

Improving Humanitarian Assistance: A Transatlantic Agenda for Action

Julia Steets, Dan Hamilton, Andrea Binder, Kelly Johnson, Kai Koddenbrock, Jean-Luc Marret



Raising the Bar

Enhancing Transatlantic Governance of Disaster Relief and Preparedness

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I. Agenda for Action

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 workers²

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 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.

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.

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.

A window of opportunity

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.

Effects of enhanced 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. First, it could generate greater policy coherence and ensure that the transatlantic partners do not duplicate their activities and do not undermine each other's efforts. Situations in which the mass delivery of Western food commodities undermines efforts to strengthen local food markets by purchasing food regionally or locally or using cash hand-outs, for example, could be avoided. Second, closer cooperation would create opportunities for joint or mutual learning. This is critical to adapt humanitarian policies and practices to changing circumstances and to address existing gaps in analytical capacity in the humanitarian arena. Finally, a joint effort of the transatlantic partners could be very effective at promoting reforms in the humanitarian sector as a whole. Acting in concert, they could provide critical impulses for promoting the implementation of lessons learned concerning, for example, local capacity and gender; determining a coherent approach to linking relief, rehabilitation, and development; and developing consistent, risk-minimizing ways to include business and military actors into relief and preparedness activities.

If the EU and U.S. act to enhance their cooperation, they should do so in ways that avoid some potential pitfalls. First, cooperation should be structured so as not to exacerbate perceptions that the humanitarian system is dominated by and biased towards the "West" or 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. Second, enhanced transatlantic cooperation should not threaten the independence of humanitarian assistance. That means enhancing cooperation primarily because it would improve the delivery and impact of humanitarian assistance, rather than treating humanitarian issues simply as an instrument with which to improve diplomatic relations. It also means ensuring that the transatlantic partners are careful not to abuse their joint influence over implementing partners, and thus potentially undermining their independence. Finally, high levels of cooperation and coordination can be costly, not only in terms of transaction costs, but also because less diversity in the humanitarian system could diminish its capacity for innovation. 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.

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;³

- 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 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;⁴

³ ResourceNexus will be accessible at www.resourcenexus.org in late 2009.

⁴ 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.

- o dedicate meetings of the EU-U.S. Senior Level Group on humanitarian issues;⁵
- o 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.⁶

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:

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.

⁵ Also based on the 1995 New Transatlantic Agenda, an EU-U.S. Senior Level Group was created to address key foreign policy issues.

⁶ 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.

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 transatlantic 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 headquarter 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.”⁷ They have been involved in most recent major emergencies, from relief operations following the earthquake in Pakistan to rebuilding measures in Afghanistan and Iraq.⁸

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

⁷ 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).

⁸ 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).

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 capabilities 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 2006.⁹ Similar guidelines were created in 2003 for complex emergencies.¹⁰ 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 '08,¹¹ 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.

⁹ Available for example at <http://www.reliefweb.int/rw/lib.nsf/db900SID/AMMF-6VXJVG?OpenDocument> (last accessed May 7, 2009).

¹⁰ Guidelines on the Use of Military and Civil Defence Assets to Support United Nations Humanitarian Activities in Complex Emergencies (March 2003).

¹¹ Viking '08 was a multinational exercise on crisis response involving military, civil defense and civilian agencies that took place in November 2008

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.

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.



II. Supporting Information



1. Principles vs. pragmatism: U.S. and EU approaches to humanitarian assistance

The U.S. Government and the European Commission share a similar understanding of what humanitarian assistance entails. Nevertheless, their approaches to emergency relief and preparedness differ significantly. Illustrations 1 and 2 provide an overview of the institutions involved in humanitarian assistance in the U.S. Government and the European Commission. Tables 1 and 2 include the two donors' most important funding instruments. The remainder of this section explores the similarities and differences in their approaches.

Defining "humanitarian assistance"

Both the U.S. Government and the European Commission derive their understanding of humanitarian assistance from similar philosophical premises. Based on Henry Dунant's principles of action and international humanitarian law, humanitarianism on both sides of the Atlantic is seen to be an expression of human solidarity and to follow the humanitarian imperative by aiming to save lives and alleviate human suffering wherever the need arises.

These core elements defining humanitarian assistance are reflected in key policy documents, including the principles of the Good Humanitarian Donorship Initiative, to which the U.S. Government and the European Commission are signatories; the European Consensus on Humanitarian Aid; and the mandates of the core humanitarian agencies of these two donors, DG ECHO and OFDA.²⁰ Beyond this core consensus, however, the definitions and mandates include explicit references to different aspects relevant to "humanitarian aid," "humanitarian assistance," or "humanitarian action." OFDA's mandate, for example, also includes the task of reducing the (longer-term) social and economic impact of emergencies, while the mandate of the European Commission emphasizes short-term reconstruction and rehabilitation.

In theory, humanitarian assistance is clearly demarcated from other forms of aid, such as development aid, and is provided unconditionally on the basis of need. In practice, however, the boundaries are often difficult to draw. The European Commission typically adopts a relatively strict or conservative approach to this question, whereas the U.S. Government tends to see the boundaries as more fluid and the U.S. President enjoys more discretion to define emergencies as well as relief activities. This becomes evident, for example, in attempts to quantify humanitarian budgets. The European Commission reports a total humanitarian budget for 2008 of €937 million, which corresponds roughly to the \$1.3 billion indicated by the UN's financial tracking system. The U.S. Government, by contrast, reports \$4.2 billion, whereas the UN only lists around \$3 billion as U.S. humanitarian contributions.²¹

Humanitarian principles and their application

Humanitarian assistance is not only defined by types of activities and emergencies, but crucially also by humanitarian principles. As mentioned earlier, four principles are most commonly recognized as constitutive for humanitarian assistance: humanity, impartiality, independence, and neutrality. Both donors explicitly endorse these humanitarian principles.²² Moreover, the core agencies in charge of humanitarian assistance, DG ECHO and OFDA, are ardent defenders of the principles. In practice, however, the EU interprets and adheres to humanitarian principles in a much stricter, more "principled" sense, while the U.S. Government adopts a more pragmatic approach. This distinction between a principled versus a pragmatist approach amounts to a fundamental difference between the two donors and explains many of their more specific and operational divergences.

²⁰ Sources: Good Humanitarian Donorship Initiative, *Principles and Good Practices of Humanitarian Donorship*, endorsed in Stockholm, June 17, 2003; OFDA's mandate is available at http://www.usaid.gov/our_work/humanitarian_assistance/disaster_assistance/; the European Commission's humanitarian mandate is available at http://ec.europa.eu/echo/atag glance_en.htm and the European Consensus on Humanitarian Aid can be found at http://ec.europa.eu/echo/files/media/publications/consensus_en.pdf (all last accessed in April 2009).

²¹ See DG ECHO, *Humanitarian Aid Financial Report 2008*; United Nations Office for Humanitarian Affairs (OCHA) *financial tracking system*; Tarnoff and Lawson, *op. cit.*

²² OFDA, *Annual Report 2007*, p. 17; DG ECHO's website, available at http://ec.europa.eu/echo/atag glance_en.htm (last accessed July 2009)

Table 1: Financial Contributions to Humanitarian Assistance in the EU (2008)¹²

Name of Fund / Budget Line	Responsible Agency	Sum in €	Sum in \$ ¹³
Main budget line for humanitarian assistance	DG ECHO	€533 million	\$748 million
Food aid budget line	DG ECHO	€363 million	\$543 million
Budget line for disaster preparedness and mitigation	DG ECHO (DIPECHO)	€32 million	\$47 million
Support expenditure	DG ECHO	€8 million	\$12 million
Administrative expenditure	DG ECHO	€19 million	\$28 million
Emergency Aid Reserve	DG ECHO	€479 million (used in 2008: €177 million)	\$705 million (used in 2008: \$260 million)
European Development Fund: ¹⁴ B-Envelopes for unforeseen circumstances in ACP countries (incl. humanitarian assistance)	DG Development / DG ECHO	€0 (available for 2008-2013: €1.8 billion)	\$0 (available for 2008-2013: \$2.6 billion)
Food Security Thematic Programme	DG AidCo	€216 million (incl. €98 million for transitions, fragile and failed states)	\$318 million (incl. \$144 million for transitions, fragile and failed states)
Civil Protection Financial Instrument (covers the financial aspects of preparedness and response actions of the Community Mechanism for Civil Protection and the Monitoring and Information Centre)	DG Environment	Reference amount for 2007-2013: €190 million	Reference amount for 2007-2013: \$280 million
Instrument for Stability	DG RELEX	€135 million	\$199 million
Sum of all instruments (including those with mixed purpose)		€1.3 billion	\$1.9 billion
Sum of humanitarian expenditures reported to OCHA		€888 million	\$1.3 billion

¹² Source for financial data include: DG ECHO, *Humanitarian Aid Financial Report 2008*; European Commission, *Food Security Thematic Programme, Thematic Strategy Paper and Multiannual Indicative Programme 2007-2010* (Document c/2007/1924).

¹³ The conversion is based on the average euro-dollar exchange rate in 2008 of 1.47134.

¹⁴ The European Development Fund is not part of the EU's regular budget, but relies on voluntary contributions by EU member states.

Table 2: Financial Contributions to Humanitarian Assistance in the U.S. (2008)¹⁵

Name of Fund / Budget Line	Responsible Agency	Sum in € ¹⁶	Sum in \$
International Disaster Assistance and Transition Initiative funds	USAID / OFDA and Office of Transition Initiatives	€474 million (the majority are OFDA funds. OFDA annual budget 2007: €392 million)	\$694 million (the majority are OFDA funds. OFDA annual budget 2007: \$573 million) ¹⁷
Food assistance, including Food for Peace, Food for Progress and the McGovern-Dole program	Department of Agriculture (Food for Peace implemented by USAID)	€1.4 billion	\$2.1 billion ¹⁸
Bill Emerson Humanitarian Trust – an emergency grain and cash reserve	Department of Agriculture	Reserves in 2006: 915,000 metric tons of wheat, €73 million	Reserves in 2006: 915,000 metric tons of wheat, \$107 million cash
Overseas Humanitarian, Disaster, and Civic Aid (OHDACA)	Department of Defense / Defense Security Cooperation Agency	€69 million	\$101 million
Commanders' Emergency Response Program (CERP) – available for operations in Iraq and Afghanistan ¹⁹	Department of Defense / Commanders in Iraq and Afghanistan	€1.16 billion	\$1.7 billion
Migration and Refugee Assistance Account (MRA) and draw-down from Emergency Refugee Migration Assistance Fund (ERMA)	Department of State / Office of Population, Refugees and Migration	€957 million	\$1.4 billion
Sum of all instruments (including those with mixed purpose)		€4.1 billion	\$6.1 billion
Sum of humanitarian expenditures reported to OCHA		€2 billion	\$3 billion

¹⁵ Source for financial data include Tarnoff and Lawson, op. cit.; USAID Office of U.S. Foreign Disaster Assistance *Annual Report for Fiscal Year 2007*; Department of Defense, Defense Security Cooperation Agency, *Fiscal Year 2008 Report on Humanitarian Assistance*.

¹⁶ The conversion is based on the average dollar-euro exchange rate in 2008 of 0.68341.

¹⁷ Total USAID humanitarian expenditure in 2008 amounted to \$582 million. Total emergency assistance (including food aid delivered by USAID) amounted to \$1.8 billion. Cf. USAID *Agency Financial Report Fiscal Year 2008*.

¹⁸ In 2007, the U.S. Government's international food assistance also amounted to \$2.1 billion. The funds have to be used almost exclusive to purchase U.S. commodities. Food assistance was distributed across several programs as follows: Public Law 480 Title II (Food for Peace): \$1.87 billion; Food for Progress: \$130 million; Section 416 (b): \$20 million; Food for education: \$99 million; Farmer-to-farmer program: \$10 million. No funds were allocated to the Bill Emerson Humanitarian Trust. Cf. USAID *U.S. International Food Assistance Report 2007*.

¹⁹ The CERP was originally funded through cash reserves of the Iraqi government, confiscated by the U.S. army. CERP funds can be spent by U.S. commanders in Iraq and Afghanistan to address urgent needs of the population, some of which can be characterized as humanitarian. They include water and sanitation, food production and distribution, agriculture and irrigation, electricity, healthcare, education, telecommunications, economic, financial, and management improvements, transportation, rule of law and governance, civil cleanup activities, civic support vehicles, repair of civil and cultural facilities, battle damage / repair, condolence payments, hero payments, former detainee payments, protective measures, urgent humanitarian or reconstruction payments, and temporary contract guards for critical infrastructure. Cf. DoD Financial Management Regulation Volume 12, Chapter 27, January 2009.

Several factors bear out this distinction. First, the European Commission's formal commitment to the principles is much stronger. They are central to the European Consensus on Humanitarian Aid, which applies to EU member states and the European Commission, and are referenced prominently in the general presentation of the European Commission's approach to humanitarian assistance, as well as in DG ECHO's strategy document.²³ In the U.S., by contrast, formal commitment is more ambivalent. The joint strategy document of USAID and the Department of State only makes reference to the principles of "universality, impartiality, and human dignity" and integrates humanitarian assistance into the concept of transformational diplomacy, seeing it as one instrument for strengthening democracy and good governance.²⁴ OFDA itself refers to the humanitarian imperative and the three operational principles, but adds four additional principles, namely do no harm, protection, capacity building and accountability, which exhibit certain tensions with the original humanitarian principles.

Second, DG ECHO has been found to be strongly independent of other departments of the European Commission, despite the fact that it reports to the same Commissioner as DG Development. An external evaluation in 2006, for example, concluded that DG ECHO is "neither formally guided by, nor subject to any foreign policy, when managing the implementation of foreign aid."²⁵ OFDA also enjoys a relative degree of independence, as evidenced for example by the "notwithstanding" clause, which permits OFDA to allocate resources outside the constraints that apply to other government agencies. As described above, however, the U.S. Government has recently implemented a foreign assistance reform. The rationale behind the creation of

the F-Bureau and the position of Director of Foreign Assistance was to ensure that foreign assistance is used as effectively as possible to meet broad U.S. foreign policy objectives. The F-Bureau provides strategic direction on all forms of foreign assistance and reports to the Department of State. Since the reform was only implemented recently, the full implications for humanitarian assistance have yet to emerge, but if the Obama Administration continues to implement this reform, it can only lead to less independence for OFDA.²⁶

Finally, DG ECHO is responsible for a much larger share of humanitarian assistance than OFDA. DG ECHO administers the entire official humanitarian budget of the European Commission with an equivalent of around \$1.3 billion. In addition, it can draw on the B-envelope of the European Development Fund. Other instruments with potential humanitarian applications (the Food Security Instrument for transitions, fragile and failed states, the Civil Protection Instrument and the Instrument for Stability) amount to less than 20% of the budget available to DG ECHO. OFDA acts as the official lead agency of the U.S. Government on humanitarian assistance, but only has authority over a budget of \$500-600 million (roughly one tenth to one fifth of total U.S. humanitarian assistance as officially declared). Therefore, OFDA's commitment to humanitarian principles has less impact on U.S. humanitarian assistance than DG ECHO's commitment has on the European Commission's humanitarian assistance.

The U.S. Government, then, is more pragmatic in interpreting and applying humanitarian principles than the European Commission. On the one hand, this allows the Administration to deal more explicitly with tensions between the principles and other policy areas;²⁷ adopt

23 The European Consensus on Humanitarian Aid, paragraph 10; http://ec.europa.eu/echo/ataglance_en.htm (last accessed April 2009); DG ECHO, *Operational Strategy 2009*, p. 3.

24 U.S. Department of State and U.S. Agency for International Development *Transformational Democracy. Strategic Plan Fiscal Years 2007-2012*, p. 30.

25 Daldrup, Grünewald, Weggen and White, *Evaluation of the European Commission's Directorate General for Humanitarian Aid* (DG ECHO), June 23, 2006, p. 2.

26 The 2006 DAC Peer Review found, for example, pointed to the "challenge [...] to integrate humanitarian concerns into the framework's objectives of peace, security and the state-building." OECD Development Assistance Committee (DAC) (2006), *The United States. Peer Review*, p. 83.

27 The DAC Peer Review suggests that the "US Administration is to be commended for recognising openly the significance of these tensions [between humanitarian assistance and US national security priorities]." *Ibid.*, p. 81.

a more flexible approach to humanitarian assistance,²⁸ and ensure policy coherence across various issue areas. On the other hand, however, the weakening of humanitarian principles creates increased security risks for all relief workers and inhibits access for relief operations in certain emergency situations.²⁹

The difference between a more “principled” and a more pragmatic interpretation of humanitarian principles can be seen clearly at the operational level. It becomes apparent, for example, in the positions of the two donors concerning integrated approaches to humanitarian assistance and the role of non-traditional actors, such as the military and business.

Integrated approaches

Traditionally, humanitarian assistance has been defined as an activity and policy area that operates independently of other policy areas. Over recent years, however, the notion of independence has increasingly come under scrutiny and many relevant actors are now strengthening linkages to other policy fields, particularly development and security.

Many donors, for example, have recognized the advantages of coordinating humanitarian assistance more closely with development activities. This serves to ensure that short-term relief activities do not undermine longer-term development goals and that the results of humanitarian activities become sustainable. Attuning development programs to the risk of new disasters can at the same time help prevent and mitigate their effects by supporting emergency preparedness, disaster risk reduction and local capacity building measures. Both the U.S. Government and the European Commission officially back the concepts of “linking relief, rehabilitation and development” or “development-relief.” The U.S. Government, however, has greater ease in implementing these concepts and has, for example, adopted very clear policy guidance on linking devel-

opment and humanitarian assistance in food aid. The European Commission also has a number of instruments designed to bridge the gap between relief and development, including for example the B-Envelopes of the European Development Fund, the recently adopted Instrument for Stability, and the Food Security Thematic Program. Nevertheless, the European Commission is still struggling to reconcile the newly adopted concept of linking relief, rehabilitation and development with its principled approach to humanitarian assistance.

Particularly in the context of the global campaign against terrorism and the interventions in Afghanistan and Iraq, another school of thought emphasizes the linkages between humanitarian assistance and security. It stresses that security is an important condition for saving lives and alleviating suffering. At the same time, credible and effective humanitarian assistance and development aid can enhance stability in fragile situations and support security operations. Linking humanitarian assistance to security concerns, however, has sparked an intense controversy in the humanitarian community. The Bush Administration was one of the primary proponents of the concept, as evidenced for example by the recent creation of the Office of the Coordinator for Reconstruction and Stabilization, as well as the massive expansion of the “humanitarian” mandate and budget of the Department of Defense. It is an open question whether the Obama Administration will continue this approach. The European Commission, by contrast, has only the Instrument for Stability at its disposal to engage in crisis prevention and improve the security situation in post-crisis situations. This weaker link between humanitarian assistance and security is in part due to efforts to protect the independence of DG ECHO, but may also be due to the fact that EU member states have currently granted the European Commission farther-reaching competencies regarding humanitarian assistance than security policy. Thus, some EU member states strongly intertwine their security and humanitarian policies in places such as the Balkans or selected African countries.

²⁸ This becomes evident for example in the two donors’ different attitudes towards local NGOs. Both emphasize the need to strengthen and use local capacity for emergency response. OFDA can fund and work directly with local NGOs. DG ECHO, by contrast, cannot engage directly with local organizations and can only support them via third partners.

²⁹ For a discussion of the negative implications of a weakening of humanitarian principles especially in conflict-related emergencies, see for example Walker and Maxwell (2009) *Shaping the Humanitarian World*, chapter 7.

Non-traditional actors in humanitarian assistance

In certain cases, the military is taking on a more pronounced role in providing emergency relief. In the U.S., this function has largely been mainstreamed. According to Executive Order 12966 of July 14, 1995 and United States Code 10, § 404, the Secretary of Defense can provide disaster assistance outside the United States to respond to man-made or natural disasters. Drawing on the budget for Overseas Humanitarian, Disaster, and Civil Aid and the Commanders' Emergency Response Program, the U.S. Department of Defense and its regional commanders routinely engage in and spend significant amounts on programs to "win hearts and minds," some of which are humanitarian in nature. USAID has created the Office of Military Affairs to coordinate its activities with the Defense Department, and each U.S. regional command has USAID staff on secondment. In the EU, the so-called Petersberg Tasks provide European military units with the authority to engage in "humanitarian and rescue tasks."³⁰ The European Consensus on Humanitarian Aid also accepts, in principle, humanitarian missions of the military and demands adherence to the 2006 Oslo Guidelines on the Use of Military and Civil Defence Assets in Disaster Relief and the 2003 Guidelines on the Use of Military and Civil Defence Assets to Support United Nations Humanitarian Activities in Complex Emergencies.³¹ In practice however, European military forces at the community level have not yet been deployed on strictly humanitarian missions, although military personnel and assets of EU member states are increasingly being used in emergency situations.

The business community is another actor with a small, but growing presence in humanitarian assistance. In recent years, corporations have become increasingly involved in preparedness, disaster risk reduction and emergency response, both on a for-profit basis and as a form of social engagement. A variety of companies are contributing valuable resources, skills and capacities to the humanitarian endeavor. At the same time, however, many humanitarian experts and professionals remain skeptical and question whether business has the right motives for getting involved. Here again the U.S. Government has taken a lead role in promoting this form of engagement, while the European Commission remains cautious.³² USAID, for example, routinely relies on private for-profit contractors in all areas, including humanitarian assistance, to increase capacity, gain specialized skills and ensure control in politically sensitive situations. DG ECHO, by contrast, does not participate actively in public-private partnerships, and its governing rules prevent it from dispersing funds directly to for-profit companies.

³⁰ See Part II, § 4 of the Petersberg Declaration, adopted by the Western European Union Council of Ministers on June 19, 1992.

The Petersberg Tasks have been included under Article 17 of the Treaty on European Union.

³¹ European Consensus on Humanitarian Aid, § 57.

³² Several EU member states, by contrast, do engage with business in humanitarian operations.

2. Transatlantic cooperation in humanitarian assistance: current channels, hurdles, and recommendations

The transatlantic partners have been working closely together in many emergency responses. Yet, there remains significant scope for expanding and deepening cooperation in this policy area to enhance coherence, foster mutual learning, and support system-wide reform. This section explores current channels of cooperation and coordination at the bilateral and multi-lateral level and points to current limits and hurdles for a closer working relationship.

Bilateral cooperation on humanitarian assistance

The most significant and most far-reaching agreement on transatlantic cooperation in humanitarian assistance is contained in the 1995 Joint EU-U.S. Action Plan. As part of the 1995 New Transatlantic Agenda, the EU and the U.S. Government agreed on an extensive list of joint activities in the humanitarian area, including to:

- cooperate in improving the effectiveness of international humanitarian relief agencies, and in the planning and implementation of relief and reconstruction activities;
- consider joint missions whenever possible, and hold early consultations on security in refugee camps as well as on the use of military assets in humanitarian actions;
- work towards greater complementarity by extending operational coordination to include the planning phase; continuing and improving operational information-sharing on humanitarian assistance; appointing humanitarian focal points on both sides of the Atlantic; and improving staff relations by exchange of staff and mutual training of officials administering humanitarian assistance.

Following this agreement, the Clinton Administration worked with the EU to establish a High Level Consultation Group on humanitarian assistance that met regularly. Under the Bush Administration, the most important coordination meeting between the European Commission and the U.S. Government became an annual strategic dialogue between USAID (and more recently the U.S. Department of State) and DG ECHO, which was complemented by additional phone conferences throughout the year. This dialogue mainly addresses implementation issues.

In addition to these regular contacts at headquarters-level, the European Commission and the U.S. Government often cooperate closely when responding to specific crises. Both sides maintain a strong field presence and report that they typically see each other as their most important and closest partner on the ground.³³ The implementation of a limited number of joint EU-U.S. missions, for example the 1996 joint envoy for the Great Lakes Region or the 2007 joint missions to Liberia, Guinea, and the Democratic Republic of Congo are also an expression of this pragmatic cooperation.

Multilateral channels for cooperation

The EU and the U.S. are also part of numerous multilateral or multi-stakeholder fora and groups and can use their interactions within or on the sidelines of these groups to enhance their mutual cooperation and coordination. Table 3 provides an overview of the most important of these venues.

³³ Interviews with DG ECHO and OFDA staff, 2008.

Table 3: Multilateral channels for cooperation (selection)

Name	Purpose / activity	Members
Active Learning Network for Accountability and Performance in Humanitarian Action (ALNAP)	Aims at improving the quality and accountability of humanitarian action, by sharing lessons; identifying common problems; and where appropriate, building consensus on approaches.	Governments, NGOs, think tanks, individual. Currently 66 full members, including DG ECHO and USAID.
Good Humanitarian Donorship Initiative (GHDI)	Provides a forum for donors to discuss good practice in humanitarian financing and other shared concerns. By defining principles and standards it provides a framework to guide official humanitarian assistance and a mechanism for encouraging greater donor accountability.	Donor governments. Currently 35 members, including the European Commission and the U.S. Government.
UN General Assembly	Occupies a central position as the chief deliberative, policymaking and representative organ of the United Nations. Regularly discusses humanitarian issues.	Comprises all 192 members of the United Nations
OECD Development Assistance Committee (DAC)	A community of policymakers meeting to engage in collective thinking and coordinate their approaches. The DAC conducts regular peer reviews to assess donor aid policies and practice, including humanitarian assistance. It also has working parties and networks on specific topics such as statistics, evaluation or gender equality.	OECD governments. Currently 23 members, including the European Commission and the U.S. Government. Multilateral organizations participate as observers.
OCHA Donor Support Group	Forum for donors to discuss with OCHA the administrative, policy, and operational aspects of its work	Donors contributing at least \$300,000 to OCHA and providing political support to strengthen OCHA's work and role within the humanitarian system. Currently comprises 18 members.
ICRC Donor Support Group	Meets annually to discuss future policy directions for the ICRC.	Donors contributing at least 10 million Swiss francs per year to the ICRC. Members include the U.S. Government and the European Commission.
UNHCR Donor Consultations	Formal and informal donor consultation meetings and donor field visits organized by the UNHCR donor relations unit.	Governments, non-governmental organizations and individuals. Top ten donors include the U.S. and the European Commission.
NATO Euro-Atlantic Disaster Response Unit	A non-standing, multi-national force of national civil and military elements, which can be deployed in the event of a major natural or man-made disaster.	NATO's 28 member nations and countries in the Partnership for Peace will deploy upon request by countries struck by disaster
Humanitarian Action Group (HAG)	Coordination instrument in specific countries, such as the Democratic Republic of Congo.	UN agencies, NGOs, governments, depending on context, typically including DG ECHO and OFDA.
UN Humanitarian Coordinators	Are appointed by the United Nations Emergency Relief Coordinator and facilitate communication, consultations, and coordination among organizations involved in the relief effort.	Humanitarian Coordinators typically seek to involve all relevant agencies, including donors, into consultation and coordination efforts.

Hurdles for closer cooperation

Representatives of the European Commission and the U.S. Government meet regularly as part of their strategic dialogues, their operational cooperation on the ground and as members of a number of multilateral or multi-stakeholder initiatives related to humanitarian assistance. Despite these multiple avenues, there still is significant scope for increasing cooperation, coordination, and mutual learning in humanitarian assistance. Currently, several factors limit or hinder closer cooperation. They include:

Lack of clarity concerning roles and responsibilities

The institutional setup for humanitarian assistance is complex both in the U.S. and in the EU. This makes it difficult for members of the two administrations to understand exactly who plays what role and who is their relevant counterpart. This problem is compounded by the fact that humanitarian assistance is subject to frequent institutional reforms and changes. For example, even U.S. Administration insiders have difficulties tracing the exact implications of the introduction of the F-Bureau. Moreover, the humanitarian field is characterized by rapid staff turnover. To a certain degree this also applies to humanitarian donor organizations.³⁵ This undermines personal contacts and reduces institutional memory.

Limited scope of strategic dialogues

As mentioned above, the DG ECHO-USAID strategic dialogue currently is the main channel for bilateral cooperation and coordination in humanitarian assistance. This dialogue, however, is restricted. Recently, the U.S. Department of State's Office for Population, Refugees and Migration has also been involved in the dialogue, but many other institutions involved in providing humanitarian assistance are not regularly participating, including for example the Department of Agriculture and the Department of Defense on the U.S. side, as well as DG Environment, DG RELEX and DG Development in the EU. Strategic dialogues can provide

an important forum for discussing and coordinating operational issues, but they do not currently cover all components of humanitarian assistance, are not routinely conducted at a level of sufficient seniority, and often lack full reporting back to decision makers and full staff briefings.

Political controversies

Finally, some intense political controversies between the EU and the U.S. persist in the area of humanitarian assistance. This relates to the question of whether or not donors should pursue integrated approaches, linking humanitarian assistance to development, security, broader foreign policy, and economic concerns. The transatlantic partners also disagree on whether and how to engage with new actors in the humanitarian field, a topic that is particularly controversial in the case of the military, but is also disputed for business organizations. Finally, the European Commission and the U.S. Government have adopted different approaches to food aid. The difference stems less from a disagreement between DG ECHO and OFDA or USAID, but rather from the influence of Congress, which gives priority to the interests of domestic farmers. Following legislation passed by Congress, the U.S. Government has a food aid policy that relies strongly on providing food produced in the U.S. to countries faced with emergencies. Opponents of this policy argue that it is overly costly and risks undermining local food production and markets in developing countries. Following this line of argument, the European Commission pursues a policy of purchasing food locally and/or providing populations in need with cash handouts. Food aid constitutes a major share of total U.S. humanitarian assistance and the intensity of the controversy has undermined many working level contacts. A new Farm Bill was enacted by Congress in 2008. It provides up to \$60 million, or just over 1% of total food aid, between 2009 and 2012 for the local and regional procurement of food commodities to respond to food crises and disasters. Albeit minimal, these changes are beginning to ease the controversy over food aid.

³⁴ Tarnoff and Lawson, op. cit.

³⁵ DAC peer review, op. cit., p. 88.

³⁶ The Food, Conservation, and Energy Act of 2008, Title III.

Recommendations

The EU and the U.S. should enhance their cooperation in humanitarian assistance to strengthen coherence, enhance mutual learning, and provide a stronger impetus for system-wide reform. To achieve this while avoiding a stronger perception of “Western” dominance, safeguarding the independence of humanitarian action and limiting costs, they should prioritize the following cooperation modalities:

- Strengthen the enabling conditions for informal cooperation
- Emphasize multilateral and multi-stakeholder channels for cooperation
- Use high-level, bilateral meetings to address key policy differences.



3. Improving the implementation of lessons learned

Recent literature on learning in humanitarian assistance and sector-wide evaluations suggest that the humanitarian community is better at identifying lessons than at putting them into practice.³⁷ This section focuses on the European Commission Humanitarian Aid Department (DG ECHO) and the U.S. Office for Foreign Disaster Assistance (OFDA) to uncover what supports or hinders the implementation of identified lessons for improved humanitarian assistance. The struggle of the transatlantic donors to implement lessons learned is discussed on the basis of two exemplary lessons: gender and local capacity in humanitarian assistance.

Gender and local capacity

There are two different approaches to gender in humanitarian assistance. The traditional, needs-based approach tries to ensure that the different needs and capabilities of women, girls, boys, and men are adequately considered in the design and implementation of humanitarian policies. The rights-based approach, in turn, aims at empowering women, providing them with access to their rights through humanitarian assistance. Many actors are unclear about those concepts and how they relate to the purpose and mandate of humanitarian assistance.

Likewise, with respect to local capacity, it is undecided whether implementing the local capacity lesson means including survivors and unaffected local actors into the design and implementation of projects or whether it means building or strengthening their capacity in the longer term. The inclusive approach confronts humanitarians mainly with the operational challenge of how to

identify and include existing local capacity in a timely and efficient manner. The capacity-building approach, in turn, confronts humanitarians with conflicts related to their mandate, particularly if it is a narrow one, focusing on immediate lifesaving activities only.

Levels of implementation in donor agencies

Implementation processes can take place at five different levels:³⁸ policy; operational planning; interaction with implementing partners; training; and evaluation. Implementation processes are not linear and do not necessarily occur at one level after the other.

Policy

A policy provides the normative and conceptual framework for decisions and activities. At this level, implementation requires that a lesson is included into a policy. To make it onto the donors' policy-making agenda, there have to be external and internal demands for policy development. Policies related to gender and local capacity need to clearly define the concepts, provide direction, and address inherent tensions.

DG ECHO: Policy development only became a major activity of the Office when ECHO, formerly a purely operative agency, became a Directorate General in 2004. Therefore, compared to the numerous developments and challenges in humanitarian assistance over the past ten to 15 years, DG ECHO has a considerable policy gap to bridge. The policy units aim to make policies in tandem with operational units. Yet, there is a rift between policy and operational units, since operational

³⁷ Paul Clarke and Ben Ramalingam, "Organisational Change in the Humanitarian Sector," in ALNAP, ed, *ALNAP Review of Humanitarian Action* (London: ODI, 2008), p. 21; ALNAP, "Learning by Field Level Workers," in *ibid.*, and Koenraad Van Brabant, *Organisational and Institutional Learning in the Humanitarian Sector. Opening the Dialogue. A Discussion Paper for ALNAP* (London: Overseas Development Institute, 1997).

³⁸ The account is a simplified description of reality and might evoke the concept of policy cycles. However, this description is based on inductive reasoning informed by conversations with policy-makers and experts within and outside of the EU and U.S. administrations. A similar model can be found in Clarke and Ramalingam, "Organisational Change in the Humanitarian Sector," pp. 9-11. However, Clarke and Ramalingam neglect the importance of financial units and units managing the relationship with partner organizations for the implementation of organizational change. These elements are explicitly included in the present model.

staff often do not believe in the value of policies and are defensive of the freedom they enjoy within the organization.

It is only very recently that DG ECHO has started to develop a **gender** policy. Some member states and actors within the Commission have pushed for the development of a gender policy. However, since the process is in a very early stage, the policy does not yet inform DG ECHO's activities. It also does not make explicit whether DG ECHO adopts a needs-based or a rights-based approach to gender in humanitarian assistance.

With respect to **local capacity**, the Humanitarian Aid Regulation considers only NGOs based in the European Union to be eligible for Community financing.³⁹ Limited by this regulation, DG ECHO lacks a formal policy document clarifying the Office's position and approach towards the inclusion of local capacities into humanitarian response. Yet, in light of the European Consensus on Humanitarian Aid, DG ECHO has taken first steps to address local capacity involvement in the context of disaster preparedness and response.

OFDA: In recent years, related to a shift of responsibilities from USAID to the State Department under the Bush Administration, OFDA has lost a lot of policymaking power. Consequently, OFDA now relies on informal mechanisms for policy development. These informal mechanisms give OFDA's Director at least some agenda-setting power.

OFDA has no stand-alone policies with respect to **gender** and **local capacity**. Its approach is instead to address gender at the levels of operational planning, interaction with partners, and trainings. With respect to local capacity, OFDA focuses strongly on capacity building, considering it an important guiding principle for its activities. This strategy, however, is not informed by a clear definition of objectives and means to engage with locals. Instead, the Office takes a pragmatic approach operating "through indigenous NGOs when appropriate."⁴⁰

Operational planning

Another important level for implementing lessons is operational planning. At this level, funding decisions and guidelines are the two main mechanisms for transferring policies and lessons into operations.

DG ECHO's operational units have a strong standing within the Office, since operations are seen as the core business. DG ECHO adopts financing decisions on a rolling basis. They are informed by headquarter policy, but are based on DG ECHO's annual global needs assessment and the forgotten crisis assessment.

Gender has not yet been transferred from policy to operational planning. For example, the indicators for DG ECHO's global needs assessment are not based on sex- and age-disaggregated data. Additionally, gender has only been recognized as a horizontal priority in the Operational Strategy 2009. The jury on whether this priority has been translated into financing decisions is still out. Guidelines on gender mainstreaming do not exist. Disaster risk reduction and efforts to link relief with rehabilitation and development are two of DG ECHO's activities where engagement with locals occurs. However, compared to DG ECHO's overall activity, these are rather minor steps to introduce **local capacity** into operations.

OFDA: At OFDA, the Field Operations Guide is one of the most important tools for operational planning, building on OFDA's internal experiences, as well as information and knowledge of other U.S. Government departments and UN agencies.⁴¹ The guide references international standards, and is regularly updated and developed by the Technical Assistance Group, which provides scientific and technical assistance to the office.⁴²

Gender is systematically included into the Field Operations Guide. The Technical Assistance Group has a dedicated gender expert, whose task is to ensure and follow up on the effective integration of gender dimensions into all OFDA activities across all sectors. With respect to

39 Article 7.1 (a), Council Regulation (EC) No 1257/96.

40 USAID, *Automated Directives Systems, ADS 251 - International Disaster Assistance*.

41 OECD, *DAC Peer-Review United States* (Paris: OECD, 2006), pp. 88.

42 Interview with OFDA representative, March 2009.

local capacity, the Guide asks the teams responsible for the implementation of country strategies to integrate an assessment of local participation and response capacities into their situation analyses.⁴³

Interaction with partner organizations

Since DG ECHO and OFDA do not directly provide humanitarian services, the relationship with partner organizations is a further important implementation level. The relationship between donor and partner is governed by contracts, financial regulations, formal and informal communication, reporting, monitoring, etc.

DG ECHO: While DG ECHO, mainly through its country offices, has overall good relations with its implementing partners, the documents governing this relationship give very little guidance on gender and local capacity. As a consequence, the communication of DG ECHO's **gender** approach and follow-up on gender mainstreaming of partner organizations depends on the knowledge, skills, and awareness of the individual country and desk officers. DG ECHO's relative silence on the inclusion of **local capacity** is also mirrored at the country level, where DG ECHO staff usually has no explicit approach towards supporting local actors.

OFDA has three main mechanisms to interact with its partners: funding strategies, funding guidelines, and reporting requirements. The documents inform partner organizations about OFDA's sector-specific and non-sector-specific funding priorities, clarify how projects should be planned and implemented, and detail reporting and evaluation obligations. Based on the funding agreements, partners have to provide regular project reports. Desk officers at the country and headquarter levels review the reports in order to follow up on the implementation of policies. However, according to OFDA staff, there is only limited capacity for Washington-based units to review all reports. Thus, systematic follow-up on implementation is unlikely.

Gender is mainstreamed throughout all these documents and a proper gender analysis in project proposals is a funding criterion for OFDA. Generally, OFDA encourages its international partners to work through **local organizations**. It also asks its partners to assess existing local skills and capacities and develop a strategy in their proposals how these could be used for response activities.⁴⁴

Training

Training has an important role to play in the implementation of lessons. Yet, training presupposes clear policies and/or operational strategies in order to contribute to implementation.

DG ECHO provides a number of training opportunities for both its staff and implementing partners. Furthermore, DG ECHO holds annual workshops for all country experts in order to synchronize country activities with headquarter policies and to adjust policy development to "field realities."⁴⁵ Triggered by the European Consensus on Humanitarian Aid, DG ECHO is intensifying its efforts to build the capacity of the humanitarian system in general and its partner organizations in particular. As of now, DG ECHO has not trained staff with respect to **gender** and **local capacity** in humanitarian assistance.

OFDA conducts training for both its staff and partner organizations. However, training is usually carried out without any possibility for refreshment.⁴⁶ Additionally, the impact of training is limited due to high staff turnover. While high staff turnover is a common phenomenon in humanitarian assistance, it seems to be particularly severe within OFDA, because there are limited career opportunities within the Office and most staff is employed on temporary contracts.⁴⁷

The **gender** expert trains OFDA staff and partner organizations on gender equality programming in humanitarian assistance. Given the limited sustainability

43 Ibid., p. 9.

44 USAID/OFDA, *Guidelines for Unsolicited Proposals and Reporting*, p. 23.

45 Interview with ECHO representative, September 2008.

46 Interview with OFDA representative, March 2009.

47 OECD, *DAC Peer-Review United States*, p. 88.

of trainings, the implementation of gender lessons remains dependent on individual commitment. Trainings on including **local capacity** are not offered routinely.

Evaluation

Evaluation can support the implementation of lessons learned as they allow organizations to identify breaking points for the implementation of a lesson and to systematically link policy-making and operational planning with the realities in the field.

DG ECHO has a strong evaluation capacity that systematically feeds back evaluation results to senior management and implementing partners. However, DG ECHO's evaluation approach focuses exclusively on learning from its own mistakes and does not incorporate lessons from the larger humanitarian community into the implementation process. A lack of **gender** knowledge among external evaluators prevents the creation of specific gender lessons within DG ECHO. Furthermore, the Office has no systematic approach to evaluating the inclusion of **local capacity** by their implementing partners, but the European Consensus on Humanitarian Aid made field visits and beneficiary interviews mandatory elements of each evaluation.⁴⁸

OFDA has a comprehensive understanding of evaluations with a focus on outcomes and impact,⁴⁹ but lacks the relevant institutions and staff capacity to put its evaluation policy into practice.⁵⁰ In other words, there are currently no evaluation processes in place that can systematically follow up on the implementation of lessons and related policies. This of course also holds true for **gender** and **local capacity**.

Levers and obstacles for the implementation of lessons at DG ECHO and OFDA

With respect to gender and local capacity, the following promoting and hindering factors for implementation can be observed:

The **policy level** is particularly important for the implementation of lessons, since formal policies bind staff and help to clarify concepts and their relation to the donor organization's mandate and approach to humanitarian assistance. Moreover, specific policies are necessary to ensure that the implementation of lessons is not subject to the judgment of individual staff. Both DG ECHO and OFDA are currently weak when it comes to policies on gender and local capacity.

While DG ECHO makes an effort to close the existing policy gap by developing new policies, OFDA relies on **operational** guidelines. The example of gender mainstreaming has shown that guidelines can partially make up for a lack of policies if supported by a dedicated focal point. DG ECHO, in turn, has no operational guidelines for gender and local capacity. Combined with the rift between policy and operational units, the lack of operational guidelines further hinders the implementation of the related lessons.

Both donors maintain close relationships with their **partner organizations**. While ECHO pursues a hands-off approach towards its partners with respect to gender and local capacity, OFDA more clearly prescribes rules for implementation.

With respect to **training**, both donors still have a long way to go. While DG ECHO has recognized the increased need for training of its own staff and of partner organizations, OFDA has a rather minimalist approach to training. This approach is further limited by relatively high rates of staff turnover within OFDA.

⁴⁸ Interview with representative of ECHO, September 2008.

⁴⁹ The Field Operations Guide defines evaluation as "review of program activity outcome and impact, with an emphasis on lessons learned" and emphasizes that "results are often used when considering programmatic options and to guide future strategic and funding decisions." USAID/OFDA, *Field Operations Guide for Disaster Assessment and Response 4.0*, p. H-3.

⁵⁰ According to OFDA staff, the position of the evaluation officer has been vacant for approximately three years

Finally, DG ECHO's approach to **evaluation** is conducive to the identification of lessons and is currently being expanded to better cover follow-up and implementation. With respect to gender and local capacity, DG ECHO's evaluation unit also depends on the skills of the external evaluators, which currently limits the office's learning possibilities. OFDA is strongly hampered by the lack of evaluation capacities and therefore has little possibilities to follow up on their clear operational concept with respect to gender in humanitarian assistance.

Case studies on Nepal, Darfur, Nicaragua, and Palestine show that these strengths and weaknesses of the implementation processes at headquarters are fully felt at the country level.

Recommendations

Given the above listed levers and obstacles for implementation of lessons related to gender and local capacity, the transatlantic partners should prioritize the following steps:

Generally, both donors need to **strengthen or develop policies** related to gender and local capacity in order to increase the quality of their activities. DG ECHO has taken the right direction turning towards more policy-making. It must continue to travel this road. OFDA will need to win back political territory and the new U.S. Administration is well advised to hand back power to OFDA, the formal lead agency for humanitarian assistance, if it is interested in backing up its new Wilsonian spirit with credible action.

However, policy-making is a question of power as much as of expertise. OFDA with its Technical Assistance Group and its inclusive approach in developing its guidelines 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.

The new or strengthened policies need to address conceptual obscurity and incoherent ideas. Most prominently, **the donors have to develop a clear position in the debate about rights- vs. needs-based humanitarian assistance.** Leaving it unaddressed creates

operational confusion. Once a position is taken, they have to explicitly spell it out and formulate its implications and limits. They then have to apply their position consistently in all policies and actions, including the selection of partners.

Finally, the donors should **ensure to implement lessons on all five levels.** Furthermore, implementation processes should build on and complement existing international efforts in order to ensure coherence and coordination. With respect to gender, a good opportunity to do so would be to support the Inter-Agency Standing Committee's Gender Standby Capacity (GenCap) Project, which seeks to build capacity mainly of UN agencies at country level to mainstream gender in all sectors of humanitarian response. The GenCap Project should be scaled up to include more humanitarian NGOs, donor organizations, and evaluators into its activities.

4. Linking relief, rehabilitation, and development (LRRD)

Currently, linking relief, rehabilitation, and development (LRRD) takes place in a rather haphazard and non-systematic way in the U.S. Government and the European Commission. This section outlines what the transatlantic donors could do to better deal with the highly complex and controversial task of linking the conceptual and organizational cultures of humanitarian and development assistance.

The promises and pitfalls of LRRD

In countries of protracted conflict like the case study countries of the Democratic Republic of the Congo (DRC), South Sudan, Chad, and Afghanistan, humanitarian assistance has been delivered for decades, sometimes interrupted by short intervals where the country or region was deemed to have reached a post-conflict phase. This triggered temporary departures of humanitarian agencies and respective cuts in donor budgets for food aid, health provisions, and other forms of support for refugees and internally displaced persons (IDPs). However, the short-term instrument of humanitarian assistance has generally remained active. This has led to calls to find ways to make it more complementary to or supportive of longer-term instruments of development assistance. Reacting to this pressure, donors have increasingly underlined their intent to achieve this. Yet moving beyond expressions of intent has proven difficult. This is due to important systemic challenges and a lack of creativity to develop pragmatic projects and programs that combine both the more short-term and the longer-term perspective.

The concept of LRRD acknowledges that humanitarian assistance can work to the detriment of development assistance. This may be the case when populations are getting used to free hand-outs when the long-term goal is to establish a cost-recovery system. Similarly, all kinds of in-kind service delivery can create market distortions. LRRD departs from the notion that all assistance is effective no matter how it is provided. It is a call for scrutiny and self-reflection in both the humanitarian and the development realm. For development assistance, LRRD implies a greater willingness to engage in conflict zones and to take risks to yield peace dividends.

In situations of recurring conflict and humanitarian need, linkages between relief and development can be created. For example, training nurses in IDP or refugee camps who are able to react to unexpected displacements is sometimes part of humanitarian assistance. But mostly, this kind of capacity development is perceived as being too long-term oriented and as distracting from more immediate in-kind service delivery. Investing in people and their capacities is perceived as beyond the humanitarian mandate. Better trained doctors and water and sanitation specialists, however, would also be able to contribute to longer-term health systems development. This is just one example where a genuine link between relief and development could be established.

However, these opportunities are rarely seized. In part, this is due to operational difficulties and the challenges of integrating programs and projects that are administered by different agencies under different rules and regulations. It is, however, also due to tensions between the humanitarian principles of humanity, impartiality, neutrality, and independence and a development approach that often takes sides and pursues other objectives than saving lives and alleviating human suffering.

To deal with this, the European Commission and the U.S. Government should decide if the benefits of promoting LRRD outweigh its costs and thus if LRRD is really desirable for them. If so, they should strategically define opportunities and methods for linking relief, rehabilitation, and development. To go through this process that has begun nearly two decades ago but has witnessed very little progress, we recommend taking the following steps:

Decide on the desirability of LRRD

Acknowledge the gap

A first step towards dealing with LRRD in a more systematic way would be to recognize clearly that there is an LRRD, transition, or early recovery gap in specific operations. It is no coincidence that the United Nations early recovery cluster is systematically underfunded and that many implementing agencies complain that

their funding requests in the “grey area” between humanitarian and development assistance are frequently rejected by donors. The UN World Food Programme’s Protracted Relief and Recovery Operations (PRRO) are just one example of this.

Initiate honest discussion

After this recognition, efforts should be made to tackle the reasons for this. An honest and pragmatic discussion should take place about the boundaries, the objectives, and guiding principles of the humanitarian and development sectors that have caused that gap to emerge. Although this has been a continuous discussion, it has rarely been thought through. It is only through normative clarifications and better understanding that serious steps at linking and complementarity can be made.

Linking humanitarian and developmental approaches faces considerable conceptual, institutional, and operational challenges. On the conceptual level, the guiding humanitarian principles of humanity, neutrality, impartiality, and independence can be at odds with a transformative development approach that is largely based on cooperating with national governments and is thus willing to take sides and to pursue political agendas. While some development agencies are also working around the state in case there is no effective government in the concerned area of intervention, this is not the overarching principle of their assistance. Institutional compartmentalization and differences in operational activities further contribute to the challenges around LRRD. At the end of the day, however, the core question is to what extent the humanitarian and development sectors are willing to work together and thus compromising or altering their distinct identities.

Face contradictions

Some officials complain about the defensiveness of both the humanitarian and development scene, which is not conducive to problem-solving. A better understanding of each other can only be achieved through open dialogue between donor departments in relevant coordination fora both at headquarter and at the field level. This includes taking a hard look at current guidance documents and international declarations. Both the European Commission and the U.S. Government have subscribed to the Paris Declaration on Aid Effectiveness and the Good Humanitarian Donorship Initiative (GHDI). Unfortunately, the core principles of

coordination, coherence, and complementarity partly contradict the narrow and principled humanitarian mandate advocated for by the GHDI. These contradictions resurface in the strategic guidance documents of both the European Commission and the U.S. Government. Increased dialogue has to tackle this.

More than pragmatism is needed

Some analysts have called for pragmatically moving the LRRD-debate to the operational field level. This, however, disregards the realities of the humanitarian and development systems. Policy development, strategic planning, and funding decisions largely take place at headquarters level. Without easing contradictions at headquarters level, field-level LRRD will not improve. Field level solutions would only be an option, if the disconnect between headquarters and field was so pronounced that existing divisions at headquarters did not translate into divisions and lack of complementarity in the field. This is obviously not what either ECHO or OFDA are striving for.

Three options on how to deal with LRRD

The dialogue on LRRD will most likely point to three main avenues on how to deal with LRRD.

- 1 Continuing “strategic muddling through” by formally adhering to humanitarian principles and simultaneously paying lip-service to LRRD.
- 2 Preserving a narrow humanitarian mandate which entails that the humanitarian sector stays largely clear of the LRRD agenda to retain its independence.
- 3 Broadening the humanitarian mandate – which compromises core humanitarian principles – but makes humanitarian participation in LRRD possible.

To increase credibility and transparency – core values of both the U.S. Government and the European Commission – both donors should make a clear decision on these three options and mainstream it into their guidance documents, funding decisions, and field action.

Taking LRRD seriously entails cooperating and coordinating with the development sector. This necessarily limits humanitarian independence. This principle’s value is based on the assumption that only by adhering strictly to it, access to those in need will continue

to be granted and the security of humanitarian personnel will not be severely endangered. In short: It is seen to allow the most effective form of humanitarian assistance. This may be true. It may also be untrue. Solid evidence and a serious cost-benefit analysis of different approaches to humanitarian assistance are surprisingly absent. The short-term, service delivery, and state avoidance perspective of the narrow mandate approach to humanitarian assistance misses opportunities for more participatory, accountable, and possibly more effective assistance.⁵¹ Above all, it does not strive to eliminate the need for humanitarian assistance by focusing on preparedness and prevention. The response mode of humanitarian assistance enshrines the continuous need for further responses (unless other actors, be they national or international, play the role of dealing with the root causes at hand). It remains thus an open question whether the status quo of compartmentalized and principled assistance much in line with aid continuum thinking is the *most effective form of assistance*. Without serious attempts at discerning the costs and benefits of the narrow or broader humanitarian mandate, this question will remain impossible to answer.

Conduct cost-benefit analysis of narrow vs. broader humanitarian mandate

We therefore recommend to the European Commission and the U.S. Government to invest in a comprehensive cost-benefit analysis of narrow mandate versus broader mandate humanitarian assistance. This is methodologically challenging, but has to move to the center of donor attention if an informed decision between principles and pragmatism is to be made. Most publications on humanitarian assistance call for preserving a narrow humanitarian mandate without providing hard evidence for its superior effectiveness. Recent statements by reputable scholars on this lack of evidence underline this. Analyzing the impact of integrated missions and the broader humanitarian mandate enshrined in it, Adele Harmer states: "Organizations based their arguments on anecdote and general

speculation, and were limited in their argumentation because most information about the security of humanitarian operations is not shared among humanitarian agencies."⁵² Referring to the coherence debate and thus on the relative benefits of narrow and broad humanitarian mandates, Antonio Donini acknowledges that "despite the new data, however, it remains unclear whether greater coherence makes a difference in terms of how aid agencies are able to do their work and/or are perceived by local communities."⁵³ Detailed and context-specific analysis is thus required. Increasing attention to LRRD could facilitate this. In some contexts, a narrow mandate might be desirable, in others a broader one.

Define opportunities and develop better methods

Focus on similarities

If the European Commission and the U.S. Government decide that LRRD is desirable, they should underline that both sectors largely exist to support people in need as an expression of global solidarity, instead of focusing on the differences between humanitarian and development assistance. If this is the guiding principle of all foreign assistance, ways will be found to link supposedly different realms. On that basis, competition between departments should be transformed into increased complementarity and mutual support.

Clarify institutional responsibilities and strengthen flexibility

Through the dialogue process sketched above, institutional responsibilities should be clarified to prevent LRRD programs of implementing agencies from falling through the grids. This has already been tried for years, but progress has been slow. This refers particularly to investing in people, i.e. supporting local capacities and engaging in capacity development. As long as this remains only a focus of development assistance, affected populations in protracted crises will not profit from this sustainable form of assistance

⁵¹ See Antonio Donini's summary of the perception of the humanitarian system by recipients: "[T]he provision of aid is a top-down, externally driven, and relatively rigid process that allows little space for local participation beyond formalistic consultation." Donini, Antonio et al. (2008) *The State of the Humanitarian Enterprise*, Feinstein International Center, Tufts University, p. 11

⁵² Harmer, Adele (2008) *Integrated missions – A Threat to Human Security?*, *International Peacekeeping*, 15:4, p.533

⁵³ Donini et al. (2008), p.18

because development donors tend to refuse funding activities in unstable situations. Two options flow from this analysis: Either the European Commission and the U.S. Government choose to broaden the mandate of ECHO and OFDA to allow them to make more sustainable investments beyond in-kind service delivery or they provide more flexibility to their development sector to engage in conflict zones.

Deal with differing levels of service provision

To keep expectations realistic, it should be kept in mind that the capital intensity of humanitarian assistance per beneficiary is substantially higher than that of development assistance. This leads to disparate levels of service provision and poses a challenge to complementary humanitarian and development activities. Sphere standards are very high and should be scrutinized in light of their possible link to development.

Conduct joint analyses

Joint situation analyses and needs assessments among the different donor departments and services are essential to develop a common understanding of the crisis situation at hand and to harmonize policies. Without rapprochement of analyses, policies will not come closer. The European Commission LRRD analysis paper is a step in this direction. Its design should be evaluated and its use should be made more systematic.

Engage in scenario-planning

Building on increased joint analysis, we recommend developing specific scenarios on how to link service delivery with system-building in all sectors in specific country contexts. This needs to be very specific and practical. Scenario-building will have the effect of opening avenues for cooperation between humanitarian and development assistance that were not considered before. The donor tradition of non-systematic cooperation between the humanitarian and the development departments has made finding creative ways of working together in a complementary fashion difficult. Scenario-planning is a useful tool to develop an acceptable and effective division of labor.

Enhance knowledge on implementing partners

In the context of scenario-planning, it is important for donors to develop a clearer understanding of the approaches and strategies towards LRRD of implementing partners. There are organizations that are much more advanced than others in this respect. System-

atic screening of the organizations that receive European Commission and U.S. funding with regards to their LRRD capacities is a key mechanism for donors to promote LRRD. The current practice of traditional DG ECHO and OFDA partners and respectively different development partners is not conducive to LRRD. However, progress is being made in trying to more systematically fund those organizations that the other department has already worked with. This is an encouraging sign.

Focus on capacity development

Particular emphasis should be placed on funding organizations that engage in capacity development. This is the activity that has proven hardest to support in both humanitarian and development assistance. It has been on the agenda for a long time in the development community, with its longer-term approach and more strategic interaction with beneficiaries. In humanitarian assistance it has been less of a focus. However, capacity development is the activity that will yield the highest results in linking relief and development. People in the beneficiary country tend to stay there and contribute to humanitarian response and to the development of the country. They are also important agents of preparedness – the other side of the LRRD-coin. Supporting them is both life-saving and sustainable – the ideal combination called for by LRRD.



5. Business engagement

Business involvement in humanitarian assistance is controversial: On the one hand, it is a tool that helps donors expand their reach and commitment to those at risk. On the other, the motivations of business are difficult to reconcile with the humanitarian ethos. This section scrutinizes the current positions of the European Commission and the U.S. Government with respect to business engagement and outlines steps they could take to limit the risks of business engagement and enhance its effectiveness.

The opportunities and risks of business engagement

In times of limited budgets, donors and implementing partners are expanding their pool of potential partners. Businesses have skills and products that can be of great use to humanitarian efforts. At the same time, the humanitarian system is already suffering from schisms stemming from an identity crisis relating to problems in implementing humanitarian principles. The involvement of business potentially adds another pressure point, and could contribute to the weakening of the principles in practice. With this tension in mind donors must walk a fine line in their engagements with business to ensure that the benefits business contributions can offer can be used without undermining the principles upon which the humanitarian enterprise is built.

There are different types of business engagement depending on whether or not it is a commercial or philanthropic/corporate social responsibility engagement and whether it occurs in the realm of preparedness or response schemes. These types of engagement involve different risks and opportunities, making some forms of engagement more desirable than others.

Donor and business motives for engaging or not engaging

The European Commission and the U.S. Government have taken opposing stances regarding engagement with business, stemming from institutional and legal differences in their respective humanitarian assistance

agencies. The U.S. Government views business as a legitimate player for two main reasons. First, by increasing the capacity to deliver aid, business engagement furthers its commitment to those in need. Second, USAID must work with businesses in order to meet its legal requirements under the Federal Assistance Regulations and Buy America Act.

DG ECHO on the other hand, assumes the opposite stance: Its legal and institutional structures prevent it from formally working with anyone other than NGOs, the UN, and other international organizations such as the Red Cross. The Commission also has a strict understanding of humanitarian principles that precludes economic interests in influencing aid. In essence, the U.S. Government views businesses as legitimate agencies for allocating aid dollars, whereas the Commission does not.

Business motivations for engaging in humanitarian activities differ based on the type of engagement. In for-profit engagements the primary motivation is clear, but there are other tangible benefits for companies such as a better employee morale that must be factored in as well. In philanthropic engagements the motivations are less clear. The desire to be seen as good corporate citizens, building a better brand image, boosting employee morale, and allowing employees to test and gain new skills are all stated reasons, but these reasons all lead indirectly to a boost in profits, and can thus be said to be ultimately lead by a profit motive.

Engagement in preparedness vs. response activities

The tensions between humanitarian principles and business engagement are much less pronounced in preparedness than in humanitarian response efforts. Business engagements in preparedness, in theory, build local response capacity, limit exposure, and lessen the impact of disasters. This directly supports the spirit of humanitarianism, which is to save lives and does so with dignity, regardless of whether the engagement is for-profit or philanthropic in nature. This is also an area of growing interest for donors, and one where the business world has much to offer, in commercial engagements in particular. Insurance schemes

that support livelihoods and government response efforts have been shown to successfully reduce the impact of disasters and prevent the loss of hard won development gains. With government support, there is great potential for growth in this area. More effort, however, is needed to encourage firms to engage in philanthropic preparedness efforts, because it is harder to make the business case for this form of involvement.

Efforts to respond to emergencies are different from preparedness initiatives. Commercial response is perhaps the most contentious type of business engagement and fully understanding its role and moral and financial consequences remains difficult due to incomplete information on the subject. Donor rules governing the use of private firms generally relate to contracting and implementation, but do not address whether private firms are the appropriate actors for a response. Further, they do not demand and ensure adherence to humanitarian principles. There is also generally insufficient monitoring and evaluation of corporate engagement. In addition, these firms are often used in situations where governments want to maintain stronger control over operations, raising questions about the independence and neutrality of assistance. This is obviously troubling for supporters of humanitarian principles. This is not to say that business engagement cannot be made to be in line with humanitarian principles – contract mechanisms can create clauses ensuring they are –, but rather suggests that at the moment such clauses are not enforced, or do not exist.

Philanthropic response efforts have received increasing attention and occur in many different industries. They generally occur in one of three ways: cash donations, in-kind donations of goods or services, or employee secondment. Previous business engagements have shown that business involvement in humanitarian assistance is more helpful when the support is a cash donation or a core competency of that business. Research also revealed that coordination of business engagement during a disaster has been a serious difficulty faced by businesses, implementing agencies, and donors alike. Implementing agencies or donors engaging in aid have experienced problems when well-meaning companies donate goods that are not needed as donations of unnecessary supplies and skills can clog disaster response and make it less effective. On the other hand, many businesses have complained that they are not able to help as much as

they could during a crisis due to a lack of pre-planning on the part of humanitarian agencies to include business. Guidelines and portals for businesses that want to support aid efforts have been developed by many aid agencies, donors, and business organizations, but have been found lacking. Better guidelines and mapping of disasters could make business engagement in the field more effective.

Lack of transparency

It is difficult to paint a complete picture of business engagement in humanitarian action as there are transparency issues on both the donor and business sides of engagements. These issues are particularly prevalent in conflict zones, or areas that are politically sensitive as information is often confidential. In the U.S., businesses are often contracted for humanitarian assistance in areas requiring strong government oversight, or control over day-to-day operations. The contracting of a private firm creates extra cover from public scrutiny over operations. Moreover, there is often a lack of competition in bidding for contracts and poor oversight by the U.S. Government of these contracts. Contracts can therefore easily be abused to prevent public scrutiny and to pursue other political objectives than saving lives and alleviating human suffering. Even if they are not, the lack of competition and poor monitoring mean that firms could be operating in ways that violate humanitarian principles.

But transparency is not just an issue for donors. One of the problems cited for corporate social responsibility partnerships relates to how businesses value their contributions. Are they using market or wholesale values for the products and services they donate? This varies based on the business and makes it difficult to compare contributions and partnerships as a result. It is also a key sticking point between businesses and their partners and is one of the reasons why it is recommended that businesses and their partners build long-term relationships so that both parties can appreciate and agree on the value of each others' contributions.

Recommendations

To make effective use of the potential business can offer to humanitarian assistance, while minimizing the risks arising from business engagement, the European Commission and the U.S. Government should take the following steps:

Develop standards for business engagement

Existing codes for guiding business engagement have proven ineffective in guaranteeing compliance of business to humanitarian principles or ensuring high quality aid. Stronger guidelines backed up by strong monitoring and evaluation procedures are needed to encourage business involvement while maintaining a principled approach. These guidelines are a precondition for enabling strictly principled humanitarian actors like DG ECHO to work with businesses and view them as legitimate purveyors of humanitarian assistance.

Donors need to enter into active dialogue with business on the role of business in humanitarian assistance and the principles guiding that assistance. Donors should support the development of common standards of business engagement in humanitarian assistance, building on the UN OCHA WEF standards, encompassing all types of business engagement. These standards should provide the basis for determining clearly when, whether, and how to engage with the private sector in humanitarian assistance.

Support business engagement in emergency preparedness

For-Profit Disaster Preparedness: As outlined in the Hyogo Framework, business has a legitimate and important role to play in disaster risk reduction strategies. Preparedness initiatives such as weather insurance schemes do not have the same ethical dilemmas that response initiatives do and can be easily designed to include checks and balances and evaluation mechanisms that make them low-risk, high-reward engagements. While such initiatives can never fully replace

response efforts, they can protect livelihoods, and support rapid reconstruction efforts through the disbursement of policy pay-outs, which reduces the impact disasters have on the affected populations.

Corporate Social Responsibility in Disaster Preparedness: The business case for charitably engaging in preparedness efforts is much harder to make than it is for response efforts. Nevertheless it is an area where business involvement could make a real impact. Accordingly, donors should examine potential mechanisms to incentivize business engagement in this area such as tax breaks or grants to support preparedness initiatives.

Increase transparency in business engagements

More information is needed on how and where businesses engage. The full extent of business engagement and the processes used to engage businesses need to be more open. Only with more information can effective policies and informed opinions be made.

In the United States, business engagement currently lacks transparency because funding is not clearly or systematically reported. Budget information has not been disaggregated, or made public due to national security concerns. What information is available is spread across multiple sources and is not easily organized. More transparency is necessary. Shedding light on the processes through which the United States engages private companies to deliver aid would provide an excellent learning opportunity for the aid community. It would also enable gathering the measured evidence necessary to make informed decisions on the role business can play in humanitarian assistance. Creating more transparency may require significant changes, but given the Obama administration's stated desire to re-examine contracting procedures for all U.S. government agencies, now is the opportune time to do so.⁵⁴

Greater transparency in interactions with businesses would create the basis for a more constructive dialogue on the issue between the U.S. and the EU.

⁵⁴ Scott Wilson and Robert O'Harrow, "President Orders Review of Federal Contracting System: More Competition, Accountability for Procurement Sought," *The Washington Post*, Thursday, March 5, 2009

Work with implementing partners and businesses to create maps of humanitarian interventions.

One of the core concerns for donors, businesses, and implementing partners alike is coordinating all the various actors involved in humanitarian interventions and determining what tools and skill sets are needed where. A comparison of what types of organizations are best suited to what types of assistance mechanisms has not been done, but is clearly necessary. Such a tool would allow stakeholders to understand each others' skills sets and how they can work together to ensure the efficient delivery of aid. To assist in this effort, donors could come together and create maps that:

- 1 Highlight the highest priorities for humanitarians and identify gaps in their capacity
- 2 Create a matrix of tasks in an intervention, with a clear delineation of who is best placed to do what tasks and when in the cycle of an intervention;
- 3 Tie the map and matrix into the policies on when and how to engage with business.

This practical approach would allow stakeholders to come together and work with each other potentially resulting in better aid delivery for recipients.



6. Civil-military relations

Civil-military relations in disaster management are challenging, and sometimes controversial: They know neither universal definition nor simple solutions and actors can have contradictory approaches. Disaster management and mitigation are driven by humanitarian concerns, as well as the desire to ensure civil security. These two fields share many common elements, in particular in the organizational area. The potential for cooperation spans all the way from headquarters to the field.

This section examines the current positions, doctrines, and operations of the EC and the U.S. Government with respect to civil-military relations and outlines steps they could take to enhance their division of labor.

Opportunities and limits of transatlantic cooperation on civil-military relations

Comparing EC and U.S. Government approaches to civil-military relations is challenging due to the different nature of the two transatlantic partners. The arrival of the Obama Administration in the United States constitutes an additional challenge, since the new Administration is likely to change approaches taken by the George W. Bush Administration to humanitarian action and civil security. Nevertheless, both the U.S. Government and the EC have success stories, positive developments, challenges, and at times inadequate responses.

Calendar and timing

First, the partners' agenda is important. The United States, under the Bush Administration, tended to politicize humanitarian aid and to make a strong linkage with security. The arrival of the Obama Administration could lead to a redefinition of American doctrine and organization that could enhance transatlantic compatibility.

Strategies and organizations

On the American side, key issues have become more visible. The creation in November 2007 of the post of Director of Foreign Assistance within USAID has had several operational, budgetary, and decision-making consequences, although major federal funds (such as the Millennium Challenge Account or

the AID coordinator budget) remain out of the director's scope. Most humanitarian networks urge greater autonomy for USAID, including its more specialized humanitarian offices, with respect to the Departments of State and Defense.

In Europe, humanitarian assistance and crisis management are now widely accepted as having an EU purview. This is due primarily to the perception in most member states that these areas are less politicized than other fields, such as European defense. The EC has made efforts to clarify its administration for humanitarian aid, but the system remains complex: Five general directorships are involved in humanitarian and development assistance.

At the strategic level, there is a perception among observers and officials that there are two different "paradigms," doctrines and, in a way, agendas, on the two sides of the Atlantic on disaster response, humanitarian assistance, and civil-military relations. These differences could limit the possibility of cooperation. The United States, under the Bush Administration, showed a tendency towards politicization, or even "militarization" of humanitarian aid. The arrival of the Obama Administration could redefine American doctrine and organization

Operations

When it comes to operational plans, the U.S. has adopted a much more integrated approach than the European Union, even if EU member states may have visions and means for specific civil-military coordination. The Office of Military Affairs (OMA), placed within the USAID DCHA, was established in 2005 as an operational link to enhance USAID's coordination of humanitarian assistance with the U.S. military. Senior USAID staffers are assigned to the five geographic Combatant Commands and help assess development needs. The OMA is also a contact point between NGOs and the military, and, in theory, allows them to benefit from their operational experiences.

Because of its philosophy, the EU maintains much less integrated civil-military relations of this kind. One of the reasons for this is that DG ECHO, unlike USAID, has no mandate for and is not part of crisis management. On the contrary, DG ECHO was built to be strongly independent.

Challenges for better civil-military relations

Any reinforcement of cooperation, or a better division of labor, requires a deeper knowledge of the practices of the potential partners. These difficulties are not limited to transatlantic relations, of course – even within national plans, actors intervening in disaster management very often do not share the same vocabulary. This limits cooperation or harmonization of practice. The generation of guidelines for activities on the ground has certainly been a step forward.

Too many languages

Divergent operational terminologies represent one of the main challenges. Any international or multi-agency humanitarian mission will have experienced that difficulty. There are broad differences in the use of language not only between military and civilians, but also between civil actors themselves. This can lead to reoccurring difficulties in humanitarian aid, even when progress has been achieved. A standardization of these terminologies is not a realistic solution to this challenge. The primary reason is that terminology describes practices, and practices are at the center of the values of an organization. It is thus difficult to imagine the military using doctrinal or operational concepts worked out by humanitarian workers, and vice versa. A more useful and concrete step in this context, therefore, is to increase the various actors' knowledge of each other's use of operational terminologies.

Subjective perceptions

Another important challenge are negative perceptions that prevail on both sides: The military frequently complains about the extreme fragmentation of the humanitarian environment; the civilian/NGOs side often complains, in turn, that while the military seeks civilians out for information, it is often reluctant to return the favor. Divergent working procedures between the two actors can undermine effective actions on the ground. Efforts to improve transatlantic relations in disaster management, in particular in the planning of civil-military relations, must try to take into account this heterogeneity as much as possible.

Recommendations

To capitalize on the potential for enhancing civil-military relations and improving disaster management while minimizing the risks, the EC and the U.S. Government should take the following steps:

Develop high-level talks

While many EU-U.S. dialogue techniques exist in various areas, in the field of disaster management they remain a work in progress. One option would be to create a bilateral decision-making body focusing on transatlantic relations and civil-military cooperation. Such a body could for example be modeled on the EU-U.S. Senior Level Group created as part of the 1995 New Transatlantic Agenda or the Transatlantic Economic Council. Even if only minimally institutionalized, such a specialized forum would have several advantages, including creating possibilities to include representatives of NGOs and other volunteer organizations.

Support joint training exercises

Joint training exercises have a number of advantages: They reinforce preparedness; establish best practices; and allow people to get to know various partners. For these reasons, joint trainings could also reinforce transatlantic relations between civil, military, and humanitarian partners. The selected events need to interest and mobilize the U.S., the EU, volunteer organizations and NGOs. Therefore, an exercise should focus on a probable threat and event that could potentially occur both in the European mainland and in the U.S., such as floods and earthquake exercises.

Develop joint or common education programs

Another critical opportunity for enhancing transatlantic and civil-military cooperation in disaster response lies in joint education. Education programs, including civil or military schools, local, national, and public or private initiatives, offer many possibilities for enhancing mutual knowledge and furthering the exchange of good practices between civil and military actors. To further this kind of exchange, European and American firefighters, civil security personnel, and NGO members should be regularly dispatched on a formalized basis to take part in each other's professional development activities.

About this paper

This paper summarizes the main findings and recommendations of the research project Raising the Bar: Enhancing transatlantic governance of disaster relief and preparedness. The project was undertaken jointly by the Global Public Policy Institute, Berlin and the Center for Transatlantic Relations at Johns Hopkins University, Washington D.C. The project was financed by the European Commission and the German Federal Ministry for Economic Cooperation and Development.

For more information and forthcoming publications please see:

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