the heart of the development of EU foreign policy. In this respect, the EU has called for a multilateral approach based on policy dialogue, greater cooperation in the field and in relation to crisis management and prevention, as well as the creation of strategic partnerships between the European Commission and UN

[2] The International Red Cross and Red Crescent Movement has three components: the International Committee of the Red Cross (ICRC), the International Federation of Red Cross and Red Crescent Societies (IFRC), and 186 National Societies.

organisations[3]. In order to facilitate cooperation, the Financial and Administrative Framework Agreements (FAFAs) were updated in 2003[4], relating to all contribution-specific agreements signed between both organisations.

6. Given the relatively recent involvement of the EU in multilateral humanitarian aid intervention (1991) compared with the UN-OCHA mandate dating back to 1971 (expanded and consolidated mandate in 1991), it was natural for the former to seek the collaboration of the UN in order to legitimate its participation in international humanitarian aid intervention through the development of a cooperation framework with OCHA[5].

7. The dialogue that has progressively developed between OCHA and ECHO has led to the creation of the so-called "Strategic Programming Dialogue". However, since the recent establishment of the EU Civil Protection Mechanism in October 2001, within the DG-Environment (and not DG-ECHO), the basis for cooperation has again been called into question. In this respect an Exchange of Letters was initiated in 2004 between OCHA and the European Commission to attempt to lay down the principles for further cooperation and coordination to maximise available resources and avoid any unnecessary duplication of effort[6]. At present, the parties have agreed to regularly exchange information, maintain dialogue at policy and operational levels, complementariness of training and exercise activities for the delivery of assistance, through the creation of Standard Operational Procedures (SOPs) during three phases, notably: the preparedness phase (period between disasters), the response phase at headquarters, and the response phase at field level.

*i. UN-OCHA*

8. Since the establishment of its initial mandate in 1971, OCHA has developed an integrated emergency and coordination system that is acknowledged by all the major international humanitarian actors [7].

9. As such, its multi-faceted humanitarian response mechanism includes a 24-hour response capacity to manage assessment, coordination and information functions at HQ and field level. When a sudden-onset disaster strikes, the intervention process is the following: the UN's principal task is to get to the disaster site (within 6-24 hrs) so that the extent of damage can be assessed and assets deployed as quickly as possible. Once a government or disaster-hit country has requested or accepted international humanitarian assistance, OCHA can set up a coordination platform, which involves dispatching UN Disaster Assessment and Coordination (UNDAC) teams, mobilising Military and Civil Defence Assets (MCDA), establishing field coordination centres and reception teams at airports, as well as launch appeals to the international community to meet relief needs[8]. The setting up of a UN coordinated response platform is based on tried and tested and widely recognised and adopted procedures (e.g. Earthquake response guidelines under GA Resolution 57/150 of 16 December 2002), although admittedly they are not legally binding.

*ii. The International Red Cross and Red Crescent Movement*

10. The International Red Cross and Red Crescent Movement constitutes the largest global network of humanitarian organisations, solidly anchored in local communities throughout the world. The International Red Cross and Red Crescent Movement is composed of National Red Societies in 186 countries, the ICRC and the International Federation of Red Cross and Red Crescent Societies. The ICRC and the International Federation have themselves delegations in more than 80 countries. All the components of the Movement

[3] European Commission: The EU and the UN: the choice for multilateralism, COM(2003), 526 final.
[4] FAFA, signed 29 April 2003, replacing 1999 Agreement between EC and UN on financing or co-financing bythe Community of programmes and projects administered by the UN.
[5] See Communication from the Commission entitled: The European Union and the United Nations: the choice of multiculturalism, COM (2003) 526 final, Communication from the Commission entitled: Building an Effective Partnership with the United Nations in the fields of Development and Human Affairs, COM (2001) 231 final, and EU guidelines on children and armed conflict, adopted at General Affairs Council, 8 December 2003.
[6] See Exchange of Letters, Commission letter of 27/10/2004.
[7] In 1971, the UN General Assembly gave OCHA a mandate to "mobilise, direct and coordinate" international assistance. In December 1991, the General Assembly adopted Resolution 46/182, with a view to strengthening the UN emergency response capacity in complex emergency situations and natural disasters, as well as improvement the effectiveness of field operations. It also instituted the high level position of the Emergency Relief Coordinator (ERC) as the focal point for any intervention for major and complex emergencies. Resolution 46/182 also created the Inter-agency Standing Committee (IASC), the Consolidated Appeals Process (CAP) and the Consolidated Emergency Revolving Fund (CERF) as the key coordination tools under the overall responsibility of the ERC.
[8] The UN Disaster Assessment and Coordination (UNDAC) system has been critically enhanced by the decision of the Swiss Government to put at its disposal an aircraft for immediate transport in the case of sudden onset disasters.

work together and coordinate their action on the basis of the Statutes and Fundamental Principles approved by the 192 States that are members of the International Conference of the Red Cross and Red Crescent. At country level, the National Societies are established as "auxiliaries to their public authorities in the humanitarian field" while maintaining at all times their independence and autonomy of decisions for humanitarian action. Collectively, the International Red Cross and Red Crescent Movement is recognised to be a specifically neutral, impartial and independent pillar of humanitarian action working alongside and in a complementary manner to the efforts of States, the UN System, and the NGOs. The Committee on Migration, Refugees and Population is currently preparing a separate report on the activities of the International Committee of the Red Cross (ICRC).

*iii. Twofold mechanisms in the European Union*

11. In the EU, a distinction is drawn between the humanitarian elements of emergency response (which falls within the remit of the Humanitarian Aid Office and is now referred to as DG-ECHO) on the one hand, and civil protection (which is dealt with by DG Environment), on the other.

*a. DG-ECHO*

12. The European Commission's Humanitarian Aid Department was founded under the DG-Development in 1991, which became the European Office for Emergency Humanitarian Aid, and soon afterwards the European Community Humanitarian Office (current acronym)[9]. Since the Community's emergency humanitarian aid response generally provided indirect assistance, by granting funding principally to NGOs and UN agencies, the European Community's contribution to humanitarian aid was accredited with "low visibility"[10]. Since 1996, the Commission has had a legal basis to intervene autonomously, thus potentially becoming an active and more visible partner in intervention,[11] and more importantly, no longer dependent on other pre-existing and operationally effective intermediaries.

13. As a donor, ECHO allocates funds through partnership agreements, with 60% of its partners constituted by NGOs, 30% UN agencies, and the remaining 10% are Red Cross family organisations (ICRC and IFRC). Its budget for 2007 stands at € 722 million. As such, the European Union is the largest humanitarian aid donor in the world and contributes more that 30% of the international public budget for humanitarian aid[12]. Moreover, ECHO has approximately ten times the number of humanitarian partners of major EU Member State administrations which on average manage a budget that is only one fifth of the size of DG-ECHO's.

14. In terms of amount spent however, UN-agencies are the biggest category of recipients. Overall, ECHO funding of UN agencies has increased from 24% of its budget in 2001 to 32% in 2005, including WPF, UNICEF, UNHCR, UNWRA, FAO, WHO, OCHA, UNDP. ECHO fully supports building the capacity of OCHA to intervene where humanitarian aid is required, but it is in no way bound by its decisions, and does not necessarily agree with needs assessments made by OCHA in given situations. While EU Member States tend to concentrate their development and humanitarian aid in regions where they have specific interests or historic links, dealing with their own national NGOs and international organisations, ECHO is "ready to work in all failed and fragile states with humanitarian needs"[13].

15. ECHO also responds to protracted disasters (non-emergency decisions) and contributes to disaster prevention and disaster preparedness programmes (through its DIPECHO programme, launched in 1996). Between 1996 and 2004, DIPECHO provided more than €78 million for 319 projects worldwide. Typically, DIPECHO-funded projects cover training, capacity-building, awareness-raising, early-warning, and planning and forecasting measures. DIPECHO projects are designed as pilot strategies for their region. As a long-term goal the European Commission's major challenge is to transform risk reduction into an integral part of sustainable development policy.

*b. DG-Environment and the Civil Protection Mechanism*

[9] ECHO's legal mandate derives from Council Regulation (EC) 1257/6 concerning humanitarian aid of 20 June 1996.
[10] Its mandate is to save lives and relieve suffering, but for the most part not through action in the field. It is however represented through six regional offices that with up to 150 staff providing expertise at local level
[11] Op cit., Council Humanitarian Regulation (EC) 1257/96. ECHO's intervention relates to four so-called "sectors": (1) food/nutritional support, (2) shelter, (3) medical assistance and (4) water/sanitation. From 2007, emergency food aid will also be transferred to DG ECHO.
[12] The average annual budget for the period 2000-2005 for DG ECHO was € 543 million, which will increase to € 722 million in 2007 and € 875 million by 2013. Independent Evaluation of the European Commission's directorate General for Humanitarian Aid (DG ECHO) 2000-2005, GFE, 23 June 2006, p.9.
[13] See, The European Commission's Directorate General for Humanitarian Aid (DG-ECHO) 2000-2005, Evaluation page 2.

16. The "Community Mechanism was instituted to facilitate reinforced cooperation between the Community and the Member States in civil protection interventions" (EU Civil Protection (CP) Mechanism)[14] It has been operative since 1st January 2002 and, , as it is considered as still being in its "formative" stages, the precise nature of its role and involvement in international humanitarian responses outside the territory of the European Union does not yet appear to be totally clear and diverging opinions exist among EU member states as to what its role should be. At the outset, civil protection was intended to improve the protection of persons, environment and property in the event of major emergencies, including natural, technological, radiological and environmental accidents happening inside the Community during peacetime in other words offer concrete solidarity between EU Member States in the event of a major natural disaster. Nowadays, third countries may also request assistance to the DG-Environment operated Monitoring and Information Centre (MIC) and expert teams from the EU member states[15], in which case the Commission needs to consult the Presidency of the Council to determine the most appropriate course of action[16].

17. However where an EU "crisis management situation", is deemed to exist, in an area of conflict or unrest the Presidency of the Council of the EU may decide to take a lead role in coordinating the EU response[17]. If the aforementioned crisis situation does not exist, the MIC experts carry out their normal operative procedures (i.e. those for natural disasters), as part of which. expert teams can be deployed at field level to facilitate improved coordination of assistance provided by the EU Member States and the Community, by providing immediate information to experts, intervention teams, etc.

18. The recent autonomous activation of the MIC and the uncoordinated deployment of some European civil protection teams for the Israeli-Lebanese crisis has now opened a new debate on the nature of their mandate, as this was clearly not a case of a natural disaster.

19. Their presence and coordination role is problematic for other actors involved in humanitarian aid responses, especially if the scope of their mandate is ambiguous, and their intervention is autonomously activated, disregarding the existing system of coordinated international responses.

20. On 27th February 2007, Senator Paschal Mooney visited various actors concerned by deployment of the Civil Protection Mechanism on a fact-finding mission to investigate its current level of coordination with existing humanitarian actors at EU and international level, as well as gain a better understanding of the major issues underlying the dovetailing of this new intervention capacity into existing structures. A second visit was organised to the UN Headquarters in New York 30 April -1 May 2007, through the support of UN-OCHA.

*c. Current issues of concern*

21. In Senator Mooney's interviews with representatives from the EU Council, DG-ECHO, DG-Environment (Civil Protection Mechanism - CPM), NATO and the NGO Voice, a number of pertinent issues were raised. These relate primarily to:

- Coordination

22. To the extent that the Civil Protection Mechanism (CPM) could be deployed for civil protection activities, it could be a useful complementary instrument to DG-ECHO in coordinating a humanitarian response at EU level. In this sense, its activities would not duplicate those of the international aid community, provided that they are confined to civil protection activities. Until now, however, it appears that CPM decisions to intervene under normal operative circumstances have been taken autonomously and without any prior consultation or coordination with humanitarian assistance providers, and without necessarily sharing information with its counterpart humanitarian organisation at EU level, DG-ECHO. Furthermore, in European states, the organisation of and competence for civil protection at domestic level varies from country to country (Ministries of Home Affairs, Defence and Justice, etc), but internationally humanitarian aid responses are traditionally coordinated through Ministries of Foreign Affairs. With an international mandate

[14] Council Decision 2001/792/EC EURATOM of 23 October 2001, establishing a Community Mechanism to facilitate reinforced cooperation in Civil Protection Assistance Interventions (OJ No L297, 15.11.2001).
[15] The legislation which established the Community Civil Protection Mechanism provided that assessment and/or coordination teams made up of experts from the EU member states could be sent to the affected country to facilitate the arrival of assistance from EU member states' civil protection authorities.
[16] Council Decision 2001/792/EC of 23 October 2001 extended the remit of civil protection to third countries.
[17] The Council Presidency may decide to apply the TEU/CFSC crisis management provisions (Chapter V) in which case decision-making may not only involve Ministries of Foreign Affairs but also Home Affairs and Justice Ministries, which have no competence or experience in international humanitarian aid responses. Experts' Report on OCHA Cooperation in Disaster Response, March 2004, at pts 25-28. On 24th September 2003, the UN Secretary General and President of the Council of the European Union signed a joint declaration on UN-EU cooperation in crisis management. See also Voice, The Strengthening of EU crisis capabilities. What impact on humanitarian aid? p. 10-11

for civil protection under the CPM at EU level, a whole new set of actors are now competing for a mandate in an area that is still loosely defined, which could potentially have a damaging impact on its life-saving mission.

- Visibility

23. A serious concern about the role of the CPM is that decisions to intervene will not be primarily evaluated on the basis of humanitarian needs, but rather those of the visibility of EU as humanitarian aid provider to a crisis-stricken environment, which could erode the humanitarian basis underlying decisions to grant assistance in favour of more politically motivated interests.

- Supply-driven intervention

24. Closely linked to the first two issues of coordination and visibility, is the concern that if CPM intervention remains uncoordinated and to a certain extent politically motivated, then intervention will remain isolated from the broader picture of deploying coordinated humanitarian aid; in other words, it will be determined by what the EU-CPM can pinpoint as being available, and therefore supply-driven, as opposed to actual needs determined on the basis of humanitarian assessments.

- Accountability

25. Moreover, any aid that is deployed has to be done so in the knowledge that it is being channelled towards the right recipients/beneficiaries, which requires local knowledge and feed-back in terms of accountability. There is no evidence of any such operatives procedure having been adopted as yet in the CMP. The CPM needs to share information about its actions and coordinate with other international actors (whether ECHO, OCHA or UN agencies) to ensure that aid is channelled through the right paths (such as the cluster approach) and reaches the right beneficiaries.

- Reduced humanitarian space

26. A further issue relates to the fact that the CPM's intervention may take place using military/para-military, police forces or any other state-controlled forces. Such intervention, no matter how crucial to saving lives and protecting civilian populations, may be contested by certain actors amongst beneficiary populations. This could particularly be the case in conflict-stricken areas, where humanitarian presence and/or intervention ( especially by paramilitary or police forces) is perceived as a threat in itself, and therefore tends to result in a reduction of the safety-zone traditionally "accorded" where humanitarian workers can carry out their work without risking their own lives. In the absence of a all-inclusive coordinated policy of intervention, the position of humanitarian aid workers will become increasingly jeopardised.

- Budget

27. On 5 March 2007, the European Council adopted a decision establishing an instrument to finance Community action from 2007-2013, under which the CPM was granted a budget of Euro 189.8 million[18] for actions both in the EU Member States and third countries. The grant of such a sizeable budget is undoubtedly a further endorsement of the importance attributed by EU to the role of CPM in civil protection activities outside the EU[19].

## III. Reforming the international humanitarian aid community

28. The Fribourg Forum of June 2000 concluded that there was a proliferation of coordination mandates and responsibilities, amongst others, those of the UN, EU, Council of Europe, OSCE, NATO, the International Red Cross and Red Crescent Movement (IRCR/IFRC) and non-governmental organisations (NGOs), which could potentially jeopardise the international humanitarian response capability as a whole[20]. This forum gave the impetus for wide-sweeping reforms to the humanitarian aid response system, known as the Fribourg process. It advocated, amongst others, strengthened and more effective coordination, timely assistance, the leadership role of the UN Emergency Relief Coordinator (ERC) and Under Secretary-General of OCHA in coordinating multilateral assistance in disasters)[21].

29. Subsequently, the Secretary-General's Report to the 60th Session of the UN General Assembly, 2005, identified a number of significant capacity gaps in critical sectors such as water and sanitation, shelter,

[18] The budget of EUR 189.9 million covers a period of 7 years. The annual budget represents cca EUR 25 million. Approximately EUR 17 million of this amount is for interventions within the European Union and only approximately EUR 8 million is for interventions outside the EU (used for experts and transport and not for assistance).

[19] Indicatively, annual amounts of €17 million are available for actions within the EU and €8 million for actions in third countries.For further information see DG-ENV website, webpage on Civil Protection at ec.europa.eu/environment/civil/prote/perspectives.

[20] *Op cit*., Experts' Report on OCHA Cooperation in Disaster Response, March 2004 at pt. 2.

[21] Assistance should also closely coordinated with receiving state and with UNDAC and INSARAG, respectively, playing pivotal roles. GA Res. 57/150, Dec/2002.

camp management and protection[22]. The Emergency Relief Coordinator (ERC) then commissioned an independent Humanitarian Response Review (HRR) of the global humanitarian system (published in August 2005). The Review called for a global reform and a global plan of action, a more accountable system and the establishment of more appropriate mechanisms to measure results, preparedness amongst international organisations matched by political and financial support, as well as operability within and between the UN system, the International Red Cross and Red Crescent Movement and NGOs. It was also felt that there was a need to develop new operational structures, moving away from what was a UN-centric or UN-top heavy system of intervention.

*i. The need to enhance humanitarian response capacity: the cluster approach*

30. The Inter-Agency Standing Committee (IASC)[23], established in 1992[24], reviewed the coordination system and in 2005, created nine clusters made up of a group of organisations and other stakeholders (UN-agencies, NGOs and other non-UN organisations, including NGO consortia). The cluster approach intends to fill the humanitarian response gaps, but also improve accountability by strengthening leadership, creating more clearly defined roles, bolster coordination efforts[25]. Clusters exist at both global level, where they are principally responsible for ensuring predictable and effective inter-agency responses, and local/country level, where their primary task is to strengthen coordination and effectiveness of intervention. The inter-agency approach is designed to enhance cycle of responsibility and prevent single actors (UN) from monopolising intervention or "running the show".

*ii. The need for a strengthened humanitarian coordination system: Humanitarian Coordinators*

31. The introduction of humanitarian coordinators (HC) has contributed to the reform process by strengthening the coordination system by providing an alternative to resident coordinators (who are permanently present in a given country). When a crisis kicks in, humanitarian coordinators (who are not necessarily recruited from inside the UN) can be drafted in to handle a complex humanitarian situation replacing resident coordinators, who are considered as having greater independence from the latter, and representing a broader spectrum of interests. If HCs are from outside the UN they are given training and induction in field experience prior to being positioned.

32. Once the immediate stage of disaster response has been completed under the OCHA mandate, responsibility is transferred to UNDP, which takes the cluster agency lead in managing early recovery. UNDP is responsible for both prevention/risk reduction and early recovery and its operations are structured around resident coordinators. HCs can be also from within the UN (i.e. UNDP Resident Coordinators), and therefore benefit from good knowledge of local institutions, leaders and network management. In complex crisis situations, where both HCs and RCs are present, it is essential that they cooperate closely with one another. UNDP argues that RCs could play a stronger role in complex crisis situations because of their political connections and knowledge of local networks, especially as regards assuring humanitarian access. UNDP therefore supports the idea of the creation of a "Humanitarian Coordinator pool" with a team of people collaborating under the overarching coordination responsibility of OCHA.

33. Problems may occur where responsibility is transferred from OCHA to UNDP after the immediate disaster response, when staffing and resources drop significantly. UNDP argues that the recovery cluster should be involved from an earlier stage before taking over from the humanitarian cluster to benefit from the momentum, staffing, knowledge and funding of the former.

34. In terms of NGO involvement and cooperation, the International Red Cross and Red Crescent Movement and Médecins sans Frontières (MSF) at times prefer to remain outside the UN coordination framework, in order to maintain their neutrality and independence. In the particularly complex emergencies they consider UN agencies to be too close to governments, and too dependent on their cooperation for access to a humanitarian disaster-stricken location. While this approach may be considered exceptional and acceptable for reputable NGOs with strong principles, other NGOs may bow out of UN coordination system

[22] The report of the Secretary-General on "Strengthening of the coordination or emergency humanitarian assistance of the United Nations".
[23] Comprised of UN humanitarian agencies, Red Cross Family, NGOs and the IOM.
[24] In response to GA Res. 46/182 calling for strengthened coordination of humanitarian assistance.
[25] The Cluster Approach is currently being implemented in Uganda, Somalia, DRC and Liberia (IASC agreed roll-out countries). It was also used in Pakistan, Lebanon and Yogjakarta, Indonesia. It is now also being introduced in other countries such as Cote d'Ivoire. For further reading, see, Humanitarian Reform Newsletter, September 2006.

for precisely political reasons (i.e. pressure from governments that fund them), which potentially undermines the humanitarian assistance system.

35. The humanitarian coordination mandate of OCHA is further complicated in the case of independent NGOs competing for activities, visibility and budgets, especially with the recent development of private voluntary organisations, whose funding is not transparent and who, moreover, are not accountable, which makes it difficult to control to what extent they are funding private or corporate interests.

36. Questions still remain as to how clusters should interact with European humanitarian intervention mechanisms, either through EU civil protection or Member States acting independently, or in relation to other NGOs active in a given disaster area but outside the scope of intervention of the competent cluster grouping.

37. Since the cluster approach may involve the participation of UN-agencies, and also components of the International Red Cross[26] and Red Crescent Movement[27] and NGOs, and given that cluster leads need not necessarily come from UN agencies, UN involvement is now shared more equitably, which means that it also has become more autonomous, sharing the responsibilities of its actors amongst a wider humanitarian community, thus giving a greater voice in defining policies and coordinating actions.

*iii. The need to jump-start humanitarian aid: CERF in 72 hours*

38. One of the major issues relating to deploying assets rapidly and effectively in recent years has been difficulty of access to readily available funding so that UN-agencies and NGOs can commit to spending as soon as disaster strikes.

39. The Central Emergency Revolving Fund (CERF) was set up in 1991 and intended as a way of complementing the reserve and other contingency funding arrangements of the UN operational agencies and IOM[28]. Under the reform process, it was decided that the original CERF was inadequate to meet the needs of large-scale, sudden onset disasters[29].

40. As a result of the reform process, CERF has been upgraded, and is now known as the Central Emergency Response Fund (CERF)[30]. The goal of the Fund is simple: to provide aid workers with sufficient funding to jump-start lifesaving relief operations when most lives are on the line within 72 hours[31]. CERF now has both a loan ($50 million) and a grant facility ($450 million) for a total of US$ 500, and up to one third of the grant facility may be used to provide timely funding for life-saving programmes in countries identified as neglected emergencies.

41. CERF has also adopted the back-dating principle. The Fund will be fully transparent and its management will be stringently monitored; accordingly, it will benefit from both internal and external management audits, as well as audits from every UN agency that draws on it. All financial pledges and expenditures will be tracked on a publicly accessible Web site, providing donors with maximum visibility for their contributions.

42. One outstanding concern relating to the new CERF, however, is that the new mechanism should not be funded to the detriment of states' pre-existing funding commitments to other agency budgets or

[26] The ICRC has stated that its position on the cluster approach is the following: "Among the components of the Movement, the ICRC is not taking part in the cluster approach. Nevertheless, coordination between the ICRC and the UN will continue to the extent necessary to achieve efficient operational complementarity and a strengthened response for people affected by armed conflict and other situations of violence. At the global level, the ICRC participates as an observer in many of the cluster working group meetings".

[27] The International Red Cross and Red Crescent Movement has its own coordination system which regulates interaction between all components of the Movement and external agencies. This coordination system is based on application of the Movement's 'Fundamental Principles' ensuring that humanitarian assistance is delivered impartially, according to needs.

[28] Humanitarian Response Review, Report commissioned by the United Nations Emergency Relief Coordinator and Under-Secretary-General for Humanitarian Affairs, August 2005, at p. 57.

[29] It was modest in size with a ceiling of US$ 50 million, based on loans that needed to be repaid, and involved complex disbursement procedure making access difficult and uncertain, and therefore unpredictable. Humanitarian Response Review, 2005, Point 2.2.

[30] Launched in New York on 9 March 2006. The decision was endorsed by ECOSOC and the Millennium Summit Declaration, see A/Res/60/124.

[31] The CERF has three objectives : to promote early action and response to save lives; to enhance response to time-crucial requirements based on demonstrable needs; to strengthen core elements of humanitarian response in under-funded crisis. http://ochaonline.un.org/FundingFinance/CERF/tabid/1109/Default.aspx

Consolidated Appeal Process (CAP) funding. The fund should therefore generate additional funding and not divert existing funding

43. A further limitation of the CERF is that it is only available to UN-agencies and IOM, which means that NGOs can only benefit from it to the extent that their intervention is sponsored by the UN agencies themselves. In practice smaller, locally-based NGOs are denied access to this source of funding.

44. Moreover, CERF will be funded from a variety of sources (Member States of the United Nations but also private businesses, foundations and individuals). How will the variety of funding sources for the CERF - impact on the actual use and management of the funds? Ultimately, will CERF be a sustainable investment for institutional donors in the long run and will it achieve its objective of saving more lives?[32]

45. Finally, even with the co-existence of the CERF and EU Emergency Reserve, what are the assessment procedures in place to ensure that potential disasters can be prevented from being transformed into actual ones? A further question concerning the interrelationship between the funding mechanisms themselves, relates to whether ECHO should donate directly to CERF or continue to donate directly to its agencies? In this respect, by not donating to CERF, the EU preserves its autonomy, but there is a residual risk of competing with one another, and to some extent neutralising each other's impact. Nonetheless, the plurality of funding mechanisms ensures that a broader base of interests are served in the humanitarian aid community.

## IV. The coordination issue

46. One of the major issues relating to the development of coordinated responses from the humanitarian community in the event of a humanitarian disaster, which has not yet been fully resolved, is that the current international response mechanisms can to some extent be duplicated: on the one hand, responses may be coordinated through the United Nations at OCHA, and on the other, this may take place at the European Union level, through the ECHO or the Civil Protection Mechanism. Inevitably, any overlapping or duplication of mandates could be potentially a source of antagonism.

47. As experience in the first two operational deployments of the EU Civil Protection Mechanism in Algeria and Iran earthquakes has shown, there was a need for improved coordination both at Headquarters and field level between OCHA and the EU[33].

48. In the wake of the Bam earthquake in Iran, the deployment of MIC expert teams alongside UN and NGOs operations by the EU Civil Protection Mechanism caused consternation amongst the international humanitarian aid community. Certain Member States of the EU did not know to whom to turn for direction and guidance in the management of their coordination activities. This also created confusion with the authorities of the affected country, as well as with international teams from other regions, such as those of EMERCOM of the Russian Federation and others from Asia.

49. In analysing the EU humanitarian response to the Tsunami disaster, in particular, the EU the Court of Auditors found the Civil Protection Mechanism insufficiently coordinated with humanitarian aid in Sri Lanka and Indonesia, and that the MIC teams had not confined themselves to protection activities[34], but had

[32] Seminar on Europe's Humanitarian Responsibilities, Geneva, Parliamentary Assembly of the Council of Europe (PACE), 3 November 2005, opening speech by Ms. Yvette Stevens, UN Assistant Emergency Relief Coordinator and Director, OCHA-Geneva "Prevention, as we all know, is cheaper than the cure. Take last year's locust crisis in the Sahel. If Global Emergency Fund (CERF) had been in place, we would have had the $9 million needed to spray the locust larvae and prevent them from hatching. But no funds materialized. The larvae soon hatched, and locust swarms ate their way across 12 African nations. The U.N. then was forced to launch a new $100 million appeal -- more than 10 times the original amount -- to pay for expensive food aid". The 2003-2005 locust upsurge was addressed through a control campaign focusing primarily on the elimination of locust populations, with survey and control operations carried out in 24 countries by the Food and Agricultural Organisation (FAO) and supported by 27 donors, including substantial financial support of the European Commission. The total multilateral assistance provided through FAO for the 2003-2005 locust control campaign amounted to US$ 74,160,068 million, of which US$ 50,403,171 million was disbursed through FAO projects. With respect to the multilateral assistance provided through FAO, the European Commission was the most important single donor with a budget of almost US$ 30 million for emergency projects in five countries: Chad, Mali, Mauritania, Niger and Senegal. This very important contribution was possible due to the decision by each of the 5 locust-affected countries to use the funds earmarked under the so-called Envelope B of their National Indicative Programmes with the EC, which can be mobilized for emergency operations. Besides the provision of locust control means, pesticides and hiring of aircraft, the EC locust programme also included support for environmental and coordination activities.

[33] Experts' Report on OCHA-EC Cooperation in Disaster Response, March 2004.

[34] Special Report no. 3/2006 concerning the European Commission Humanitarian Aid Response to the Tsunami, 3 July 2006, see at pt. 24.

overlapped with the humanitarian field "which is beyond their role and given the impression that it was coordinating all EU assistance"[35].

50. OCHA has requested clear procedures to be established for EU Civil Protection Mechanism Coordinators to work within the framework of existing internationally agreed mechanisms. What progress has been made?

51. The question has also been raised as to whether MIC expert teams are at all necessary or do they in fact duplicate existing structures within the framework of the UN? Inter-agency Humanitarian Common Services already exist to facilitate coordination and operations in emergencies. OCHA itself is not contrary to the presence of MIC experts, but advocates that they should only be deployed within after consultation with OCHA, and in any case, act in coordination with existing UN coordination structures.

## V. The funding issue

### *i. Donations*

52. One of the major challenges relating to donorship is making sure that enough money is available at the right time. This money then needs to be spent on the right kind of assistance, and targeted according to need and not political affiliation, ethnicity, religion or race.

53. Donor governments recognise their pivotal role in addressing these challenges. In 2003 a number of donor governments created the Good Humanitarian Donorship (GHD) initiative to work towards achieving efficient and principled humanitarian assistance[36]. A meeting held in Stockholm in 2003 brought together donor countries, United Nations (UN) agencies, non-governmental organisations (NGOs) and the International Red Cross and Red Crescent Movement, as a result of which a set of 23 principles and good practice of humanitarian donorship were drawn up[37].

#### *a. Donations from European states*

54. Amongst European states, it is not necessarily the case that the largest states donate the largest amounts, or that the wealthiest states are the most generous donators. In fact, there is general trend that the poor financial donators are also the worst donators in terms of the assets they make available to respond to requests for humanitarian aid interventions, and similarly, the poor performers, sometime referred to as the "good food countries", are also those most willing to challenge the legitimacy of the UN as the overall coordinators.

55. In its first year of activities, 2006, more than US $273 million was pledged to the CERF from 52 countries (with $269 million paid). As part of their decisions to channel funds through CERF, the principal European donors were the UK (approx. $70 million), Sweden (41 million), Norway (30 million), Netherlands (25 million), Ireland (12 million), in accordance with their national humanitarian assistance funding policies. Of Europe's remaining large nations, Spain donated 10 million, and France (1.2 million). Only 18 nations donated more than 1 million dollars. Germany and Italy did not figure on the list of 52 donor nations for 2006. The major donors from outside Europe were Canada (22 million) and the US (10 million), but it is interesting to note the presence of new donor nations such as India (paid 1 million of its 2 million pledged) and China (pledged 1 million, not paid). Of course, CERF is not the only way in which European countries donate to humanitarian aid, and it should also be mentioned that they continue to donate through other humanitarian aid programmes, bilaterally, and on a case-by-case basis (*for more donor related data, see www.reliefweb.int* ).

56. A brief summary of Consolidated Appeals Procedures (CAP) Top-15 funding nations for 2006 shows that five "most generous" contributors as a percentage of their respective GDPs (actual amount donated not stated) were relatively small European states: Sweden (0.035%), Norway (0.030%), Luxembourg (0.028%) Netherlands (0.023%), Ireland (0.015%). Of the largest European states, the UK donated 0.013%, whilst Germany and Spain both donated 0.004% of their respective GDPs. France and Italy did not figure in the

[35] *Op cit* pt. 25.
[36] See www.goodhumanitariandonosrhip.org. The good donorship countries are the following :Australia, Austria, Belgium Canada, Czech Republic, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Japan, Luxemburg, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Switzerland, United Kingdom, United States.
[37] For more information on latest appeals, funding and donors for humanitarian disasters and complex emergencies, see www.reliefweb.int. ReliefWeb, launched in 1996, is the global hub that offers time-critical humanitarian information online on complex emergencies and natural disasters, designed specifically to assist the international humanitarian community in delivering effective emergency assistance, and administered by OCHA.

top-15. However of those top 15 donors, only 3 came from outside Europe: United States and Saudi Arabia (0.007%), Canada (0.006%).

57. Mention should also be made of the Global Humanitarian Contributions made to the UN in 2006[38]. The European Union States together constitute the largest financial contributor to the UN system, paying 38% of the UN's regular budget, although the principal single donor of humanitarian aid is the US ($1.8 billion) representing 27.2% of total funding contributed and committed, followed by ECHO ($ 700 million, representing 10.5%). Other major donors were the UK (465 million, 7%), Sweden (360 million, 5.4%), Norway (343 million, 5.2%), the Netherlands (322 million, 4.8%), and Switzerland 322 million, 3.9%), Denmark (188 million, 2.8%), Ireland (129 million, 1.9%), Finland (72 million, 1.1%) and Belgium (63 million, 1.0%). Of the remaining large European states: Germany (182 million, 2.7%), France (96 million, 1.4%), Italy (68 million, 1%), and Spain (32 million, 0.5%). Other European Commission funding amounted to $ 81 million, representing 1.2%, and private donors (individual and organisations) now constitute $ 100 million, representing 1.5%. Allocations of unearmarked funds represent $173 million, in other words 2.6% of the total humanitarian budget for 2006.

58. The impact of Eastern European states in terms of donorship of humanitarian aid with the exception of Russia is minimal. In 2005, Russia donated at total of $US 3 million to Disaster Relief and the Trust Fund for the strengthening of OCHA, which almost equalled the combined contributions of Italy (1.7 million), France (0.8), Germany (0.6), and Spain (0.1). Small contributions were received nonetheless to OCHA in descending order from Turkey Lithuania, , and Slovenia[39].

59. Switzerland was the 8th largest donor in 2005 (4 million); smaller donations were received from Luxembourg, Austria, Iceland, Liechtenstein, Luxembourg Greece, respectively.

60. Whilst there is certainly scope for improving the donation performance in terms of humanitarian aid amongst certain of Europe's richer nations, Europe's less wealthy nations could also make an important contribution to future humanitarian aid interventions by making their assets available and playing a greater role in coordinating such available resources with international operations.

*b. Timeliness of donations*

61. Another critical aspect of donor funding which allows a full and balanced implementation of OCHA's planned activities, and therefore impacts on the overall predictability of humanitarian response relates to the timeliness of donations. The OCHA Annual Report 2005 comments that nearly half of OCHA's funds for field coordination were received in the last two months of the year. Not only is there a problem with the timeliness of donor funding, but in certain occasions, countries do not actually fully honour their pledges.

62. Underperforming by donors is an issue that urgently needs to be addressed. This could take place through the political leverage of the Council of Europe – raising awareness of national parliaments to the performance of particular countries by providing humanitarian performance updates, based on data collected on donors (pledged, committed, and actual). A greater effort therefore needs to be made with outreaching and targeting the underperformers.

*c. Earmarking donations*

63. This problem relates to the nature of donorship and the donor organisations in that they may wish their money to be donated to specific agencies or projects, for specific assistance sectors, or for specific regions/countries. This type of donorship is referred to as earmarking and it is far from ideal given the way it conditions the use and management of funding. From the perspective of donors, however, it can be perceived as a way of making the UN-agencies or aid projects more accountable to donors.

*d. Corporate funding*

64. The response to the Tsunami disaster, was both unprecedented in volume and donor sources. For the first time private funding outstripped public funding sources. As such, US $ 6-7 billion came from private/corporate sources, whilst a further US $ 4-5 billion came from government contributions.

65. However, the tendency of an increase in corporate funding raises some questions : Will this also mean that private donors want greater visibility for their corporate social responsibility policies? Is this issue

[38] This information is available from on the UN Financial Tracking Service (FTS) at http://www.reliefweb.int/fts.
[39] OCHA Anual Report 2005, op cit. Table 7 at p. 26.

being dealt with seriously? Also what if private funds are earmarked for certain types of intervention? Should guidelines be developed for private donations/funding to humanitarian disasters? There is an underlying risk that this will condition humanitarian aid intervention towards interest-based criteria and away from humanitarian responsibility in decision-making.

## VI. Military intervention?

66. The deployment of military assets in the wake of the Tsunami and Pakistan earthquake represents part of a recent trend of increasing military involvement in civilian humanitarian operations outside war, and to certain extent contributed to overcoming the stigma attached to their participation in complex humanitarian emergencies[40]. From 2002-2004, military support and/or protection for humanitarian operations were provided in Iraq, Afghanistan, Cote d'Ivoire, Eritrea, Liberia, Northern Uganda and Sierra Leone[41]. During the Tsunami crisis, the EU Office of High Representative for Common Foreign and Security Policy (CFSP), led by Javier Solana, collaborated very closely with OCHA and seconded two military staff to support OCHA coordination role and the UN Joint Logistics Centre (JLC). The earthquake in Pakistan has also witnessed a critical role for military assets, where NATO deployed units worked in close cooperation with OCHA for the success of the humanitarian life-saving operation.

67. NATO does not currently have an operative policy of providing disaster relief, but feels that it could play an important logistical role in deploying assets (e.g. air lifts to stricken areas). At the same time, however, it acknowledges that certain European States are traditionally opposed to military participation in the deployment of humanitarian aid, and reiterates that any actions would only take place by fully implementing the Oslo Guidelines[42]. Thus, NATO will intervene if requested to do so, but only in the very exceptional circumstances and to the extent that national responders cannot cope with the scale of natural disasters. Hence, any such intervention by NATO, the EU or any other member state should only take place as a last resort mechanism.

68. Undoubtedly then, there is scope for improving relations between NATO and Europe as regards acknowledgment, information sharing, and developing a last resort intervention policy that would potentially involve NATO's participation. To date, the EU has never requested NATO assistance in deploying aid.

### *i. A Civil Protection Force for the EU?*

69. Perhaps there is a need for a political agreement within the European states as to when military can be deployed in humanitarian aid intervention. It is a question of a vision for Europe. Countries in North Europe/Scandinavia were traditionally against military intervention, while Southern European countries seem to be more reliant on and more willing to accept military intervention in peacetime.

70. If military intervention is to be used, however, any such operations should only be undertaken in accordance with the existing principles set forth in the Oslo Guidelines and as a last resort mechanism. In exceptional circumstances, military intervention may be the only form of assistance possible.

71. There are no strictly defined procedures for determining the nature of liaison arrangements on civil/military coordination, and at present this is heavily dependent on relations between the personalities involved. Appropriate coordination of military assets is essential in making the right deployment choices. Once the military machinery is active it is difficult to make amendments to assets requirements, and military presence has a highly visible impact. Making the right choices about needs and quantities could be improved by strengthening the role of the Humanitarian Coordinator, especially as coordinating deployment of military assets can often take place on the basis of bilateral agreements between donor and recipient governments. OCHA considers that in future such coordination responsibility should be transferred to the humanitarian community.

72. The European Commission Barnier Report[43] supports the idea of the establishment of a European Civil Protection Force (*force européenne de protection civile*), "Europe Aid", although it recognises in the first

[40] In accordance with the Guidelines on the Use of Military and Civil Defence Assets to support United Nations Humanitarian Activities in Complex Emergencies ("MCDA Guidelines"), March 2003. The guidelines also prove a definition of complex emergencies and humanitarian assistance. See also Discussion Paper and Non-Binding Guidelines on use of Military or Armed Escorts for Humanitarian Convoys, 14 September 2001, final.
[41] Civil-Military Relationship in Complex Emergencies – An IASC Reference Paper, 28 June 2004.
[42] The Oslo Guidelines on the Use of Military and Civil Defence Assets to support United Nations Humanitarian Activities in Complex Emergencies ("MCDA Guidelines"), March 2003.
[43] Pour une force européenne de protection civile, Rapport de Michel Barnier, commissioned by European Commission and European Council, 2006.

of its five guiding principles that such a civil protection force would "respect the coordination role of the United Nations"[44]. The report also advocates progressively bringing the civil protection coordination mechanism under the auspices of the DG-ECHO, to avoid the confusing situation of duplication of mandates which causes a real risk of confusion with external partners and the United Nations[45] . The EU has currently allocated a budget of Euro 189.9 million to Civil Protection.

## VII. Media

73. It is important to consider the enormous role to be played by the media in shaping the perception of a crisis and or response to emergency situations. In order to speak with one voice and facilitate response to emergencies, PI officers of agencies involved in the coordination of and response to humanitarian disasters should agree, at the very onset of the emergency, on key messages which will become a common basic platform to communicate to the media the sectorial assessments and needs. This will help the media perform that important role without bringing on competition for visibility between the multitude of humanitarian actors that might be present in the field.

## VIII. Conclusions

74. The problem now facing Europe as regards its role in developing an international coordination framework for humanitarian assistance is political. At present, there is no political agreement between European states as to how humanitarian assistance and civil protection, respectively, should be effectively organised. The separate and distinct mandates for funding aid (DG-ECHO) and intervention (DG-ENVIRONMENT) at European Union level are symptomatic of this lack of synchrony. As such, the current ambiguity surrounding the role of the Civil Protection Mechanism is a further endorsement of this dearth of political unity.

75. If a united coordination platform is to be achieved, European states first need to decide which of their interested national ministries (whether foreign affairs, home affairs, justice, or other) should play the central role in coordinating humanitarian aid within the various European and international humanitarian assistance and civil protection mechanisms, or alternatively, set up national bodies to ensure that competent and/or interested national ministries play a complementary and not a competing role in the provision of humanitarian aid.

76. As regards the international process of reforming humanitarian assistance, on the other hand, OCHA has undoubtedly shifted its focus towards becoming a facilitator for the coordination of international humanitarian responses through the multi-faceted response approach involving the participation of UN agencies, NGOs, donor and recipient states. Further still, UN-OCHA is in the process of broadening its coordination framework within Europe, and is currently setting up a liaison office in Brussels to ensure cooperation and coordination, at the strategic level, with the Council of the European Union, the European Parliament, NATO, the European Commission and NGOs. At the same time, it is also seeking observer status at the Council of Europe, which is undoubtedly a further endorsement of the centrality of the European role in the humanitarian aid community.

77. European-OCHA relations have therefore reached a critical stage of their development. On the one hand, it is imperative that both partners ensure that the human value of humanitarian intervention –i.e. those of saving lives and protecting vulnerable populations - remains the fundamental goal underlying any reform processes On the other, however, the key to success of European/UN's shared humanitarian assistance responsibility relates to OCHA's ability to sensitise European States to the fact that its strengths do not lie in building separate systems with distinct and autonomously activated capacities, but rather by creating a united and participative system that allows all actors involved to bring their capacities to it in a coordinated and complementary manner.

78. Finally, reforming humanitarian assistance mechanisms and their related coordination issues should additionally serve as a strong reminder to European States to renew their commitment to their international humanitarian obligations, given their central role in determining the future structure of intervention, especially at European level.

[44] Barnier Report: principle of double solidarity towards Member States and the United Nations, at point 1, page 12.
[45] Barnier Report, *op cit.* at page 18.

**Appendix 1**

**AGENDA**
**VISIT OF Mr PASCHAL MOONEY**
Senator of the Irish Parliament and Rapporteur of
the Parliamentary Assembly of the Council of Europe

Geneva, 19 – 20 February 2007

**Monday, 19 February 2007**

| | |
|---|---|
| 1630 – 1715 | Meeting with Ms. Ulla-Maija Finskas - Director<br>Unit for Humanitarian Assistance<br>Ministry for Foreign Affairs of Finland, Helsinki |
| 1730 – 1800 | Meeting with Mr. Franklin Thevenaz - Chief Multilateral Section and Special Operations, Department Humanitarian Action, Swiss Ministry of Foreign Affairs, Bern |
| 1800 – 1815 | Courtesy call with Mr. Kasidis Rochanakorn - Director OCHA-Geneva |
| 1930 – 2230 | working dinner hosted by Irish Ambassador |

**Tuesday, 20 February 2007**

| | |
|---|---|
| 0930 – 1030 | Meeting with Delegation from Permanent Mission of Norway<br>Mr. Asbjorn Braanas - Counsellor Humanitarian Affairs<br>Mr. Fredik Arthur - Counsellor Development Affairs |
| 1030 – 1130 | Meeting with Delegation from Permanent Mission of Russian Federation<br>Mr. Yury Boichenko, First Counsellor<br>Ms. Natalia Zolotova, Second Secretary |
| 1230 – 1430 | meeting with International Federation of Red Cross and Red Crescent Societies (IFRC) and ICRC<br>Mr. Markku Niskala - Secretary-General, IFRC<br>Mr. Angelo Gnaedinger - Director-General, ICRC |

**Appendix 2**

**VISIT OF Mr PASCHAL MOONEY**

Senator of the Irish Parliament and Rapporteur of
the Parliamentary Assembly of the Council of Europe on :
"Europe's response to humanitarian disasters"

28 February 2007, Brussels

| | |
|---|---|
| 09.00-09.50am | Ms. Claude-France Arnould, Director, DG E – Relations economiques exterieures, affiares politico-militaire, Council of the European Union |
| 10.00-11.00am | Ms. Kathrin Schick, Director, VOICE (Voluntary Organization in Cooperation in Emergencies) |
| 11.30-12.30 | European Commission DG Environment, Civil Protection Unit : Mr. Hans Das, Deputy Head of Unit and Mrs. Sasa Borko, Policy Officer |
| 2.00-3.00pm | Ambassador Maurits Jochems, Deputy Assistant Secretary General for Operations/Planning NATO HQ, accompanied by Mr Guenter Bretschneider, Head of Euro-Atlantic Disaster Response Coordination Centre (EADRCC) and Mr Stefano Santamato, Senior Policy Officer for Civil Emergency Planning (CEP) |
| 5.00-6.00pm. | Mr. Antonio Cavaco, Director General of DG for Humanitarian Aid (ECHO) European Commission |
| 8.00pm | Working dinner hosted by H.E. Ambassador Bobby McDonagh, Permanent Representative of Ireland to the EU |

**Appendix 3**

**AGENDA**
**VISIT OF Mr PASCHAL MOONEY**
Senator of the Irish Parliament and Rapporteur of
the Parliamentary Assembly of the Council of Europe

UN Headquarters, New York, 30 April – 1 May 2007

**Monday, 30 April 2007**

| | |
|---|---|
| 1000 – 1100 | Mr Jack Christofides, Europe Latin America Division, UN Directorate for Peace Keeping Operations (DPKO) |
| 1215 – 1400 | working lunch with the Irish Ambassador and experts |
| 1430 – 15.30 | Mr Brant Aasen, Senior Advisor on UN reform to the Executive Director, UNICEF |
| 1600 – 1700 | Mr Laura Vacarri, UN Directorate for Political Affairs (DPA) |

**Tuesday, 1 May 2007**

| | |
|---|---|
| 1030 -1130 | Mrs Harumi Kodama, UNFPA |
| 1230 – 1330 | Mr John Holmes, UN Under Secretary General for Humanitarian Affairs and Emergency Relief Co-ordinator OCHA |
| 1400 – 1500 | Ms Kathleen Cravero, Assistant Administrator and Director responsible for crisis prevention and recovery and senior staff, UNDP |
| 1530 | Departure to hotel and airport |

*Reporting committee:* Committee on Migration, Refugees and Population

*Reference to Committee:* Doc. 10824, Ref. 3257, 30.6.2006

*Draft Resolution* unanimously adopted by the Committee on 4 October 2007

Members of the Committee: Mr Mevlüt **Çavuşoğlu** (Chairperson), Mr Jean-Guy **Branger** (1st Vice-Chairperson), Mr Doug Henderson (2nd Vice-Chairperson) (alternate: Mr Michael **Hancock**), Mr Ibrahim Özal (3rd Vice-Chairperson), Mrs Tina **Acketoft**, Mr Pedro Agramunt, Ms Donka **Banović**, Mr Ryszard Bender, Mr Akhmed Bilalov, Mr Italo Bocchino, Mrs Olena Bondarenko, Mrs Mimount Bousakla, Mr Márton Braun, Lord Burlison (alternate: Mr Bill **Etherington**), Mr Sergej Chelemendik, Mr Christopher **Chope**, Mr Boriss Cilevičs, Mrs Minodora Cliveti, Mr Ivica **Dačić**, Mr Joseph Debono Grech, Mr Taulant Dedja, Mr Nikolaos Dendias, Mr Karl Donabauer, Mrs Lydie Err, Mr Valeriy **Fedorov**, Mr Oleksandr Feldman, Mr Paul Giacobbi, (alternate: Mrs Marie-Line **Reynaud**),Mrs Gunn Karin **Gjul**, Mrs Angelika **Graf**, Mr John **Greenway**, Mr Andrzej Grzyb, Mr Ali Riza Gülçiçek, Mr Michael **Hagberg**, Mrs Gultakin Hajiyeva, Mr Davit Harutiunyan, Mr Jürgen Herrmann, Mr Bernd Heynemann, Mr Ilie **Ilaşcu**, Mrs Iliana Iotova, Mr Tadeusz Iwiński, Mr Mustafa Jemilev, Mr Tomáš **Jirsa**, Mrs Corien W.A. Jonker, Mr Reijo Kallio, Mrs Eleonora Katseli, Mr Hakki **Keskin**, Mr Dimitrij Kovačič, Mr Andros Kyprianou, Mr Geert Lambert, Mr Massimo Livi Bacci, Mr Younal Loutfi, Mr Jorge Machado, Mr Andrija Mandic, Mr Jean-Pierre Masseret, Mr Slavko Matić, Mr Giorgio Mele, Mrs Ana Catarina **Mendonça**, Mr Morten Messerschmidt, Mr Paschal **Mooney**, Mr Gebhard **Negele**, Mrs Vera **Oskina**, Mr Grigore Petrenko, Mr Leo **Platvoet**, Mrs María Josefa Porteiro Garcia, Mr Cezar Florin Preda, Mr Gabino Puche, Mr Milorad Pupovac, Mrs Mailis Reps, Mr Alessandro **Rossi**, Mrs Michaela Sburny, Mr André Schneider (alternate: Mr Denis **Jacquat**), Mr Richard Sequens, Mr Samad Seyidov, Mr Steingrímur J. Sigfússon, Mr Luzi Stamm, Mr Giacomo **Stucchi**, Mr Vilmos Szabó, Mrs Elene Tevdoradze, Mrs Ruth-Gaby **Vermot-Mangold**, Mr Andrej Zernovski, Mr Vladimir Zhirinovsky, Mr Emanuelis Zingeris, ZZ..., ZZ....

N.B.: The names of the members who took part in the meeting are printed in **bold**.

*Head of Secretariat:* Mr Lervik

*Secretaries to the Committee:* Mr Neville, Ms Karanjac, Ms Kostenko.