

Part VI: Conclusions and Recommendations

Chapter 23

A Joint Transatlantic Agenda for Action in Humanitarian Assistance

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Emergency Response and Preparedness: A Common Global Challenge

The number of emergencies the global humanitarian system has to deal with has risen continuously since the end of World War II. It is poised to rise even further due to the effects of climate change and, combined with population growth and urbanization, will affect an ever growing number of people. Over recent decades, emergency response activities have become more effective, resulting in a decline in disaster-related deaths and improved assistance for the victims of conflicts and complex emergencies. This is due to improved national emergency response systems, the professionalization of humanitarian agencies, and the great increase of resources available for humanitarian assistance, now estimated at at least \$12 billion per year.¹

Today, however, the humanitarian system faces significant challenges. Emergencies have not only become more frequent, affecting a greater number of people, they have also become more complex. Many conflict-related crises, including in countries such as the Democratic Republic of Congo, Sudan, Somalia, Afghanistan, and Iraq have become protracted. Moreover, humanitarian agencies are often faced with a complex interplay of causes underlying emergencies, including natural and man-made factors.

At the same time, a severe identity crisis undermines the ability of humanitarian actors to respond coherently and effectively to these challenges. The current humanitarian system is built on the principles of humanity, impartiality, neutrality, and independence. These principles have come under pressure as humanitarian actors face difficulties providing assistance effectively and on the basis of need; the nature of conflicts has been changing, blurring the lines between combatants and civilians; humanitarian actors are increasingly pressed to address root causes, especially in protracted crisis situations; and integrated approaches are being developed that link humanitarian to development assistance and include military and business actors in response activities. These developments, and the reactions of humanitarian agencies to them, reduce humanitarian space and lead to problems of access and security for humanitarian workers.²

To deal with this identity crisis and the shrinking of humanitarian space, humanitarian actors, including donors and implementing partners, have to make tough choices. They could either revert to a strict interpretation of humanitarian principles to reestablish their credibility

¹ In 2008, \$12 billion were reported to the financial tracking system of the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), available at <http://www.reliefweb.int/fts> (last accessed June 2009). Other estimates are even higher, cf. for instance Development Initiatives, *Global Humanitarian Assistance 2007/2008* (Somerset: 2008).

² “Humanitarian space” is a concept to denote the neutrality and independence of humanitarian actors from military and political forces that allows them to provide lifesaving aid to those in need on both sides of a conflict.

and protect humanitarian space, while accepting a narrow mandate that would not cover local capacity building, address root causes, or link relief to development. Alternatively, they could widen their mandate to include these and other similar activities to respond to a wider set of needs of affected populations, while acknowledging that this would further blur the distinction between humanitarian assistance and other policy areas and would probably exacerbate access and security problems. Finally, humanitarian actors could continue to pursue the currently popular approach of “strategic muddling through,” claiming strict adherence to humanitarian principles, while expanding activities and mandates in practice. In this case, however, humanitarian actors would have to accept that the contradictions inherent in this approach will lead to a loss of credibility, as well as to operational problems.

A Critical Role for the EU and the U.S.

To make the humanitarian system fit for the challenges it faces and ensure that it becomes more effective and efficient at saving lives and alleviating human suffering, humanitarian actors need to improve their policies and operations, enhance the coherence of the humanitarian system, and redefine the position and role of humanitarianism within the broader aid and policy spectrum.

The transatlantic partners play a critical role in achieving these goals. Together, the European Commission, EU member states, and the U.S. Government provide almost two thirds of global humanitarian assistance. Through their policies and funding decisions, they have an important influence over implementing partners. They shape norms and policies at the global level through their participation in multilateral organizations and multi-stakeholder initiatives, including the United Nations, the Organization for Economic Cooperation and Development (OECD), the Good Humanitarian Donorship Initiative (GHDI), and the Active Learning Network for Accountability and Performance in Humanitarian Action (ALNAP). Due to their extensive field presence, they also have a direct impact on activities on the ground.

Enhancing EU-U.S. cooperation in Humanitarian Assistance

Under the Bush Administration, the EU and the U.S. experienced a marked cooling in their relationship. Differences widened and disputes were aggravated in several areas of foreign policy, concerning for example the roles of military intervention, democracy promotion, and regime change. These and other foreign policy disputes became directly relevant to humanitarian assistance, especially as a wider range of government agencies engaged in “humanitarian” activities.

As a result, in recent years the EU and the U.S. have developed an ambivalent relationship in the area of humanitarian assistance. On the one hand, they usually work closely together when responding to specific emergencies on the ground. The European Commission and the U.S. Government also regularly coordinate their activities at headquarters level and jointly participate in a large number of relevant multilateral or multi-stakeholder fora. Moreover, both donors fund NGOs from the other side of the Atlantic. On the other hand, the normative and policy differences between the two sides are tangible and have had a noticeable impact on

pragmatic cooperation. For example, the transatlantic partners interpret and implement humanitarian principles differently and have adopted diverging policies in critical issue areas such as the humanitarian role of the military, the engagement of business actors, or food aid. Moreover, due to institutional complexity, frequent institutional and strategic changes, as well as rapid staff turnover, both sides often lack knowledge and understanding of each other's (as well as sometimes their own) policies, responsibilities, and procedures. Finally, existing strategic dialogues do not always include all actors relevant for humanitarian assistance and cannot address certain key policy differences.

The transatlantic partners now face a unique window of opportunity for strengthening their cooperation in humanitarian assistance. Since the election of President Obama, both sides seem intent on putting their relationship on a new footing, creating the right political environment for addressing key normative and policy differences. Moreover, both the U.S. and the EU are currently introducing major political and potentially also institutional changes relevant to humanitarian assistance. The new U.S. Administration under President Obama is currently defining its approach to development and humanitarian assistance and might introduce major reforms. Similarly, a new European Parliament has been elected and a new European Commission will be appointed in 2009. Finally, a decision concerning the adoption of the Treaty of Lisbon could be taken in 2009, which would have major implications for humanitarian assistance. In this environment of change, opportunities for mutual learning and aligning policies abound.

The Promises and Pitfalls of Closer Cooperation

Efforts to improve EU—U.S. cooperation in humanitarian assistance would certainly have a positive effect on the transatlantic relationship. The Obama Administration is likely to judge the value of the transatlantic partnership in relation to Europe's willingness and ability to tackle together with the U.S. a host of challenges ranging far beyond the borders of the European Union. EU member states and the European Commission, in turn, are also keen to engage the U.S. in a more effective transatlantic partnership, and expect the Obama Administration to step up its consultation and interaction. Since the transatlantic partners are each so actively engaged in humanitarian assistance, efforts to identify greater synergies of effort, adopt lessons learned, develop common or complementary approaches and together engage third party donors more effectively could be positive contributing elements to a reinvigorated transatlantic partnership. Moreover, the EU and the U.S. have a strong basis upon which to build, including a similar understanding of humanitarian assistance and an established infrastructure for cooperation.

A closer working relationship between the EU and the U.S. also promises to enhance the effectiveness and efficiency of humanitarian assistance. Put in simple terms, if the two largest humanitarian donors achieve greater policy coherence and improvements in their policies and practices, this is bound to have a significant impact on the reality of humanitarian assistance. More specifically, enhanced cooperation promises to achieve the following:

- *Greater coherence and better division of labor.* The humanitarian policies and activities of the EU and the U.S. are currently not always in sync with each other. In the best case,

this leads to unintended complementarity and allows humanitarian agencies to choose the approach that suits them better. In the worst case, however, the activities of the transatlantic partners can become mutually counterproductive. The mass delivery of food commodities purchased in Western countries as practiced by the U.S., for example, can counteract the attempts of other donors, including the European Commission, to strengthen local food markets. Similarly, a strong reliance on the military can undercut the efforts of other humanitarian actors to be perceived as independent and impartial. Closer cooperation would aim at limiting policy divergences and enhancing operational coherence. This would ensure that the EU and the U.S. are not pursuing conflicting strategies. Moreover, it could lead to a better division of labor, eliminating unnecessary duplication, enhancing the efficiency of humanitarian assistance and potentially leading to better coverage, including of “forgotten crises.”

- *Mutual learning.* The current humanitarian system is confronted with numerous challenges, ranging from new and more frequent emergencies to the emergence of new humanitarian actors. To address these challenges, reforms and new approaches are introduced throughout the system, yet most often in an uncoordinated and haphazard way. Moreover, humanitarian assistance suffers from a lack of analytical capacity, be it within humanitarian agencies or academia. Under these circumstances, mutual learning is of the utmost importance to improve humanitarian practices. The exchange of experiences and lessons learned can take place in different fora, and a number of important multi-stakeholder learning initiatives like the Active Learning Network for Accountability and Performance in Humanitarian Action (ALNAP) exist. Informal bilateral contacts, however, can be very effective instruments for learning because they enable officials confronted with concrete problems to seek the advice of their counterparts. Closer cooperation would foster these contacts and thus strengthen learning.
- *Stronger impetus for system-wide reform.* Over recent years, the humanitarian system involving UN organizations has undergone an important reform process. This process, however, has not yet been completed and further changes are necessary, for example, to improve the integration of local capacity into international responses, gender awareness and the quality of needs assessments. The transatlantic partners could also help clarify when and how to better link relief and development activities and promote coherent, risk-minimizing approaches to including business actors and the military into relief and preparedness activities. The U.S. and the EU, including the European Commission and EU member states, wield significant influence over most multilateral organizations and implementing agencies. A joint approach would allow the transatlantic partners to promote reforms much more forcefully and effectively.

But, in contrast to many other policy areas, enhanced EU—U.S. cooperation can also have negative effects on humanitarian assistance. Many NGOs, for example, welcome the current diversity in donorship because it enables them to explore a multitude of different funding channels, limiting the political influence of key donors. More concretely, enhanced cooperation entails the following risks:

- *Western bias.* The current humanitarian system is dominated by “Western” powers. Europe (including the European Commission and EU member states) and the U.S. together provide 65 percent of total humanitarian funds. Other “Western” governments or private organizations and individuals account for much of the remainder, with the only other significant financial contribution coming from the Gulf States (in 2008, Saudi Arabia contributed 6.3 percent of total humanitarian assistance, the United Arab Emirates 0.9 percent and Kuwait 0.8 percent).³ The EU and the U.S. are not only leading in financial terms, but also exert significant influence over multilateral organizations such as the OECD or the UN and dominate the donor advisory groups of many implementing agencies. Moreover, the normative framework for humanitarian assistance was developed in the “West” and many of the large NGOs involved in the provision of humanitarian assistance throughout the world are based in the same countries.

Other nations are acutely aware of this dominance, suspect the humanitarian system of having a pro-Western bias, and fear that humanitarian agencies are pursuing other political aims. This perception makes many non-Western governments hesitant to support the humanitarian system. Even more problematic is that a growing number of governments, including Myanmar, Sudan, Zimbabwe, and Sri Lanka, are using this argument as a reason or pretext for at least temporarily or partly denying humanitarian agencies access to those in need. A stronger and more obvious transatlantic humanitarian partnership would reinforce notions of Western dominance in the humanitarian system and exacerbate these problems.

- *Dominance of the political agenda.* Closer transatlantic cooperation in humanitarian assistance could also further undermine the independence of humanitarian action. If humanitarian assistance is seen at least in part as a means to promoting the transatlantic relationship, this political agenda could take precedence over the humanitarian impetus. Moreover, as explained in Chapter 1, the independence of humanitarian assistance is less sacrosanct in the U.S. than the EU. Greater policy coherence could therefore mean that the European Commission integrates humanitarian assistance more closely into its growing foreign policy portfolio. Should this be the result of closer transatlantic cooperation, it would also undermine the independence of humanitarian policy making.
- *Threat to the independence of humanitarian agencies.* The issue of independence is not only relevant for the donors themselves, but also for those who receive funds from them. As mentioned above, a joint approach would increase the ability of the two donors to make their influence felt in multilateral and implementing agencies. On the upside, this would enable the EU and the U.S. to promote positive reforms more forcefully. At the same time, however, it would undermine the independence of these agencies.
- *Costs of coordination.* Finally, high levels of cooperation and coordination come with a price tag. Activities to enhance cooperation and coordination themselves are costly in

³ Data are derived from UN OCHA’s financial tracking system, available at <http://www.reliefweb.int/fts> (last accessed 20 April 2009).

terms of staff time and travel and divert scarce resources away from those who need it most. At the same time, NGOs in particular claim that excessive levels of coordination would diminish the system's diversity and capacity to innovate, thus leading to long-term losses in humanitarian effectiveness and efficiency. Since current levels of donor coordination are relatively low, the threat of reaching excessive levels of coordination seems, however, low.

On the whole, therefore, the transatlantic partners should choose cooperation modalities that can address current challenges while being mindful of these risks. To achieve this, enhanced cooperation should remain open to other parties and strengthen the voices and participation of affected populations; focus on improving the delivery of humanitarian assistance; respect the independence of implementing partners; and allow for a certain level of diversity within the humanitarian system.

Recommendations: Enhancing EU–U.S. Cooperation in Humanitarian Assistance

The European Commission and the U.S. Government largely act as donors in the area of humanitarian assistance. This means that they develop policies and guidelines and provide financial and other resources for emergency response and preparedness, but do not usually provide assistance themselves. While both partners have a significant country presence and, in the case of OFDA, Disaster Assistance Response Teams to provide support to specific crises, their main tasks are to assess situations and needs, recommend actions to headquarters and oversee interactions with implementing partners on the ground. An exception to this rule occurs when European or American civil defense capacities or military units are directly engaged in humanitarian missions. Enhanced cooperation between the EU and the U.S. can therefore only in some rare instances focus on operational issues. In most cases, cooperation should instead concentrate on policy development and mutual or joint learning. It is critical moreover that both donors focus on integrating these policies and lessons into their daily routines and ensure that they extend to all relevant staff members.

To strengthen transatlantic cooperation in humanitarian assistance in a ways that is sensitive to the risks mentioned above and that helps address current key challenges of humanitarian assistance, we recommend appropriate channels and mechanisms for enhancing transatlantic cooperation in humanitarian assistance (recommendation 1) and provide specific suggestions for improving the cooperation and performance of the EU and the U.S. for each of the focus topics of the “Raising the Bar”-Project (recommendations 2–5).

Recommendation 1: Emphasize Informal Cooperation, Strengthen Multilateral Channels, and Hold High-Level Bilateral Discussions

The European Commission and the U.S. Government should prioritize the following cooperation modalities to strengthen coherence, enhance mutual learning, and provide a stronger impetus for system-wide reform, while avoiding a stronger perception of “Western” dominance, safeguarding the independence of humanitarian action, and limiting coordination costs:

- *Strengthen the enabling conditions for informal cooperation.* Informal cooperation holds many advantages. Through flexible and pragmatic exchanges, it is one of the most effective tools for joint or mutual learning, a core objective of enhanced cooperation. Moreover, it typically has lower transaction costs than formal meetings. Informal cooperation also can—and should—be designed in ways that are open to the participation of other interested parties. Currently, both donors report relatively strong informal collaboration at the field level, and weaker informal cooperation at headquarters level. The European Commission and the U.S. Government should strengthen the enabling conditions for informal cooperation between themselves and other humanitarian actors by:
 - signaling strong top-level political support for enhanced cooperation, for example through the adoption of a common humanitarian agenda for action at the 2010 EU-U.S. Summit;
 - enhancing transparency concerning the roles, responsibilities, and operating procedures of all institutions involved in emergency relief and preparedness by publishing and continuously updating guides explaining their institutional and operational frameworks and indicating which individuals occupy relevant positions, for example on platforms dedicated to humanitarian information-sharing like the upcoming ResourceNexus;⁴
 - improving knowledge management to counter the problems caused by rapid staff turnover by introducing longer staff hand-over periods, investing in better information and contacts databases, and stronger support for the efforts of the UN Office for the Coordination of Humanitarian Affairs (OCHA);
 - strengthening personal contacts by promoting joint trainings, missions, and staff exchanges, such as the joint assessment missions in Chad and DRC, as well as by including the creation and maintenance of contacts in job descriptions and staff trainings.
- *Emphasize multilateral and multi-stakeholder channels for cooperation.* The European Commission and the U.S. Government participate in a broad range of multilateral and multi-stakeholder initiatives relevant to humanitarian assistance. These initiatives are less exclusive than bilateral channels, yet provide important opportunities for strengthening transatlantic cooperation. The transatlantic partners should increase their strategic use of and support for multilateral and multi-stakeholder initiatives by: promoting reforms to increase the quality and effectiveness of these fora and initiatives and focusing on opportunities for EU-U.S. cooperation within these frameworks, for example by expanding internal EU coordination meetings to include exchanges with the U.S. Government at an early stage.
- *Use high-level, bilateral meetings to address key policy differences.* Current policy differences concerning the role of humanitarian principles, the integration of humanitarian assistance with other foreign policy and security goals, the role of the military, and food aid

⁴ ResourceNexus will be accessible at www.resourcenexus.org in late 2009.

are an obstacle for a closer transatlantic relationship and hinder effective operational cooperation. The transatlantic partners should address these divergences explicitly in high-level bilateral meetings involving relevant decision-makers and allowing for direct, focused exchanges. To hold these dialogues, the European Commission and the U.S. Government could

- resurrect the High-Level Consultation Group on development and humanitarian assistance;⁵
- dedicate meetings of the EU-U.S. Senior Level Group on humanitarian issues;⁶
- expand the strategic dialogue between DG ECHO and USAID to include the most relevant institutions for emergency relief and preparedness, including among others the U.S. Departments of State, Defense, and Agriculture and the European Commission Directorates-General for Development and Foreign Relations or the Council.⁷

Recommendation 2:

Improve the Capacity of Humanitarian Donors to Implement Lessons

Time and again, evaluations in the humanitarian sector identify the same challenges and “lessons.” Yet, their implementation remains an important challenge to donor and implementing agencies alike. For example, despite the knowledge that needs assessments, proportional funding, targeted response and the inclusion of local capacity are key factors for efficient and effective humanitarian response, needs assessments are still underperforming, funding flows are still disproportionately allocated, assistance does still not reach the most vulnerable, including the elder, women, and children, and there is still no systematic approach to assess and include local capacity into international emergency response activities. The inability of humanitarian actors to implement lessons is thus a key obstacle for enhancing the effectiveness and efficiency of humanitarian assistance.

Humanitarian donors are usually not at the forefront of humanitarian action, providing humanitarian services on the ground. Yet, through their policies, their interaction with humanitarian agencies, and their funding decisions they shape humanitarian assistance. Therefore, if lessons like the need for gender-sensitive programs and for strengthening local capacity are to be put into practice, they have to be integrated into the policy making, funding, and coordination activities of donors. To enhance their ability to implement lessons, the European Commission and the U.S. Government should take the following measures:

⁵ Based on the New Transatlantic Agenda and the Joint Action Plan agreed between the EU and the U.S. in 1995, a High-Level Consultation Group on humanitarian and development issues was formed. After a few years of operation, however, regular meetings were abandoned.

⁶ Also based on the 1995 New Transatlantic Agenda, an EU-U.S. Senior Level Group was created to address key foreign policy issues.

⁷ Several times per year, DG ECHO and USAID engage in a strategic dialogue, either through in-person meetings or telephone conferences. This is currently the main and highest ranking bilateral forum for addressing questions relating to humanitarian policy. While the meeting has recently been expanded to include for example the U.S. Department of State, it does not include all institutions relevant to the questions sketched above. If the EU and the U.S. opt for using the strategic dialogue as the forum for addressing controversial normative and policy questions, the dialogue would therefore have to be further expanded.

- *Increase focus on and capacities for policy-making.* To date, donors like DG ECHO and OFDA lack policies on important issues such as gender and local capacity. This compromises the quality and sustainability of their activities. In part, this is related to the perception of many humanitarian actors that independent and neutral humanitarianism needs to refrain from politics. To counteract this trend, DG ECHO has taken the right turn towards increasing its focus on policy-making and should continue this development. OFDA's power to develop independent policies has been curtailed over recent years. The new U.S. Administration should hand back authority to OFDA to back up its new Wilsonian spirit with action. Moreover, both donors need to enhance their expertise for developing appropriate policies. OFDA has a Technical Assistance Group and an inclusive approach in developing guidelines which is well-placed to infuse internal and external knowledge into policy-making. DG ECHO needs to further expand its pool of policy expertise, either through further enlarging its policy unit or through engaging more systematically with external operational and academic experts. Stronger input from external actors could support policymaking. Humanitarian agencies should therefore engage more closely with parliamentarians and recognize that their relationship with donors is not exclusively about money, but also about policy.
- *Enhance conceptual clarity and coherence.* The transatlantic donors remain unclear on whether they pursue a needs-based or a rights-based approach to gender and local capacity. Yet the two approaches lead to very different understandings of the purpose of humanitarian assistance and the mandate of the agencies providing it. This creates operational confusion and undermines sustainability. Therefore, donors and implementers need to take clear positions. Once a position is taken, it should be explained clearly with regard to its aims, its implications and its limits, and applied consistently in all policies and actions, including in the selection of partners.
- *Expand or create technical surge capacities for donors.* Where know-how and a certain degree of capacity exist within the humanitarian community, as for example in the area of gender, donors should strengthen this capacity and systematically include it into their activities. OFDA is already very efficient in including external know-how, but both donors should improve their efforts in strengthening existing gender capacity. They could for example support the Inter-agency Standing Committee's Gender Standby Capacity (IASC GenCap) Project. The GenCap Project deploys senior gender advisors (GenCap Advisors) which help build the capacity of humanitarian actors at country level to consistently consider and include the different capabilities and needs of women, girls, boys and men into their projects and programs. For example, the GenCap Advisors capacitate the members of the humanitarian country teams on the collection and use of sex- and age-disaggregated data, the integration of gender into funding appeals, project proposals and work plans and help to coordinate gender-related activities between the different sectors. It should be scaled up to provide additional capacity not only to UN agencies, but also to more humanitarian NGOs, donor organizations, and evaluators. At the moment, no similar mechanism exists for strengthening the humanitarian community's approach to local actors. The transat-

lantic donors should therefore jointly establish a similar tool. They could create a pool of local anthropologists, historians, sociologists, and cultural scientists from Africa, Asia, and Latin America to be deployed within their respective regions to support policy-making and programming of humanitarian donor and implementing agencies at the country level. While such a mechanism cannot replace the devolution of decision-making power to local actors and an upwards mobility of local staff from field to head-quarter offices, it could be an important intermediary step facilitating the systematic integration of local knowledge into the humanitarian system. As an important first step, the U.S. and the EU could jointly advocate for the establishment of an IASC Sub-Working Group on local capacity in humanitarian action.

Recommendation 3:

Decide on Desirability of LRRD. If Desirable, Strategically Define Opportunities and Develop Better Methods to Link Relief, Rehabilitation, and Development

Humanitarian assistance and development are regarded as two distinct areas of activity, driven by different logics and governed by different principles. While the former strives to be impartial and independent of other goals and to focus on immediate activities to save lives and alleviate human suffering, the latter is often driven by concrete foreign or domestic policy goals, explicitly sides with certain groups or organizations, and aims at creating systems and institutions for long-term development. The separation of the two areas is important because it enables humanitarian actors to pursue their mission of saving lives and alleviating suffering undisturbed by other political considerations, and ensures their access to affected populations, as well as the safety of humanitarian workers.

Over recent years, however, both humanitarian and development actors have come to realize that they can benefit from stronger linkages between their fields. If uncoordinated, short-term relief activities can undermine longer-term development efforts. This is, for example, the case when mass donations of foreign commodities destroy local industries and markets and when relief interventions stabilize autocratic, corrupt, and self-interested regimes. Moreover, especially in protracted crises or areas experiencing recurring natural disasters, effective humanitarianism requires investments in preparedness and prevention measures, which traditionally belong to the realm of development. With most humanitarian actors working in these areas during a medium- or long-term, they de facto engage in development work and the separation between the two realms can become a question of labeling.

Humanitarian donors like the European Commission and the U.S. Government have therefore made a strong rhetorical commitment to “linking relief, rehabilitation, and development” (LRRD) or “development-relief.” This commitment is reflected in a stronger official emphasis on crisis preparedness, disaster risk reduction, and the development of local emergency relief capacities. In practice, however, tensions and sometimes incompatibilities between humanitarian assistance and development persist and the implementation of LRRD remains haphazard. Particularly in (post-) conflict settings, for example, neutrality requires avoiding engagement with state structures, whereas the development logic would emphasize state and government building activities. For fear of compromising humanitarian principles and to appeal to many

principled public and private donors, many humanitarian actors have therefore been slow to embrace the concept of linking relief, rehabilitation, and development in their work. Moreover, many humanitarian agencies remain unsure what they could in practice do to link their work more effectively to that of their development colleagues.

The European Commission and the U.S. Government should take the following steps to help address these principled and pragmatic challenges:

- *Decide where linkages are desired, and where not.* The European Commission and the U.S. Government should start by analyzing the current gap between relief, early recovery, and development activities and explore the tensions between the objectives, guiding principles, and practices in each of these areas. They should support a systematic analysis of the costs and benefits of adopting a narrow versus a broader approach to humanitarian assistance. On this basis, the two donors should decide on the three main options on how to deal with LRRD: first, to keep muddling through, claiming adherence to humanitarian principles while supporting LRRD; second, to largely forgo LRRD to protect the independent and principled provision of humanitarian assistance; or third, to expand humanitarian mandates to enable LRRD, while acknowledging that this undermines the independence of humanitarian assistance.
- *Improve practical methods to link relief, rehabilitation, and development.* If the European Commission and the U.S. Government decide they want to strengthen the links between relief and development, they should also develop better techniques for doing so. This would entail focusing on the similarities between humanitarian and development assistance, which are both geared towards supporting people in need; ensuring that the responsibilities of humanitarian and development departments are defined in such a way that LRRD programs do not continue to fall through the grids; engaging in joint emergency-specific situation analysis and scenario planning to uncover opportunities for linking the two realms; strategically identifying implementing partners with good LRRD programs; and focusing on the development of local capacities for relief.

Recommendation 4:

***Maximize Business Contributions to Humanitarian Assistance,
While Minimizing Their Risks***

Resources for humanitarian assistance are scarce and, in times of economic crisis, gaps threaten to become bigger. Businesses can make very valuable contributions to emergency relief and preparedness through cash and in-kind donations, as well as their special expertise and products. Over recent years, businesses have slowly become more involved in the provision of humanitarian assistance, be it on a for-profit or on a philanthropic or corporate social responsibility basis. Not all humanitarian actors, however, view the rising engagement of businesses as a positive development. In particular, they are concerned that the profit motive which ultimately drives all business decisions is incompatible with the humanitarian ethos.

The European Commission and the U.S. Government have adopted different stances concerning the role of business in humanitarian assistance. The U.S. Government, especially since the tenure of former USAID Administrator Andrew Natsios, actively pursues public-private partnerships in all areas of foreign assistance and often prefers companies as contractual partners for service delivery. DG ECHO, by contrast, can formally only fund non-profit or public institutions. Interactions with corporations are therefore limited to implementing agencies and other DG ECHO partners.

The opportunities and risks of engaging with business vary strongly depending on whether businesses become involved in emergency relief or preparedness activities and whether they do so on a for-profit basis or out of philanthropic or corporate social responsibility motives. To maximize the contributions of businesses to humanitarian assistance, while ensuring that business engagement conforms to humanitarian principles, the European Commission and the U.S. Government should take the following steps:

- *Increase investment in preparedness activities.* Commercial preparedness schemes such as weather insurance for small-scale farmers or catastrophe insurance for governments were found to be an innovative, effective, and efficient way of mitigating the impact of natural disasters. Pilot insurance schemes resulted in lower overall costs, greater predictability, and earlier disbursement of funds to affected populations, who receive compensation when drought sets in, rather than when famine hits. As a result, livelihoods are better protected and many lives are saved. The European Commission and the U.S. Government should support the development, implementation, and roll-out of similar initiatives. Since the non-commercial engagement of business in preparedness activities has also been found beneficial, but underutilized, governments and donors should also explore ways to provide incentives for this kind of contribution.
- *Develop common standards for business engagement.* To date, no broadly accepted standards exist that would ensure that business engagement complies with humanitarian principles. The European Commission and the U.S. Government should first undertake a detailed analysis of when, where, and how businesses can make valuable contributions to emergency relief and preparedness and what kinds of risks are involved in different situations. On that basis, the transatlantic partners should spearhead the international effort to create guidelines on business engagement, building on the efforts to create standards made by the World Economic Forum and the International Peace Operations Association.
- *Enhance transparency.* Current donor engagement with business, especially in the case of for-profit emergency relief, is often lacking in transparency and accountability. To allow for better public scrutiny of such engagements and enhance their accountability, donors should more readily provide information on contract partners, their products or services, as well as the respective contract values.

***Recommendation 5:
Address Normative Problems of Civil-Military Interaction
and Improve Operational Approaches***

Military forces are playing an increasingly important role in responding to conflict-induced emergencies and natural and technological disasters, both at home and abroad. Armed forces variously provide their assets, for example for the transport of humanitarian goods and personnel; escort humanitarian workers in unstable situations to enhance their security; and directly implement humanitarian tasks like the distribution of food and medical supplies or the restoration of infrastructure, though NGOs in particular are challenging whether relief provisions by the military can be called “humanitarian.”⁸ They have been involved in most recent major emergencies, from relief operations following the earthquake in Pakistan to rebuilding measures in Afghanistan and Iraq.⁹

Despite, or perhaps because military contributions to relief efforts have become so commonplace, the role of the military in humanitarian assistance remains one of the most, if not the most controversial issues in humanitarian affairs. On the one hand, the military controls formidable assets that are designed to be ready to deploy at extremely short notice and to react to unpredictable events. Especially in sudden-onset disasters, the speed and scale of the response determines how many lives can be saved and the military and its assets may be best positioned to achieve humanitarian goals. Moreover, in (post-) conflict situations or complex emergencies, a lack of security is typically the main reason for human suffering and often threatens traditional relief operations. An armed presence may be necessary to restore security and thus reduce the scale of the emergency. On the other hand, the involvement of the military in most cases conflicts with humanitarian principles. The military’s main role is to focus on security and defense. These issues are likely to dominate the military’s agenda even on ‘humanitarian’ missions. In addition, the military is usually not regarded as an impartial and neutral actor and its presence can exacerbate security problems.

Both the EU and the U.S. have a legal basis for deploying military personnel and/or assets for emergency relief. Owing to its less developed military capabilities and its more principled stance on humanitarian assistance, however, the EU makes far less use of these provisions than the U.S. With the conflicts and reconstruction efforts in Afghanistan and Iraq, the U.S. Department of Defense and its regional commanders are now among the biggest “humanitarian” spenders within the U.S. Government.

The transatlantic partners are faced with two major challenges concerning the enhanced collaboration between civilian and military emergency relief agencies and their mutual cooperation in this field. First, they need to address the underlying normative question: Under what circumstances and conditions should the military contribute to emergency relief and preparedness? Second, they need to improve their operational capability for achieving effective civil-military cooperation when desired. To improve their ability to harness civil and military capa-

⁸ Cf. e.g. the position paper on civil-military relations in humanitarian action by the European NGO Network VOICE, available at http://www.ngovoice.org/documents/CIV%20MIL%20POLICY%20DOCUMENT%20_%20FINAL.pdf (last accessed July 2009).

⁹ For a recent assessment of the use of military assets in disaster response, see for example Stockholm International Peace Research Institute “The Effectiveness of Foreign Military Assets in Natural Disaster Response” (Solna, 2008).

bilities for effective emergency response, the transatlantic partners should implement the following steps:

- *Minimize conflicts with humanitarian principles.* The EU and the U.S. should focus their “humanitarian” deployments of military personnel and/or assets on situations where neither partner pursues strong security interests. This includes mainly responses to natural and technological disasters occurring in close partner countries. This focus would minimize the intermingling of humanitarian with security concerns.
- *Develop stricter standards on military involvement in humanitarian assistance.* For humanitarian activities of the United Nations, a multi-stakeholder group that included the U.S. Government and DG ECHO developed guidelines for the use of foreign military and civil defense assets in disaster relief. These so-called Oslo Guidelines were first drafted in 1994 and last updated in 2006.¹⁰ Similar guidelines were created in 2003 for complex emergencies.¹¹ They demand, among others, that military assets should be used as a last resort and that military personnel on humanitarian missions should bear no arms, be clearly distinguished from regular units, and not provide security for humanitarian actors. Through the European Consensus on Humanitarian Aid, the European Commission subscribes to both guidelines. Both, the EU and its member states and the U.S. Government should integrate these guidelines more closely into their policies.
- *Enhance the effectiveness of civil-military interaction.* To enhance their practical capacity to cooperate in the field of civil-military cooperation, the EU and the U.S. need to ensure, among others, that roles and responsibilities are clearly allocated, that command structures reflect this distribution of roles, and that both sides are technically capable of working together. To improve this capacity, the transatlantic donors should support and expand joint training exercises such as Viking '08,¹² deploy mutual observers to their remaining exercises, and encourage exchanges between the transatlantic partners, as well as between civil and military agencies during their formation.

By implementing these recommendations, the EU and the U.S. could significantly strengthen their cooperation, improve their approaches to humanitarian assistance, and promote the reform of the humanitarian system as a whole. This would enable the two donors and their partners to mobilize more appropriate responses to natural disasters and address some of the consequences of climate change, as well as conflicts and complex emergencies. Effectively saving lives and alleviating human suffering would bring tangible benefits to the transatlantic partners. It would improve their reputation around the globe and help protect their strategic interests by fostering stability and enhancing security.

¹⁰ Available for example at <http://www.reliefweb.int/rw/lib.nsf/db900SID/AMMF-6VXJVG?OpenDocument> (last accessed May 7, 2009).

¹¹ Guidelines on the Use of Military and Civil Defence Assets to Support United Nations Humanitarian Activities in Complex Emergencies (March 2003).

¹² Viking '08 was a multinational exercise on crisis response involving military, civil defense and civilian agencies that took place in November 2008.

The transatlantic partners currently face a unique window of opportunity for strengthening their cooperation and improving their humanitarian policies and operations. They should build on their strong existing foundations and use this chance for making humanitarian assistance more effective and efficient. At the same time, they should remain mindful of the risks that closer cooperation can involve and ensure that their cooperation remains open to other parties and strengthens the voices and participation of affected populations, focuses on improving the delivery of humanitarian assistance, respects the independence of implementing partners, and allows for a certain level of diversity within the humanitarian system.

