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REPORT

on a European Consensus on Humanitarian Aid
(2007/2139(INI))

Committee on Development

Rapporteur: Thierry Cornillet

CONTENTS

	Page
MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION.....	3
EXPLANATORY STATEMENT	13
OPINION OF THE COMMITTEE ON FOREIGN AFFAIRS	17
ANNEX.....	21
RESULT OF FINAL VOTE IN COMMITTEE.....	23

MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on a European Consensus on Humanitarian Aid (2007/2139(INI))

The European Parliament,

- having regard to the Communication from the Commission to the European Parliament and the Council entitled 'Towards a European Consensus on Humanitarian Aid' (COM(2007)0317)¹,
- having regard to the Commission Staff Working Document entitled 'Report on the results of the consultation on a consensus on European Humanitarian Aid Policy' (SEC(2007)0782),
- having regard to the Commission Staff Working Document entitled 'Report on responses to crises – DRC, Pakistan, Lebanon and Burma/Myanmar' (SEC(2007)0781),
- having regard to the EC Treaty, and in particular Article 179 thereof,
- having regard to the Presidency Conclusions of the European Council held in Brussels on 21 and 22 June 2007 setting out the mandate for the Intergovernmental Conference,
- having regard to Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid²,
- having regard to Council Decision 2001/792/EC Euratom of 23 October 2001 establishing a Community mechanism to facilitate reinforced cooperation in civil protection assistance interventions³,
- having regard to the Evaluation of the European Commission's Directorate General for Humanitarian Aid (DG ECHO) 2000 - 2005 (2006),
- having regard to the Peer Review of the Development Cooperation Policies and Programmes of the European Community (2007) by the Development Assistance Committee of the Organisation for Economic Cooperation and Development (OECD/DAC),
- having regard to the report by Michel Barnier entitled 'For a European civil protection force: europe aid', published in May 2006,
- having regard to the European Union Guidelines on promoting compliance with international humanitarian law of 23 December 2005 (IHL)⁴,

¹ Not yet published in OJ.

² OJ L 163, 2.7.1996, p. 1.

³ OJ L 297, 15.11.2001, p. 7.

⁴ OJ C 327, 23.12.2005, p. 4.

- having regard to the 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'¹,
- having regard to the Commission Communication entitled 'The European Union and the United Nations: The choice for multilateralism'², calling for a comprehensive strengthening and mainstreaming of EU-UN relations, through systematic policy dialogue, greater cooperation in the field, better crisis management and prevention, and strategic partnerships between the Commission and selected UN organisations,
- having regard to the Universal Declaration of Human Rights, adopted by the UN General Assembly on 10 December 1948,
- having regard to the 1949 Geneva Conventions and their Additional Protocols of 1977,
- having regard to the UN Convention on the Rights of the Child and the optional protocol thereto on the involvement of children in armed conflict, adopted by the UN General Assembly on 20 November 1989,
- having regard to the Food Aid Convention signed in London on 13 April 1999 establishing a Community commitment to respond to emergency food situations and other food needs of developing countries³,
- having regard to the Principles and Good Practice of Humanitarian Donorship (GHD) of 17 June 2003,
- having regard to the Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Response Programmes of 1994,
- having regard to the Sphere Humanitarian Charter and Minimum Standards in Disaster Response, revised in 2004,
- having regard to the Principles of Partnership of the Global Humanitarian Platform of 12 July 2007,
- having regard to the Guidelines on the Use of Military and Civil Defence Assets to support United Nations Humanitarian Activities in Natural Disasters (the Oslo Guidelines), revised on 27 November 2006,
- having regard to the Guidelines on The Use of Military and Civil Defence Assets To Support United Nations Humanitarian Activities in Complex Emergencies (the MCDA Guidelines) of March 2003,
- having regard to the Hyogo Framework for Action, adopted at the World Conference on Disaster Reduction held in Kobe, Hyogo, Japan on 18-22 January 2005,

¹ OJ C 46, 24.2.2006, p. 1.

² (COM(2003)0526).

³ OJ L 163, 4.7.2000, p. 37.

- having regard to the Report of the International Commission on Intervention and State Sovereignty entitled 'The responsibility to protect' of December 2001,
- having regard to the report entitled 'A more secure world: our shared responsibility' by the High-level Panel on Threats, Challenges and Change of 1 December 2004,
- having regard to the report entitled 'In larger freedom: towards development, security and human rights for all' by the Secretary-General of the UN of 21 March 2005,
- having regard to UN General Assembly resolution 60/1 of 24 October 2005 confirming each State's responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity, and the international community's responsibility to help to protect, as well as committing the international community to discussing and defining the notion of human security,
- having regard to the Communiqué and Framework for Action of the Fribourg Forum, Switzerland, 15-16 June 2000,
- having regard to the Humanitarian Response Review, published by the United Nations Office for the Coordination of Humanitarian Affairs in August 2005,
- having regard to its previous resolutions on the delivery of humanitarian aid in third countries,
- having regard to its resolution of 5 February 2002 on the Commission communication to the Council and the European Parliament on Linking relief, rehabilitation and development – an assessment¹,
- having regard to its resolution of 16 May 2002 on the Commission Communication to the Council and the European Parliament entitled 'Building an effective partnership with the United Nations in the fields of Development and Humanitarian Affairs'²,
- having regard to its resolution of 14 January 2003 on the Commission's Annual Report on humanitarian aid 2000³,
- having regard to its resolution of 5 September 2000 on the Communication from the Commission to the Council and the European Parliament: assessment and future of Community humanitarian activities (Article 20 of Regulation (EC) No 1257/96)⁴,
- having regard to its resolution of 24 October 2006 on the proposal for a Council decision establishing a Community civil protection mechanism (recast)⁵,
- having regard to its resolution of 9 June 2005 on the reform of the United Nations⁶,

¹ OJ C 284E, 21.11.2002, p. 108.

² OJ C 180E, 31.7.2003, p. 538.

³ OJ C 38E, 12.2.2004, p. 85.

⁴ OJ C 135, 7.5.2001, p. 72.

⁵ Texts Adopted, P6_TA(2006)0434.

⁶ OJ C 124, 25.5.2006, p.549.

- having regard to Rule 45 of its Rules of Procedure,
- having regard to the report of the Committee on Development and the opinion of the Committee on Foreign Affairs (A6-0372/2007),

THE EUROPEAN CONSENSUS ON HUMANITARIAN AID

1. Welcomes the above-mentioned Communication entitled 'Towards a European Consensus on Humanitarian Aid' and the initiative to adopt a joint declaration (the Consensus) on the EU's principles, objectives and strategies for the delivery of humanitarian aid in third countries;
2. Insists that the Consensus needs to be clearer and more specific in order to enhance European humanitarian policy and to ensure that the EU's potential as a humanitarian donor is fully exploited, and believes that the EU's commitment to securing cohesion between humanitarian aid, rehabilitation and development assistance must be reinforced by the Consensus, whilst acknowledging the distinct nature of the principles applied to each of them;
3. Considers that the Consensus should clarify how the different assets of the EC and the Member States can best be combined and coordinated, in the light of their respective comparative advantages;
4. Takes note of the increasing number of different actors involved in humanitarian crisis situations, and believes that the Consensus should provide guidance on and answers to the new risks and implementation and coordination challenges, while reaffirming the EU's commitment to humanitarian principles and IHL; recalls that the EU is the largest humanitarian aid donor in the world; and further believes that the conclusions of the European Council of 21-22 June 2007, following which humanitarian aid will be recognised as an EU policy area in its own right in the future Reform Treaty, are a welcome recognition of that fact;

PART I: THE EU VISION OF HUMANITARIAN AID

a) Common objectives

5. Takes the view that the Consensus should contain a detailed definition of the objectives of EU humanitarian aid, based on the above-mentioned Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid and on the principles and good practice of humanitarian donorship (GHD) endorsed in Stockholm on 17 June 2003, and that amongst these objectives particular attention should be paid to the most vulnerable groups, such as women, children, the disabled, the elderly and ethnic minorities, including refugees fleeing conflict zones;
6. Stresses that effective humanitarian action, including emergency food aid, should be situation- and needs-based, result-oriented and driven by the principle that saving livelihoods saves lives; stresses further that humanitarian aid is not a crisis management

tool and should be allocated in transparent fashion solely on the basis of real needs and independently of all political considerations; stresses in particular that delivery of food aid must try by all means to avoid any harmful effect on local markets or future dependence and should contribute to long-term food security; supports international efforts to reform the Food Aid Convention to ensure respect for these principles;

7. Stresses that humanitarian aid must take account of self-development and self-sufficiency and must not be geared towards making the countries or regions to which the aid is given too dependent on further aid or external assistance;

b) *Common values, principles and good practice*

8. Stresses that the EU's humanitarian action should be guided by the humanitarian principles enshrined by the Principles and Good Practice for Humanitarian Donorship (GHD):
 - the principle of humanity, meaning the centrality of saving human lives and alleviating suffering wherever it is found;
 - the principle of impartiality, meaning the implementation of actions solely on the basis of need, without discrimination between or within affected populations;
 - the principle of neutrality, meaning that humanitarian action must not favour any side in an armed conflict or other dispute where such action is carried out;
 - the principle of independence, meaning the autonomy of humanitarian objectives from the political, economic, military or other objectives that any actor may hold with regard to areas where humanitarian action is being implemented;

In addition to which, humanitarian action should be implemented in accordance with two priorities:

- immediacy, meaning a stronger emphasis on the elimination of all unreasonable delays in the supply of humanitarian aid and on questioning any delays when appropriate;
- effectiveness, meaning that there is a clear measurability of output against which democratic accountability can be properly directed;

considers that, in view of its political weight and influence as the largest international donor, the EU should consistently promote these principles in order to ensure access to the crisis-affected populations and respect for humanitarian space;

9. Welcomes the Commission's initiative to launch a Good Humanitarian Partnership, enhancing global humanitarian reform by bringing together donors, implementing partners and beneficiaries in a joint platform and the adoption by the EU in 2005 of operational guidelines on the promotion of respect for International Humanitarian Law (IHL); wishes to see the EU play a leading role in monitoring the defence, promotion, dissemination and enforcement of respect for IHL, including by non-State actors, in

order to preserve the humanitarian space; wishes to see all the Member States which have not yet done so subscribe without reservation to the principles and good practice for humanitarian donorship (GHD) endorsed in Stockholm on 17 June 2003; stresses the need for these principles to be translated into practice and for their observance to be assessed on a regular (biennial) basis by the EU institutions and the European Parliament's standing rapporteur on humanitarian aid;

10. Considers that more attention should be paid to the safety and protection of aid workers, who regularly have to venture into dangerous areas; deplores the fact that they are far too frequently the victims of senseless violence, imprisonment or hostage-taking; roundly condemns any action taken against aid workers;
11. Notes the recognition of the concept of the 'responsibility to protect' in the above-mentioned UN Resolution 60/1 in response to the increase in violations of IHL and human rights and to the powerlessness or unwillingness of governments to protect their own citizens; recalls that humanitarian aid is one of the ways in which the international community can contribute to the protection of threatened peoples and stresses the EU's concern not to remain inactive in the face of such violations; calls for a thorough political debate in the Member States and EU institutions on the right, or indeed the duty, of intervention in cases of serious violation of IHL and/or human rights, taking also into account the conclusions and recommendations of the above-mentioned Report by the International Commission on Intervention and State Sovereignty on 'The responsibility to protect' of December 2001;
12. Believes that the EU should develop initiatives to make the concept of 'responsibility to protect' a reality, while giving precedence to preventive action, civilian means and support for third-country governments in fulfilling their obligations to protect their populations; stresses that coercive measures, including military intervention, may only be used as a last resort and strictly in accordance with international law; in particular, reiterates that, when considering the use of force, the Security Council should always take into account the five criteria of legitimacy proposed by the UN Secretary-General report of March 2005 and supported by Parliament: seriousness of threat, proper purpose, last resort, proportional means and a reasonable chance of success; agrees that the principles relating to the use of force and its authorisation should be laid down in a resolution of the Security Council;

PART II: TRANSLATING PRINCIPLES INTO PRACTICE: A COMMON FRAMEWORK FOR EU HUMANITARIAN AID

a) EU coordination, coherence and complementarity

13. Considers that the Consensus should enshrine the principles of coordination, policy coherence, complementarity and harmonisation of procedures among the Member States, as already stated in the above-mentioned European Consensus on Development, and that the EC should make full use of Article 10 of the above-mentioned Council Regulation (EC) No 1257/96 and exploit the capabilities of DG ECHO in its federating role; stresses,

nevertheless, that EU coordination mechanisms must reinforce the international coordination efforts of the United Nations, particularly those of the Office for the Coordination of Humanitarian Affairs (OCHA) rather than duplicate them, and include national and local authorities; calls on the EU to establish an EU humanitarian aid donors' atlas, similar to the exercise undertaken for EU development aid;

14. Welcomes the recognition in the conclusions of the June 2007 European Council of the need for humanitarian aid policy to be fully recognised as an EU policy in its own right, and considers therefore that the Community and the Member States should foster strategic policy discussion of humanitarian action in an adequate Council forum through the creation of a specific Council Working Group (e.g. a COHUMA, i.e. a Council Working Group on Humanitarian Aid), which will allow cohesive methods ensuring swift and consistent action to be drawn up;

b) Providing adequate and effective aid

15. Considers that the Consensus should include a strong commitment by the EU to adequate provision of humanitarian aid as well as to adequate predictability and flexibility in funding, through adequate annual up-front budgetary provisions; stresses that the EU should prioritise those humanitarian crises which are underfunded, neglected or forgotten and that innovative mechanisms should be explored to better quantify the gap between needs and existing funds and to ensure that global humanitarian needs are met;
16. Considers that the EU should clearly position itself in the global humanitarian reform process, and in particular to support the Central Emergency Response Fund (CERF) as a useful supplement to a range of available financing instruments, where this represents additional financing that does not displace support to other humanitarian operations and partners, to welcome the 'clusters approach' and to promote the inclusiveness of a broad range of humanitarian actors;
17. Welcomes the Commission's proposal to establish an EU common framework for the assessment of needs and sharing of expert analysis; recalls that the EU should give preference to local and regional sourcing whenever possible;
18. Emphasises that in emergency situations, and especially in the case of emergencies caused by natural disasters, the first 48 hours are crucial in order to save lives, and that the international community has demonstrated that its immediate response is not efficient enough; considers that the EU should meet this challenge by strengthening, on the one hand, local prevention, preparedness and response capacity and, on the other hand, by improving coordination, early warning mechanisms and adequate pre-positioning of material and stocks at international level; calls on the EU to support and complement international efforts led by OCHA and the UN to strengthen rapid response capabilities, including instant access to funding as well as stand-by teams for emergency operations;
19. Considers that the EU should invest more in understanding and monitoring the vulnerability factors of the population; calls in particular on the EU to ensure that in all humanitarian operations emergency health needs are met, in particular as regards reproductive health, in line with the respective SPHERE standards;

20. Supports the efforts by the International Federation and National Red Cross and Red Crescent Societies to identify problems and make recommendations in the field of International Disaster Response Laws, Rules and Principles (IDRL), and looks forward to the results of the 30th International Conference of the Red Cross and Red Crescent, to be held in November 2007;

c) *Diversity and quality in partnership*

21. Welcomes the Commission's proposals to underline the EU's support for a plurality of implementing partners, in particular NGOs, the UN and the Red Cross/Red Crescent Movement, and supports its proposed criteria for partner selection; calls on the Commission to help implementing agencies from the new Member States (the EU-12, i.e., the ten new Member States, which acceded to the EU in 2004, and Bulgaria and Romania, which acceded to the EU in 2007) become fully integrated into humanitarian aid activities; considers that the Consensus should recognise and further define the different roles, mandates and comparative advantages of the various humanitarian actors, in order to avoid a conflict of mandates and competition for resources among them and that the EU should support capacity-building within the humanitarian community, with particular attention to local and regional capacity; believes that special attention should be given to the role of NGOs, the National Red Cross and Red Crescent Societies and civil society actors, both from the South and the North, not only in the delivery of aid, but also in developing policies that reflect the real needs and concerns of local partners in the South and in gaining the support of European citizens;
22. Believes that the EU should develop strategies to reach out to non-traditional donors whose funding is often earmarked and/or conditional, with the aim of promoting a model of needs-based aid, the principles of IHL and the concept of partnership; stresses however that these new sources of funding must not result in a reduction in the funds coming from the EU Member States and the Commission;
23. Considers that EU humanitarian aid should be implemented via humanitarian organisations which fully adhere to good practice and are committed to promoting accountability, efficiency and effectiveness in implementing humanitarian action;

d) *Effectiveness, quality and accountability*

24. Believes that accountability to disaster-affected communities as primary beneficiaries lies at the heart of any evaluation of humanitarian aid effectiveness, and that the Consensus should duly reflect this principle; considers in particular that the EU should encourage voluntary accountability initiatives carried out by NGOs;
25. Considers that the EU should promote the use of Inter-Agency Standing Committee guidelines and principles on humanitarian activities, the Guiding Principles on Internal Displacement, the 1994 Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organizations (NGOs) in Disaster Relief and the Humanitarian Charter (SPHERE);

e) *Use of civil protection and military assets and capabilities outside the territory of the EU*

26. Reaffirms that EU civil protection and military assets and capabilities must be deployed in a way which complements and supports the work of humanitarian organisations and limited to those cases or areas where they can provide real added value, and after a thorough prior analysis of the situation;
27. Considers that the EU should clearly define and ensure respect for the roles and mandates of the civil protection and military actors in humanitarian operations, particularly in conflict situations where impartiality and independence are crucial to guarantee safe access to disaster victims and the efficient delivery of humanitarian aid;
28. Believes that the EU should commit itself to actively advocate the application of the MCDA and Oslo Guidelines by all actors involved in humanitarian operations and to ensure that the main principles contained therein are not weakened;
29. Considers that, in accordance with international guidelines, recourse to State-owned civil protection assets in complex emergencies should be the exception, while military assets and capabilities in support of humanitarian operations should be used only as a 'last resort', and, in both cases, always under the guidance of UN humanitarian organisations and according to the principle of conflict sensitivity;

f) *Promoting disaster risk reduction and disaster preparedness*

30. Notes the growing number and frequency of natural disasters and their devastating impact; recognises as well the increasing difficulty of distinguishing natural from man-made disasters; acknowledges that risks are determined just as much by human activity and lack of planning as by natural hazards; calls for a time-bound strategy to mainstream DRR (Disaster Risk Reduction) into all EU development and humanitarian aid, guided by the Hyogo Framework of Action (HFA); recognises that without DRR mainstreaming, development interventions bear the risk of inadvertently increasing vulnerability to disasters;
31. Notes the immense future challenge of climate change, in the form of extreme weather conditions and dwindling natural resources, with serious security and development implications, ranging from increased vulnerability of the poor, violent conflicts over diminishing natural resources, as well as large-scale migration flows; underlines the threats imposed by climate change to poverty reduction and the attainment of the MDGs and calls for the integration of DRR and adaptation measures into poverty reduction strategies (PRSPs or Poverty Reduction Strategy Papers); emphasises that in order to be effective, DRR interventions aimed at reducing the causes of vulnerability must have significant overlaps with climate change mitigation and adaptation;
32. Stresses that DRR strategies, based on the HFA, should support action by local communities and authorities in a long-term approach to reducing vulnerability to disasters, as suggested by the experience of the DIPECHO funding mechanism and disaster preparedness programme;

33. Calls on the EU to allocate at least 10 per cent of additional new funding to humanitarian assistance budgets for reducing disaster risks and to significantly increase resources for DRR within development aid budgets; insists on the need to change in the medium and long term the approach of international humanitarian aid to a marked reinforcement of DRR;

g) *Reinforcing the link to other aid instruments*

34. Calls on the EU, in collaboration with the international humanitarian actors, to develop guidelines aimed at reinforcing the link between emergency relief, rehabilitation and development (LRRD), in order to avoid potential gaps between the emergency relief response and the rehabilitation and development phases, taking as a basis best practice and lessons learnt; considers that the EU should base this approach on the 'do not harm' principles and the 10 'build back better' principles; stresses the objective of filling the gap between humanitarian aid and development assistance by making best use of the full range of EU funding instruments;
35. Recognises further that knowledge and awareness of the links between humanitarian aid and development is lacking both among development workers and among humanitarian aid staff; calls on the EU to prioritise staff training programmes in this area;
36. Stresses the need to clarify the relations between activities supported by the Commission via the stability instrument for crisis prevention, management and resolution (such as disarmament, demobilisation, mine clearing, reintegration of displaced populations/refugees, etc.), and the concomitant activities carried out by DG ECHO in line with its mandate and with humanitarian principles;

h) *Implementation of the Consensus on Humanitarian Aid*

37. Calls for the inclusion in the Consensus on Humanitarian Aid of a broad and concrete road map for its implementation, including timelines for major projects and initiatives to be undertaken by all EU donors over the next five years;
38. Calls for a regular assessment of the implementation and progress of the Consensus on Humanitarian Aid, involving Parliament fully and on an equal footing with the other institutions in this exercise; calls for the establishment of an appropriate interinstitutional structure and a structured dialogue with Parliament in this area;

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39. Instructs its President to forward this resolution to the Council and the Commission.

EXPLANATORY STATEMENT

On 13 June 2007 the Commission published a communication entitled 'Towards a European Consensus on Humanitarian Aid'. Drawing on the results of consultation with the main actors in this sector, the communication sets out a body of principles and values and puts forward proposals to improve the quality, coherence and effectiveness of European humanitarian policy. The Commission invites the Council and the European Parliament to adopt with it a joint declaration on a 'European Consensus on Humanitarian Aid' based on the contents of the communication.

This most opportune initiative is indispensable and calls for a thorough debate on the European Union's principles and strategies for distributing aid to those most in need. The negotiation process between the three institutions offers an important opportunity to reach a political consensus on the way to react to increasingly complex crisis situations and to define the boundaries of humanitarian action for Europe. By adopting a vigorous joint declaration, the Union will also be able to define a clearer position and to speak with a single voice on the international scene in the field of humanitarian aid, pointing out that the EU is not just a super-NGO but is concerned to address the causes which make humanitarian aid necessary and, where possible, to help find the most appropriate political solutions to them.

The European Union and humanitarian aid

The European Union - the European Commission and the Member States, collectively - is the leading humanitarian aid donor in the world. Humanitarian action is a competence shared between the Member States and the Community. In 2006 the EU contributed over €2 billion, which is over 40% of official international humanitarian assistance¹. According to estimates, in 2006 EU humanitarian aid reached 75 countries and 100 million people.

The Community has engaged in humanitarian aid operations since the end of the 1960s. The large number of such operations undertaken since the late 1980s makes it a vital element in the Community's external action. Established in 1992 at the instigation of the European Parliament, the European Community Humanitarian Aid department (ECHO) has recently become a Directorate-General (DG ECHO) and has 200 officials working at its main office and 100 field experts. The scope, objectives and distribution procedures for the Community's humanitarian aid are defined in Council Regulation (EC) No 1257/96, which came into force in 1996.

Between 2000 and 2005, DG ECHO's average budget was €543 million (including the emergency aid reserve). For the period 2007-2013, this budget will increase to a total of €875 million in 2013, though a large part of this increase is due to the transfer of the humanitarian part of food aid from DG AIDCO to DG ECHO. Each year humanitarian needs exceed the budget set aside for ECHO and the Commission is obliged to call on reserve funds.

Humanitarian aid is not a separate area of policy under the current EC and EU Treaties. The Community's humanitarian aid is based by default on Articles 177 to 178 of the EC Treaty

¹ As registered by the OCHA-United Nations financial tracking system.

(development cooperation). The constitutional treaty offered a new legal basis thanks to the introduction of a separate article on humanitarian aid (Art. III-321). The European Council of 21 and 22 June 2007 decided that the amending treaty which must be negotiated by the IGC would retain these provisions and should therefore institute an EU humanitarian aid policy in its own right.

Humanitarian aid is subject to the codecision procedure. Parliament, which has moreover decided to create a post of Permanent Rapporteur for Humanitarian Aid, closely follows developments in this area and constantly insists that adequate funding be made available.

The changing context of humanitarian aid

The environment in which humanitarian aid is distributed has changed considerably in the last 15 years. Firstly, after the end of the East-West conflict, the **character of armed conflicts** has radically changed. The number of internal wars has increased and with it the number of internally displaced people. Failure to respect, and even outright rejection of, international humanitarian law are now common. Victims' access to humanitarian aid is often limited and humanitarian workers are increasingly exposed to the risk of aggression or even assassination. Generally, the '*humanitarian space*' is under threat.

Secondly, **natural disasters** have become more frequent and their impact more devastating, due in part no doubt to climate change. This situation poses the problem of the level of funds and investments earmarked for disaster preparedness. Operations which go beyond one-off relief and support local capacity-building by communities for disaster preparedness, relief and reconstruction must be strengthened.

Thirdly, **new actors**, in growing numbers, are now involved in humanitarian aid, partly as a result of the two factors just mentioned. Besides humanitarian actors in the strict sense (UN agencies, Red Cross bodies, NGOs), civil protection resources and military forces (i.e. state-owned actors) have appeared. When state-controlled military and civil defence assets are deployed, the neutrality and independence of humanitarian action can be called into question. This can result in heightened risk for humanitarian workers, who may find themselves viewed as the allies of certain parties to the conflict.

The European Union put in place a civil protection mechanism in 2001 and a monitoring centre within DG Environment for interventions inside and outside the EU. The Barnier report, published in May 2006, proposes the creation of a European civil protection force. Coordination, effectiveness and cost are aspects which must be considered before state actors are brought in to implement humanitarian operations.

Private donors are contributing more and more to the funding of aid and the types of arrangements for working with these new actors must be defined.

Lastly, there must be a reflection on the issue of the 'responsibility to protect' (*'the right/duty to intervene'*), even if there is not considered to be a direct link between the responsibility to protect and humanitarian aid.

However, humanitarian aid is one of the means at the disposal of the international community

to contribute to the protection of populations at risk from genocide, war crimes, ethnic cleansing and crimes against humanity, in accordance with Chapter VI and VII of the Charter.

The international framework

Several initiatives have been launched in response to the new challenges.

The Good Humanitarian Donorship Initiative (GHD) was adopted in Stockholm in 2003, Setting out the principles and good practice for humanitarian aid, it was endorsed by 21 countries (including 16 EU Member States) and the European Commission.

As regards disaster preparedness and disaster reduction, the Hyogo Framework for Action adopted at the World Conference on Disaster Reduction in 2005 set objectives and priorities at international level for donors and recipients of humanitarian aid.

In order to formalise the role of the new actors, the Oslo and MCDA (*Military and Civil Defence Assets*) guidelines are designed to ensure that the impartiality and neutrality of humanitarian activities are preserved when military or civil defence assets are used in support of humanitarian operations. The Oslo guidelines concern humanitarian activities in natural disasters, while the MCDA guidelines deal with complex emergencies; both work with the basic principle that military and civil defence resources should only be used as a 'last resort'.

With the Fribourg Forum¹ of June 2000, the United Nations embarked on a reform programme to improve the effectiveness and quality of humanitarian aid. Innovations proposed include the formation of 'clusters', enhancing the humanitarian coordination system and setting up a Central Emergency Response Fund (CERF) to ensure that funds can be made available rapidly for urgent relief operations.

The reform gained new impetus through the publication of the *Humanitarian Response Review 2005*, an evaluation made at the request of Jan Egeland, former UN humanitarian coordinator.

The challenges facing the European Union

The European Union faces three challenges which the European Consensus on Humanitarian Aid must help it to deal with. Firstly, the EU must define the new boundaries for EU humanitarian action (when should it start and when should it end?), reaffirm its commitment to respect, and ensure that others respect, the basic principles of its humanitarian action (humanity, neutrality, impartiality and independence) and adapt its own systems and arrangements to take account of the changing nature of armed conflicts, the increasing frequency of natural disasters and the appearance of new actors. Secondly, the European Union must define its position with regard to the new international initiatives and the reform process initiated by the United Nations. Thirdly, the European Union must work out how the different resources of the Community and the Member States can best be combined and coordinated so as to optimise their efficiency and effectiveness. Beyond that, it must strengthen its political role on the international humanitarian scene so as to match its status as the world's leading international donor.

¹ Communiqué and Framework for Action of the Fribourg Forum, Switzerland, 15-16 June 2000.

The potential of the European Union is not fully exploited. According to a recent evaluation of DG ECHO, ECHO is a leading humanitarian donor at international level¹. However, this evaluation report and that by the OECD highlight some major structural weaknesses and some paradoxes. For example, the European Union does not have an appropriate framework within the Council to debate humanitarian policy; should a COHUMA specially dedicated to this area not be created, on the model of CODEV? The Commission has not taken up the possibilities given to it by the Regulation on humanitarian aid which assigned to it a coordinating role amongst the Member States. Coordination between the different DGs active in humanitarian crises (in particular, DG Environment and DG ECHO) is unsatisfactory, even though efforts have been made. Lastly, more attention must be devoted to the link between relief, rehabilitation and development.

The path to follow

Parliament welcomes the process initiated by the Commission in its communication entitled 'Towards a European Consensus on Humanitarian Aid'. It has committed itself to participate constructively and actively in the discussions.

The Consensus will be the first joint document on humanitarian aid policy since the adoption of the regulation on humanitarian aid in 1996. It is high time to renew the existing bases and to reach agreement on a joint approach in order to

- reaffirm the attachment of the European Union to humanitarian principles and to international humanitarian law;
- develop a strong European policy in international bodies to match the budgetary resources deployed;
- make a marked advance in the quality of European humanitarian aid, with enhanced cooperation with Europe's partners on the ground;
- reaffirm its commitment to link humanitarian aid and development assistance, a commitment previously set out in the EU Development Consensus.

The final text must be concrete and precise enough to attain these objectives. It must incorporate not just a vision, principles and values, but also a roadmap to improve coordination and allow effective delivery of aid in the face of the current challenges.

¹ Evaluation of DG ECHO 2000 – 2005, 23 June 2006
(http://ec.europa.eu/echo/pdf_files/evaluation/2006/dg_echo_fr.pdf)

4.10.2007

OPINION OF THE COMMITTEE ON FOREIGN AFFAIRS

for the Committee on Development

on the European Union and humanitarian aid
(2007/2139(INI))

Draftsman: Vittorio Agnoletto

SUGGESTIONS

The Committee on Foreign Affairs calls on the Committee on Development, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Supports the Commission proposal to sign an interinstitutional declaration on the 'European Consensus on Humanitarian Aid' to enhance the political objectives, procedures, principles and technical instruments of European humanitarian aid, which looks set to become the first true policy orientation document since the approval in 1996 of the technical regulations concerning aid management;
2. Is convinced of the urgent need to make the humanitarian actions of the EU and its 27 Member States complementary, consistent, effective and coordinated from a technical and political point of view, in order to optimise the global humanitarian response; supports the emphasis placed by the Commission on the need for greater coordination between the EU and the Member States, which is a key and decisive aspect of the future declaration; calls on the Council and the Member States to support the Commission's strategy and to make humanitarian action a moral and political imperative based on the solidarity of European citizenship and effectiveness of the aid, rather than on national or post-colonial interest;
3. Calls on the Council and Member States, above all, to respect the political commitments and deadlines set out in the 'Hyogo Framework for Action', signed in Kobe by 168 countries during the 2005 World Conference on Disaster Reduction, which seeks to reduce by 50% the loss of human lives in humanitarian disasters by 2015 and to promote greater coordination between humanitarian aid and development;
4. Is aware of the need to protect and deepen the principles of the humanity, neutrality, impartiality and independence of humanitarian aid – breach of which could comprise

both humanitarian workers and the populations involved – without overlooking genuine humanitarian needs and emergencies, while paying special attention to the most vulnerable sections of the population, such as women and children, and to respect also the principle of non-discrimination in the distribution of that aid; is, moreover, convinced that emergency humanitarian aid is a political complement to the revival of, or support for, the attempt to find political and diplomatic solutions to the crises which gave rise to the emergency; takes the view that the concept of ‘Linking Relief, Rehabilitation and Development’ (LRRD) should be a strategic feature of the EU’s external and humanitarian action; concurs, therefore, with the Commission’s proposal to identify a number of LRRD pilot countries with experience in this field, with particular reference to specific regions which are suffering drastically from the effects of climate change and need to be kept under special surveillance, and considers this to be a vital factor for the success of the EU’s humanitarian strategies;

5. Stresses that humanitarian aid must take account of self-development and self-sufficiency and must not be geared towards making the countries or regions to which the aid is given too dependent on further aid or external assistance;
6. Considers that more attention should be paid to the safety and protection of aid workers, who regularly have to venture into dangerous areas; deplores the fact that they are far too frequently the victims of senseless violence, imprisonment or hostage-taking; roundly condemns any action taken against aid workers;
7. Considers that priority for humanitarian aid should as far as possible be given to the weaker and most vulnerable groups, particularly women and children; takes the view, therefore, that humanitarian aid should pay more attention to development, education and training, so that vulnerable groups can become more rapidly aware of their situation and the aid supplied can contribute more effectively to remedying the local situation;
8. Believes that EU humanitarian aid should be backed up also by political and diplomatic measures to make compliance with international law, especially international humanitarian law, a priority for the country receiving the aid; in this regard, considers compliance with and implementation of the 2005 operational guidelines by third countries and, possibly, by ‘non-state’ stakeholders in international humanitarian aid to be a priority;
9. Is convinced that the neutral, independent nature of the EU’s humanitarian action should go hand-in-hand with the promotion of the neutrality of the action and its independence of any form of active military assistance; notes that military protection for humanitarian aid deliveries may be required in some humanitarian disaster situations, with due respect for international law;
10. Points to the need to ensure the safety of aid workers and humanitarian workers as a whole, and to make sure that under no circumstances does the use of civil-defence resources and military capabilities hamper the work of humanitarian organisations, but rather complements and supports that work;
11. Shares the growing alarm over the impact of climate change on humanitarian food-related emergencies which are chiefly due to natural disasters (flooding, fires, desertification,

agricultural crises, etc.); calls on the Commission to link humanitarian aid with action against climate change in the relevant international fora and to place greater emphasis on the preventive aspects of humanitarian aid, so as to reduce the risks of disasters through better preparation ahead of crises;

12. Considers it important that special attention be paid to the position of vulnerable groups (women, children and elderly people); also takes the view that this should be included in the definition of humanitarian aid;
13. Is prepared to accept the proposed criteria for the selection of partners such as the UN, NGOs and the Red Cross, and is aware how vital it is that there should be accountability and transparency with regard to the results achieved; stresses, however, the need to prevent the unnecessary proliferation of red tape in these partner organisations, so that they can allocate their staff and resources principally to the provision of humanitarian aid.

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	2.10.2007
Result of final vote	+: 21 -: 0 0: 3
Members present for the final vote	Vittorio Agnoletto, Christopher Beazley, Véronique De Keyser, Richard Howitt, Metin Kazak, Vytautas Landsbergis, Pasqualina Napoletano, Annemie Neyts-Uyttebroeck, Raimon Obiols i Germà, Vural Öger, Hubert Pirker, Samuli Pohjamo, Libor Rouček, José Ignacio Salafranca Sánchez-Neyra, Jacek Saryusz-Wolski, Hannes Swoboda, Josef Zieleniec
Substitute(s) present for the final vote	Giulietto Chiesa, Alexandra Dobolyi, Árpád Duka-Zólyomi, Evgeni Kirilov, Marios Matsakis, Yiannakis Matsis, Luis Yañez-Barnuevo García
Substitute(s) under Rule 178(2) present for the final vote	

Committee on Budgets
The Chairman

D/60729

Mr Josep Borrell Fontelles
Chairman
Committee on Development Cooperation

Subject: DEVE report on a European Consensus on Humanitarian Aid
(Rapporteur: Mr Cornillet)

Dear Chairman,

On behalf of the Budgets Committee, please allow me to make a few remarks concerning the budgetary aspects of the above-mentioned report.

Firstly, the Budgets Committee strongly shares the view that there is a need to combine the assets of the EC and the Member States in the best possible way for the benefit of the victims of humanitarian disasters. Monitoring this process will also be important to assess progress concerning the EU's commitments with regard to UN goals and global financing levels of development actions and humanitarian aid.

In this regard, could I point out that the Inter-institutional agreement on budgetary discipline and sound financial management of 17 May 2006, and the financial framework 2007-2013 annexed to it, provides for an Emergency Aid Reserve to cater for events that could not be foreseen when the EU budget was established. This reserve (fixed at EUR 221 million in 2004 prices) is entered in the budget as a 'provision' and can be mobilised over and above the agreed expenditure ceilings by common accord between Parliament and Council (following proposals from the Commission).

The Budgets Committee considers this an excellent arrangement, consolidated during the negotiations for the financial framework 2007-2013, since it significantly alleviated budgetary pressures that could otherwise, potentially, have led to reductions for other external actions in the EC budget. It is not certain that such a development could have been compensated for in national budgets.

It is also very positive that the average time for dealing with requests to mobilise the Reserve has been greatly reduced over the last financial period (2000-2006).

Let me point out that, in the period 2000-2006, an amount of EUR 1 514 million was mobilised through this Reserve for strictly humanitarian purposes in addition to the regular budget appropriations. A further EUR 408 million was also mobilised for actions in the 'grey area' between humanitarian aid and development, for example in Palestine and the Balkans. Nevertheless, a potential amount of EUR 615 million was never mobilised and, thus, probably never came to benefit the areas of development and/or humanitarian aid as seen from a European perspective. This is so because those amounts, originally earmarked for that purpose in the national budgets, may have flowed back into the 'general budgets' when not mobilised and may therefore have been lost for the specific purpose of humanitarian aid and official development aid.

The Budgets Committee therefore supports a realistic approach to the budgeting of humanitarian aid which must, of course, always ensure that the Commission can act swiftly but, also, one that makes good use of the Emergency Aid Reserve.

The issue of effective coordination and complementarity, both within the EU and with the other international donors with which we cooperate, should be at the forefront of our concerns in order to maximise the impact of our aid efforts and to ensure the best possible use of the resources set aside for this purpose.

Sincerely,

Reimer Böge

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	3.10.2007
Result of final vote	+: 27 -: 0 0: 0
Members present for the final vote	Margrete Auken, Thijs Berman, Josep Borrell Fontelles, Marie-Arlette Carlotti, Thierry Cornillet, Nirj Deva, Alexandra Dobolyi, Alain Hutchinson, Romana Jordan Cizelj, Filip Kaczmarek, Glenys Kinnock, Maria Martens, Gay Mitchell, Luisa Morgantini, Miguel Portas, Horst Posdorf, Toomas Savi, Frithjof Schmidt, Jürgen Schröder, Luis Yañez-Barnuevo García, Anna Záborská, Jan Zahradil
Substitute(s) present for the final vote	Milan Gaľa, Miguel Angel Martínez Martínez, Manolis Mavrommatis, Anne Van Lancker, Gabriele Zimmer
Substitute(s) under Rule 178(2) present for the final vote	