

## **‘Living Apart Together’ EU Development Cooperation and Humanitarian Aid in Situations of Fragility and Protracted Crisis**

by Alfonso Medinilla and Alisa Herrero Cangas with  
support from Matthias Deneckere

[www.ecdpm.org/dp206](http://www.ecdpm.org/dp206)



# Living Apart Together

## EU Development Cooperation and Humanitarian Aid in Situations of Fragility and Protracted Crisis

Alfonso Medinilla and Alisa Herrero Cangas  
with support from Matthias Deneckere

December 2016

---

### Key messages

The nature of today's crisis situations blurs the lines between humanitarian aid and development cooperation more than ever before. Humanitarian crises and emergencies last longer and have become increasingly complex and volatile, putting the traditional distinction between humanitarian aid, short-term relief and longer-term development to the test.

The EU has increasingly sought to reconcile humanitarian aid and development cooperation as part of an overall and long-term external action narrative introducing concepts as LRRD and resilience. In 2016, the EUGS illustrated the strong commitment at the political level to ensure greater coherence as part of a stronger and more purposeful EU external action.

Implementation of these policies however has lagged behind and is faced with both conceptual and operational barriers that make it difficult to effectively reconcile the EU's humanitarian aid and development cooperation. Overcoming this requires a more thorough revision of the institutional architecture and possibly a diversification of the EU's emergency response, relief and humanitarian aid operations.

2017-2020 will be crucial years. Political and organisational changes such as the revision of the European Consensus on Development, the review of the EU's External Financing Instruments and the expiry of the Cotonou Agreement are important opportunities for the EU to back the ambition of a truly joined-up approach with an external financing and aid architecture that is fit for purpose.

---



## Table of Contents

Table of Contents .....	iii
List of Boxes .....	iii
List of Figures .....	iv
List of Tables .....	iv
Acknowledgements.....	v
Acronyms.....	vi
Executive Summary.....	vii
1. Introduction.....	1
2. Making ends meet: EU development cooperation and humanitarian aid .....	4
2.1. A state of play of the humanitarian and development ‘divide’ .....	4
2.2. Different origins and models .....	6
2.3. From LRRD to the EU Global Strategy: a Policy Framework in Development (1996-2016) .....	8
2.4. The EU’s Institutional Architecture: Closing the Gap .....	15
2.5. Flexibility and Compatibility of EU instruments: Struggling to Keep Up .....	17
The European Development Fund .....	19
The Instrument for Contributing to Stability and Peace (IcSP) .....	19
EU Trust Funds .....	20
3. Looking ahead: implications for the EU’s strategic and operational systems.....	22
3.1. Towards greater strategic coherence between humanitarian assistance and development cooperation .....	23
A revised European Consensus .....	23
Diversifying the EU’s emergency toolbox .....	25
3.2. What type of instruments for engaging in protracted crisis situations? .....	25
3.3. Incentivising coherence: missing links in the EU’s operational systems .....	28
4. Concluding remarks.....	32
References .....	33
Annex 1: Flexibility measures in EU External Financing Instruments.....	35

## List of Boxes

Box 1: Rational and methodology.....	3
--------------------------------------	---

## List of Figures

Figure 1: Four policy pillars that span across development cooperation, humanitarian aid and foreign policy .....	12
Figure 2: EU Humanitarian Aid and Development cooperation 1992 - 2016 .....	12
Figure 3: The EU's institutional setup for crisis management, conflict prevention, development cooperation and humanitarian aid (as of 1 June 2016) .....	16

## List of Tables

Table 1: Modus operandi of EU development cooperation and humanitarian assistance .....	7
Table 2: Flexibility in EU financing instruments and modalities .....	18

## Acknowledgements

ECDPM gratefully acknowledges the contribution of the Danish Ministry of Foreign Affairs, which made this study possible.

The authors would like to express their gratitude to all those who agreed to be interviewed and who participated in our survey, in DG ECHO, DG DEVCO and the EEAS, EU Delegations, ECHO field offices, as well as leading humanitarian and development organisations. Thank you for your time and valuable insights.

Special thanks go to Geert Laporte, Volker Hauck, Greta Galeazzi and Cristina Barrios for reviewing an earlier version of this paper.

The views expressed in this study are exclusively those of the authors and should not be attributed to any other person or institution.

**ECDPM welcomes feedback on this paper, which can be addressed to the authors via email to Alfonso Medinilla at [ame\(at\)ecdpm.org](mailto:ame(at)ecdpm.org).**





## Acronyms

AfC	Agenda for Change
APF	African Peace Facility
AGIR	Alliance Globale pour l'Initiative Résilience
CFSP	Common Foreign and Security Policy
CPA	Cotonou Partnership Agreement
CSDP	Common Security and Defence Policy
DAC	Development Assistance Committee (OECD)
DCI	Development Cooperation Instrument
DG DEVCO	European Commission's Directorate-General for International Cooperation and Development
DG ECHO	European Commission Humanitarian Aid & Civil Protection Department
DRR	Disaster Risk Reduction
EDF	European Development Fund
EEAS	European External Action Service
ENI	European Neighbourhood Instrument
EU	European Union
EUGS	EU Global Strategy on Foreign and Security Policy
EUTF	EU Trust Fund
FCAS	Fragile and Conflict Affected States
FPI	Service for Foreign Policy Instruments
HR/VP	High Representative of the Union for Foreign Affairs and Security Policy/Vice-President of the European Commission
IcSP	Instrument for Contributing to Stability and Peace
IfS	Instrument for Stability (now IcSP)
JFD	Joint Framework Document
LRRD	Linking Relief, Rehabilitation and Development
MFF	Multiannual Financial Framework
MSF	Médecins Sans Frontières
NGO	Non-governmental organisation
NIP	National Indicative Programme
OCHA	UN Office for the Coordination of Humanitarian Affairs
ODA	Official development assistance
ODI	Overseas Development Institute
OECD	Organisation for Economic Co-operation and Development
PI	Partnership Instrument
RIP	Regional Indicative Programme
SDG	Sustainable Development Goal
SHARE	Supporting the Horn of Africa's Resilience
UN	United Nations
UNSG	United Nations Secretary General
VOICE	Voluntary Organisations in Cooperation in Emergencies
WHS	World Humanitarian Summit

## Executive Summary

The complexity and longevity of today's crisis situations brings humanitarian and development actors more and more on each other's turf: Protracted crises require longer humanitarian interventions, including activities such as basic service delivery, livelihood support and social protection. At the same time, development cooperation is increasingly framed by a 'societal' resilience narrative, be it in the Sustainable Development Goals or in the EU's ambitions to address the root causes of vulnerability, fragility and conflict.

In recent years, the EU has seen an unprecedented migration and refugee crisis in the wider EU neighbourhood. The humanitarian emergency and EU response that has ensued has accelerated a forced convergence between humanitarian and development actors. The former focus on providing short-term assistance, while the latter - influenced by the EU's security policy - seeks to address the root causes of migration, through short-term interventions, hoping for quick results. The EU response to this crisis also illustrated the link between internal and external policies of the EU, and it is unclear how this link will be addressed by the institutions, and whether they will adopt a humanitarian or a development approach also *within* the EU territory.

The new EU Global Strategy and response to migration is very much an expression of the EU's foreign relations going into crisis containment mode. The direct value of a new strategy lies in the way that it narrates foreign policy for a post-Brexit and migration crisis foreign policy. The document serves both an internal and external purpose in the way it frames the understanding of the EU's foreign policy priorities in the years to come. The Global Strategy not only states that the security of the EU is interlinked with and co-dependent on peace in the Neighbourhood and surrounding regions, it also firmly advocates to refocus and prioritise societal and state resilience in precisely those countries and regions. The new strategy finally also proposes a "joined-up approach" to all external policies without distinguishing between humanitarian aid and development cooperation.

The late 2016 Commission proposal for a new European Consensus on Development reaffirms the more targeted and strategic approach in the EUGS and that the EU's development policy pursues the objectives of EU external action, calling again for more coordination between the different external policies of the EU (including humanitarian aid, trade, interregional policies) and stronger joint action between Member States.

In this new context, and taking into account the increasing budgetary constraints and pressure to deliver value for money, there is a growing consensus on the need of ensuring that EU humanitarian and development actors' interventions are coherent and synergetic. However, bringing both worlds together has also rekindled tensions. EU actors seem to be divided between further integration and 'humanitarian exceptionalism': On the one hand, there are those that seek to bring humanitarian aid and development assistance closer together, into an integrated approach, geared towards achieving the SDGs. On the other hand, some wish to shield the specificity of humanitarian aid (and its driving principles) from the political interests behind EU foreign policy, and developmental cooperation. The securitisation of both development and humanitarian aid is also a worry in the back of many activists' minds. The run-up to the World Humanitarian Summit catalysed these tensions, and showed that Linking Relief Rehabilitation and Development (LRRD), in practice, is not a mere technical matter but a profoundly political one.

## **An increasingly solid policy and political framework**

The EU, together with its Member States, is a leading player both in humanitarian aid and development cooperation. Over the years, it has systematically sought ways to reconcile humanitarian aid and development cooperation and reframe the two as part of a single foreign policy narrative. Since the introduction of the concept of LRRD in 1996, the EU has developed an extensive policy framework, spanning over humanitarian aid, relief, conflict prevention and peacebuilding, security policy and development.

The EU's approach to resilience further brings humanitarian and development aid under a single common objective, recognising the need for long-term and nonlinear approaches to addressing the root causes of fragility, vulnerability and protracted crisis, while the EU comprehensive approach (2013) seeks to bring together all relevant EU external actors and agree on a shared context analysis, a common vision, and a joint strategy for EU's engagement in conflict and fragility situations.

EU development policy is now also gradually abandoning its (perceived) 'political neutrality' complex, which contributes to an increasing ambiguity on the role of humanitarian aid in protracted crisis situations. There is a growing realisation that development cooperation is not a technical matter, but part and parcel of EU's wider external action, which by definition is interest-driven. The EU's conflict prevention and peacebuilding approaches are also increasingly and openly driven by EU political and strategic interests. As the EU seeks to respond to protracted crisis situations in the (wider) EU neighbourhood, pressure for collaborative action increases, and EU humanitarian actors inevitably get more political exposure.

This evolution has taken place over less than two decades, and has been accompanied by important changes in the EU's institutional (external action) architecture. This in itself is a major accomplishment, and signals the gradual maturation of EU external action.

## **Major Implementation Problems**

The EUGS makes yet another clear call for more coordination, joint analysis, joint strategy and joint financing between humanitarian and development actors. In practice, however, 'bridging' humanitarian aid and development cooperation proves a lot more challenging. The difficulties in translating the policy commitments of integration and complementarity into a workable operational approach reveal some of the more structural limitations of crisis response. The traditionally distinct *modus operandi* of humanitarian aid and development cooperation are firmly entrenched in separate EU financial procedures and institutions, and makes coordination between instruments very difficult, particularly in countries where the EU does not have a single strategic framework.

Besides structural constraints, the EU also has a number of institutional and administrative disincentives that curtail operational (EU Delegation/ECHO) staff from joining hands. Even though the EU can count on a solid policy framework and strong political backing for collaborative action between humanitarian and development assistance, operational practice is lagging behind. Reasons include: procedural overload, pressure to disburse, limited incentives to invest in knowledge production, and overstretched capacity. That said, there are several experiences that illustrate that convergence can and does take place, either when this is politically framed (e.g. AGIR, SHARE, and more recently the EUTFs), or when the operational level, driven by motivated personalities, take the lead.

## **Strategic and operational opportunities for increasing convergence**

While the EUGS and EU resilience agenda provide the general context and background to this discussion, strategic and operational convergence very much depends on the way in which these broad statements and ambitions are filled in. In the next few years, three important institutional EU processes will define the practical and operational integration of humanitarian aid and development cooperation and the measure in which the EU will be able to implement its commitments in a comprehensive and joined up foreign policy: the review of the European Consensus on Development, the negotiation of a successor arrangement to the Cotonou Partnership Agreement and the EDF, and the mid-term review and negotiation of a new generation of external financing instruments for the new MFF.

### **1. Towards greater strategic coherence: the European Consensus on Development and the link with humanitarian aid**

EU stakeholders are divided over which level of strategic integration between humanitarian aid and development cooperation is desirable. The work on the revision of the European Consensus on Development is well underway and a full integration of the two, for example as part of a single Consensus on humanitarian aid and development cooperation, does not seem to be on the table. While Member States are divided on the topic, institutional actors tend to advocate for a cautious approach to bridging humanitarian aid and development stressing the particularity of humanitarian aid vis-à-vis. In this context, the way forward may be to invest in a well-articulated development vision that is fully aligned with and expands on some of the commitments made by the EU Global Strategy, and further develops a common understanding of a joined-up approach of all external policies.

At the same time, further integration also requires a rational and pragmatic approach to complementarity and a way to break through some of the conceptual and institutional barriers that obstruct this in practice. An explicit recognition of the plurality and co-existence of various forms of relief and emergency response may be required to nuance the a priori rejection of certain humanitarian actors of further integration as a form of political instrumentalisation. The EU as one of the major humanitarian and development donors is well placed to spearhead the reflection on diversification of humanitarian aid, and the implementation of the recent commitments at the WHS, for example on education, may provide a practical case to do so.

### **2. Towards a suitable financing environment for the EU's approach to resilience and working in protracted crisis**

In the coming years, the EU will review its budgetary instruments for external action as well as the Cotonou agreement, which is at the basis of the EDF. This is an excellent opportunity to draw lessons from the past MFF on financing the EU's increasingly diverse engagement in situations of protracted crisis and fragility. Over the years it has experimented with various approaches, ranging from big regional programmes (e.g. SHARE, AGIR) to setting up ad-hoc Trust Funds with voluntary contributions from EU Member States and the possibility for other donor agencies to join in<sup>1</sup>. As the EU moves towards the implementation of the EU Global Strategy, the fundamental question is what kind of financial instruments are needed for the challenges and newly asserted ambitions of the EU in the years to come. With regard to the humanitarian component of EU external action, the question is how a more diversified and 'pragmatic' approach to crisis can be financed while safeguarding the 'principled' approach that is required for specific and sensitive humanitarian crises.

---

<sup>1</sup> Switzerland for example contributes to the Bêkou Trust Fund for the Central African Republic.

### **3. Creating positive incentives for collaborative action between humanitarian and development actors, based on an objective-driven approach**

‘Bridging’ EU humanitarian aid and development cooperation is not a technical, nor simply a policy issue. It requires the EU to revisit the political ramifications of a truly comprehensive approach, as well as the principles on which both mandates are built. This study shows that the EU has an extensive policy framework at its disposal, which has been significantly upgraded in the last ten years. Despite strong political support (e.g. in the form of Council Conclusions, and recently the EU Global Strategy), the policy-to-practice gap remains real and wide.

Implementing an EU joint humanitarian-development approach to engaging in fragile and protracted situations will not be possible without an adaptation period among EU institutions. It will require notably changing the institutional culture and mentalities, breaking through institutional path dependency, and adapting aid management systems to the new reality. In other words, the EU will need to transcend its institutional silos if it wants to enhance the effectiveness and efficiency of ODA in protracted situations of fragility and crisis, and develop systematic mechanisms for joint analysis, strategies, joint planning, and joint results frameworks. This will require, first and foremost, an incentive system that is geared towards collaborative action, joint analysis and strategy.

# 1. Introduction

The lines between humanitarian aid and development are increasingly blurred. As the nature of conflict and crisis changes, the traditional distinction between humanitarian aid, short-term relief and longer-term development cooperation is put to the test.

In 2016, fifty states were on the OECD's 'fragility list', which means that nearly 1.5 billion people, or 20% of the world population, live in conditions affected by conflict, fragility and violence<sup>2</sup>. The relation between poverty and fragility has changed dramatically in the past decades. As global poverty figures drop, the share of poor people affected by conflict and fragility increases rapidly. Brookings estimates that by 2030, around two-thirds of the world's poor will live in situations of conflict and fragility, which is where the prospects for poverty reduction are weakest<sup>3</sup>.

*“Echoing the Sustainable Development Goals, the EU will adopt a joined-up approach to its humanitarian, development, migration, trade, investment, infrastructure, education, health and research policies, as well as improve horizontal coherence between the EU and its Member States. We will nurture societal resilience also by deepening work on education, culture and youth to foster pluralism, coexistence and respect.” (EU Global Strategy, June 2016)*

Along with concentration of extreme poverty and vulnerability, the nature of conflict situations has also significantly changed since the early 1990s. Many of today's conflict situations tend to involve mass displacement of civilians, domestic terrorism and the multiplication of disparate armed groups. At the same time, the average length of crisis situations has increased, and so has the average length of humanitarian interventions in protracted crisis. Today, 90% of humanitarian appeals last longer than three years with an average length of 7 years, and OCHA figures show that about 89% of OECD DAC humanitarian aid goes to crises lasting from the medium (3-7 years) to the long term (more than 8 years)<sup>4</sup>.

EU bilateral aid to fragile or conflict-affected situations accounted for more than half of the total EU development aid (excluding humanitarian aid) in 2012<sup>5</sup>. The 2011 Agenda for change aimed to “concentrate aid where it is most needed”, and as a result, in the past five years the EU has further strengthened its architecture and aid delivery systems in fragile contexts.

Humanitarian systems have also adapted to better respond to the needs of protracted, often lower intensity conflict situations. In areas with near total state collapse, and where there are no clear prospects for increasing development activities, humanitarian activities by default have expanded into relief, recovery and also basic service delivery, *de facto* substituting the role of local authorities and developmental actors<sup>6</sup>. This has put a strain on humanitarian funding and sheds light on the difficult relation between the historical humanitarian mandate and the longer-term strategies needed to respond to protracted crisis<sup>7</sup>.

Today, the question of humanitarian aid and development cooperation however is no longer a technical matter of ensuring operational coherence and complementarity in crisis response situations. The

<sup>2</sup> OECD. 2015. *States of Fragility 2015: Meeting Post-2015 Ambitions*, OECD Publishing, Paris.

<sup>3</sup> Chandy, L., N. Ledlie and V. Penciakova. 2013. *The Final Countdown: Prospects for Ending Extreme Poverty by 2030*. The Brookings Institution: Washington DC. p 14.

<sup>4</sup> OCHA. 2015. *An end in sight: Multi-year planning to meet and reduce humanitarian needs in protracted crises*. OCHA Policy and Studies Series 15.

<sup>5</sup> [https://ec.europa.eu/europeaid/policies/fragility-and-crisis-management\\_en](https://ec.europa.eu/europeaid/policies/fragility-and-crisis-management_en)

<sup>6</sup> Bennett, C, M. Foley, and Pantuliano, S. 2016. *Time to Let Go: Remaking Humanitarian Action for the Modern Era*. ODI Humanitarian Policy Group.

<sup>7</sup> Bennett, C, M. Foley, and Pantuliano, S. 2016. *Time to Let Go: Remaking Humanitarian Action for the Modern Era*. ODI Humanitarian Policy Group.

discussion takes place against a profoundly different political and security background. The new 2016 Global Strategy unequivocally states that *“the security of our union (...) starts at home”*, signalling that the link between security and development has become a matter of acute domestic concern, but also the way in which security concerns increasingly affect development and humanitarian operations. Instability in the wider EU neighbourhood, and the urgent needs presented by the ongoing migration and refugee crisis calls for a more ambitious and proactive approach to fragility and resilience in EU external action that goes beyond humanitarian aid and development cooperation to also include security and political engagement for conflict prevention and resolution.

In 2016, these developments affected the practice of EU aid and development cooperation in a critical way. For the first time, we saw an important envelope of humanitarian assistance mobilized to address the refugee crisis within the EU itself, and significant amounts of humanitarian aid being leveraged as part of a political negotiation of the EU-Turkey Agreement that entered into force on 20 March 2016, and accompanying facility for refugees in Turkey.

While the urgency of the refugee crisis brought this to the forefront of the EU agenda, the discussion on the role of humanitarian aid and development cooperation as part of the EU's wider foreign relations far predates the current crisis. Over the years, the EU and its Member States have developed numerous new tools, financial and political instruments that effectively bridge development cooperation and humanitarian aid at the operational level, reflecting the intertwined nature of humanitarian aid, relief, development, security, state-building, and recently migration. The Instrument contributing to Stability and Peace (IcSP) combines first line crisis response and longer-term programming as part of an EU political response, and the increasing reliance on trusts funds in protracted crisis situations shows the disposition of the EU to overcome the technical difficulties of past operations and combine its instruments.

This political reality and the solidifying EU position on security and development have rekindled the debate on the conceptual division between development cooperation and humanitarian aid in EU external action. As the UN and EU call for greater convergence of development cooperation and humanitarian assistance, as part of a single global response, other stakeholders advocate for a stricter division of labour that shields humanitarian interventions from their more political development counterpart so as to safeguard the humanitarian principles of neutrality, impartiality and independence, and protect the space for humanitarian action.

This study looks at how humanitarian aid and longer-term development cooperation intersect in view of the evolving EU approach to conflict, security and resilience. As the EU calls for more strategic integration of all the components of its foreign policy, the specific identities and history of humanitarian aid and development cooperation resurface.

The primary objective of this report is to inform decision-makers in the EU institutions and EU Member States on the opportunities and risks of different options with regard to the convergence between EU development cooperation and humanitarian aid. It makes the link with various institutional change processes, including, but not limited to, the review of the European Consensus on Development, the implementation of the new EU Global Strategy, and the (Mid-term) Review of EU External Financing Instruments, all with the aim of clarifying the feasibility and desirability of several options that are being discussed. This includes, for example, fully merging both mandates under one single European Consensus on Development and Humanitarian Aid; designing and creating new EU instruments to deal with the specific needs of protracted crises; and promoting systematic collective approaches between EU development assistance and EU humanitarian aid.

**Box 1: Rational and methodology**

This paper is structured around three research objectives:

- To gauge the EU's current strategic, institutional and financial set-up with regards development and humanitarian assistance, with a particular focus on issues of coherence, coordination, complementarity, efficiency and capacity;
- To explore possible avenues to improve the current EU institutional and operation set-up; and,
- To shed light on different actors' perspectives to assess the feasibility of potential reforms.

The study is based on a literature review of selected EC policy documents, EEAS strategic frameworks, EU instruments' regulations, and selected academic and policy research, complemented by 15 interviews with a selection of stakeholders including EU officials in DG ECHO, DG DEVCO, FPI, and the EEAS, member state representatives and civil society organisations.

ECDPM also launched a targeted survey to EU Delegations, ECHO Field offices, and humanitarian NGOs. We received over 50 full replies. We also asked VOICE to disseminate the survey among their members. The profile of our survey respondents is 27.6% EU Delegations, 25.5% ECHO field offices, 2.1% EU HQ, and 44.7% NGOs.

The interviews and the survey allowed us to collect different actors' perspectives on "what works, what doesn't work and why" with the current set-up. Interviewees confidentially shared their insights on what reforms the EU should and could undertake to ensure better coherence across development and humanitarian assistance and deliver high impact aid in protracted fragile and conflict situations.



## 2. Making ends meet: EU development cooperation and humanitarian aid

### 2.1. A state of play of the humanitarian and development 'divide'

The increased complexity of today's crisis situations fuels tensions in the humanitarian and development communities. At the core is the age-old discussion on when aid stops being humanitarian and becomes a development matter. As the EU increasingly adopts the narrative of "addressing the root causes" of crisis and fragility, the distinct role of humanitarian aid becomes less clear. In parallel, the political urgency and EU response to humanitarian crises in the EU neighbourhood challenges the political neutrality of the European humanitarian mandate.

The migration and refugee flows from the Middle East and parts of Africa are a clear humanitarian emergency, in Europe, at the source as well as in transit countries. The response from the EU and Member States, however, is a profoundly political one. Aid is coupled with political objectives of curbing migration, as the March 2016 agreement with Turkey illustrates. Likewise, the primary objective of the new EU Emergency Trust Fund for Africa is responding to irregular migration through fostering stability in the Sahel, the Horn of Africa and North Africa. In short, the EU response to the refugee crisis changed the rules of the game by blurring the lines between internal and external priorities, making it very difficult to distinguish needs-based humanitarian operations from the EU's internal and foreign political objectives.

*"Humanitarian aid can indirectly contribute to the SDGs, but this can never be its primary objective which remains saving lives. Joint analysis in relation to risk and vulnerability is relevant for the EU's development and humanitarian aid. However it depends on the objective. If the objective is a political one (e.g. stopping migration to Europe) then this would directly undermine humanitarian aid's objectives and principles" (survey respondent)*

The World Humanitarian Summit (WHS) in May 2016 was very much marked by this difficult political climate. The process leading up to this first multi-stakeholder summit saw the tensions rise on the links between humanitarian aid, relief, conflict prevention and peacebuilding, and migration policies.

On one side, the UN Secretary General's report 'One Humanity: Shared Responsibility'<sup>8</sup> was a clear call to "transcend humanitarian-development divides", and to treat humanitarian and sustainable development goals as a single global challenge. Similarly, the High-Level Panel (HLP) report on Humanitarian Financing 'Too important to fail'<sup>9</sup>, asserted that the increasing humanitarian spending could only be effectively controlled if the root causes of protracted crisis, conflict, disaster and displacement are addressed. It also called for a collective approach to crisis management, to increasing coherence and complementarity amongst humanitarian and development actors and activities.

On the other side, some humanitarian actors openly opposed this narrative because it entails a high risk of politicisation or instrumentalisation of humanitarian aid. MSF, for example, withdrew completely from the WHS process because its "focus would seem to be an incorporation of humanitarian assistance into a broader development and resilience agenda" rather than addressing "the weaknesses in humanitarian

<sup>8</sup> United Nations. 2016. One humanity: shared responsibility Report of the Secretary-General for the World Humanitarian Summit. UNSG Seventieth session. Item 73 (a).

<sup>9</sup> High Level Panel. 2016. Humanitarian Financing Report to the Secretary-General Too important to fail—addressing the humanitarian financing gap, January 2016.

action and emergency response”<sup>10</sup>. In June 2016, MSF further announced that they would no longer accept funding from EU Member States in protest against the EU’s response to the ongoing refugee crisis<sup>11</sup>.

Many others adopt a more pragmatic position and take the WHS outcome as an opportunity to adapt humanitarian aid to the challenges and needs of today’s crisis situations, particularly through multiannual programming and the emphasis on longer term services (e.g. energy, education), and integrating issues like economic security as crucial components of humanitarian interventions.

The debate on how best to deal with the interrelatedness between humanitarian aid and development is also gaining momentum in the EU, notably as EU Member States are preparing the revision of the European Consensus on Development, and in light of the 2030 sustainable development agenda and the new EU Global Strategy.

The 2016 EU Global Strategy on Foreign and Security Policy (EUGS), which replaces the 2003 Security Strategy, is a particularly important document in this respect. This new reference document for EU foreign and security policy identifies the resilience of states and societies to the East and South of the EU as a major security interest of the EU. The EUGS calls not only for a more ambitious security policy, but also advocates for a multifaceted approach to resilience in surrounding regions through combining support to human rights dialogue with development cooperation, diplomacy and action under the EU’s Common Security and Defence Policy (CSDP). In doing so, the EU sets itself clear political goals that bridge the EU’s development cooperation and security policies and seeks to inject a stronger sense of purpose and responsibility in EU external action. In practice this would require a “joined-up approach” where humanitarian aid, development cooperation, migration policy, trade, etc. are all meant to contribute to the core objectives of the EUGS: the security of the union, regional resilience in the wider neighbourhood (including to stem migration flows) and an integrated and principled approach to conflict.

All these developments show that there is a strong drive to adapt the humanitarian and development systems to the challenges and specific needs of today’s protracted crises, and their root causes, and to pursue greater coherence. They also inevitably bring humanitarian assistance and development cooperation closer to one another, and signal the need for finding new and innovative ways to work out a collective, longer term, approach that bridges relief, conflict prevention and economic development under a single security-development narrative, while taking into account the respective mandates, and specific added value, of humanitarian aid and development assistance.

The political climate against which all this is taking pace has a dividing effect on the EU’s humanitarian and development communities. Some humanitarian actors (like MSF recently) advocate against the politicisation and securitisation of humanitarian, saying that an all too integrated approach to resilience dilutes the humanitarian response mandate and puts humanitarians at risk in the field. Others argue that the lack of a common strategic framework between humanitarian and development actors is a major impediment to effective engagement in protracted crisis<sup>12</sup>, and that the current conceptual and architectural divisions are unfit for responding to the crises and conflicts of today. Many others try to find middle ground between safeguarding the humanitarian exceptionalism and principles, and the need for a more pragmatic, collective and efficient approach to dealing with protracted crisis. ICRC for example falls under this

<sup>10</sup> MSF. 2016. MSF to pull out of World Humanitarian Summit: <http://www.msf.org/en/article/msf-pull-out-world-humanitarian-summit>

<sup>11</sup> The Guardian. 17 June 2016. MSF rejects EU funding in protest at refugee deal: <https://www.theguardian.com/world/2016/jun/17/refugee-crisis-medecins-sans-frontieres-rejects-eu-funding-protest>

<sup>12</sup> See for instance: Ramet, V. 2012. Linking relief, rehabilitation and development: Towards more effective aid. European Parliament Directorate-General for External Policies. Policy Brief.

category, and adopts a case-by-case approach to define the scope of independent humanitarian action, while ensuring that longer-term humanitarian needs are met.

While the majority of the sector adopts the more pragmatic perspective, the “convergence discussion” is at risk of remaining in a conceptual deadlock, unless it is informed by an evidence-based discussion that allows (1) to disentangle the various interpretations of humanitarian aid in an SDG-dominated development context, and (2) to inform political decision and policy-makers on realistic adaptations to donor structures, practices and behaviours.

## 2.2. Different origins and models

EU development cooperation and humanitarian aid evolved from very different origins. EU development cooperation grew from historical ties and solidarity with partner countries<sup>13</sup>, many of which were former colonies of EU Member States. Humanitarian aid in turn has its roots in the 19<sup>th</sup> century European conflicts, which brought unseen civilian casualties and suffering as a result of technologically advanced warfare. The ICRC was founded as early as 1863, followed by the first Geneva Convention in 1864. The current systems comprising UN agencies, major NGOs, and International Red Cross and Red Crescent Organisations, as well as International Humanitarian Law, took shape in the first half of the twentieth century. While a lot has changed over the years, parts of these historical foundations of EU development and humanitarian aid are still visible in the institutional architecture today, and the way in which it makes a clear distinction between the two:

- **Different principles and basis:** Humanitarian aid has its roots in International Humanitarian Law (IHL) and is grounded on the principles of humanity, impartiality, neutrality and independence. Development cooperation is guided by the principles of country (and democratic) ownership, alignment and mutual accountability.
- **Different objectives:** Humanitarian aid in the first place seeks to save lives and protect civilians that are at risk either from violent conflict or natural disasters. Development cooperation instead has more long-term and multifaceted objectives of poverty reduction, sustainable development and in practice also political and economic integration (e.g. Cotonou Agreement).
- **Different timelines and programming cycle:** Humanitarian aid focuses on delivering short-term emergency assistance in highly volatile environments and is generally channelled through annual funding instruments and cycles. Development cooperation is aimed at supporting long-term change, resilience and sustainable solutions, and relies on multi-annual country or thematic programmes.
- **Different constituencies and partners:** Humanitarian aid is generally channelled through a rather select and limited group of actors, including specialised international non-governmental organisations, and UN agencies. While development cooperation is gradually moving towards a multi-stakeholder cooperation, alignment with partner country government authorities and national development priorities remains a primary focus area.

*“ECHO is increasingly pushing for resilience, including through capacity building for local organisations; yet once you have conflict, this becomes tricky. Development works with authorities, but for humanitarians this is difficult” (Survey respondent).*

<sup>13</sup> The first EDF dates from 1957, at the time many partner countries of EU-6 were still colonies or in the process of decolonisation.

Table 1 below compares the legal basis and general modus operandi of EU development cooperation and humanitarian assistance in the current institutional setting of the EU.

**Table 1: Modus operandi of EU development cooperation and humanitarian assistance<sup>14</sup>**

	EU development and political cooperation	EU Humanitarian assistance
<b>Legal basis</b>	Article 21 TEU Articles 4(4) and 208 to 211 TFEU Cotonou Partnership Agreement	Article 214 TFEU; Article 21(2)(g) TEU; Body of International Humanitarian Law (Geneva convention and protocols)
<b>Instruments</b>	Geographic instruments: EDF (outside the EU budget intergovernmental agreement), DCI (including thematic budget lines), IPA, ENI (separate regulations)  Thematic instruments (separate regulations): IcSP (FPI), EIDHR (DEVCO)	Humanitarian instrument (Council regulation 1257/96)
<b>Programming/ planning</b>	5-7 year programming cycles linked to the MFF and EDF cycles, based on consultation with government authorities, other national stakeholders, and Member States.	Annual strategies and detailed Humanitarian Implementation Plans (HIP)
<b>Institutional responsibility (EU)</b>	DG DEVCO, DG NEAR, EEAS, FPI, EU Delegations in developing countries (>100)	DG ECHO and field offices (48)
<b>Financing</b>	MFF Heading IV EU as a Global Player; Member States contributions to the EDF according to specific contribution keys  Possibility of EU trust funds	MFF Heading IV EU as a Global Player; Emergency Aid Reserve; Ad hoc EDF and other aid instrument transfers  Possibility of EU trust funds
<b>Modalities and timing of activities</b>	Budget support (general and sectoral), project modality; based on multi-annual indicative programmes, often synchronized with partner country strategies.  Use of competitive procedures such as calls for proposals	ECHO budget: up to 24 month projects EDF B-envelope: 36 months  Framework contracts with humanitarian NGOs
<b>Beneficiaries</b>	Governments (central and local), civil society organisations (local and international), private sector, International organisations, UN Agencies, Peacekeeping operations (EDF).  Possible transfers to Humanitarian aid (EDF reserves).	European or international NGOs (48%); UN agencies (36%); International organisations (ICRC) (14%) <sup>15</sup>

Often cited advantages of this setup include:

- Clear responsibilities, objectives, approach, and division of tasks between humanitarian and development actors, and the protection of differentiated approaches to crisis response, including: classical humanitarian action, flexible support to relief, and long-term support to building resilience;
- Limited confusion when establishing policy goals and budget priorities, which in its turn allows to secure higher dedicated funds, preventing the side-lining of humanitarian priorities; and
- An easier and more transparent management of funds, as the programming of humanitarian aid and development assistance can be tailored to the specific needs of different constituencies, and allow to address the specific institutional and staff capacity needs of each department more swiftly.

<sup>14</sup> The list of instruments mentioned in this table is not all-inclusive. Only those that are potentially used to engage in protracted crisis are mentioned.

<sup>15</sup> Figures for 2014. See European Parliament:  
[http://www.europarl.europa.eu/atyourservice/en/displayFtu.html?ftuId=FTU\\_6.3.2.html](http://www.europarl.europa.eu/atyourservice/en/displayFtu.html?ftuId=FTU_6.3.2.html)

Reported disadvantages on the other hand include:

- Higher transaction costs for coordination;
- Difficulty to effectively combine quick (needs-based) responses to crises with more structural, longer-term engagements; and
- Difficulties reshuffling allocated (programmed funds) when the need is strongest.

### 2.3. From LRRD to the EU Global Strategy: a Policy Framework in Development (1996-2016)

The idea of bridging EU humanitarian aid and development cooperation is not new. The EU policy framework has gradually sought to increase the coherence and complementarity between the two external policies, while progressively developing an EU approach to conflict prevention and peacebuilding that acknowledges the intertwined nature of humanitarian aid, relief, development, security, statebuilding, and more recently, forced displacement and migration. Figure 1 (based on Annex 4) summarises the various milestones in EU policy development, relevant to Linking Relief, Rehabilitation and Development (LRRD), and to upgrading the EU's engagement strategy in fragile situations, while pursuing concrete complementarity between the different instruments and actors involved.

The first steps towards bridging the EU's development cooperation and humanitarian mandates were taken relatively early on, partly in response to complex challenges such as the Somali humanitarian crisis and the Rwandan genocide. In **1996**, the European Commission adopted the concept of **Linking Relief, Rehabilitation and Development (LRRD)**, in an effort to address the “grey zone” between humanitarian assistance, rehabilitation and ultimately development<sup>16</sup>. LRRD, at the time, framed humanitarian assistance and development cooperation as elements of a continuum, reflecting a largely linear/sequential approach to relief, rehabilitation and development. Later, the objective of LRRD was reframed as a “contiguuum” to accommodate the simultaneity of the root causes and symptoms of conflict and humanitarian crises. The 2001 Communication on LRRD concludes that LRRD complementarity is more complex and requires a tailor-made application of both humanitarian and development interventions<sup>17</sup>. In practice, however, it proved difficult to move away from a linear operational conception of LRRD<sup>18</sup>.

Around the same time, the first important steps were taken towards a more systematic approach to conflict prevention and peacebuilding. In a **2001 Communication on conflict prevention**<sup>19</sup>, the Commission stressed the need for more thorough conflict analysis and addressing the root causes of violent conflict. This was followed by the **Gothenburg council programme for the Prevention of Violent Conflicts**<sup>20</sup> (2001), which set out concrete commitments, including: political priorities for preventive actions; early warning, action and policy coherence; EU instruments for long- and short-term prevention; and co-operation and partnerships<sup>21</sup>.

<sup>16</sup> European Commission. 1996. Communication on Linking Relief, Rehabilitation and Development (LRRD). COM(96) 153.

<sup>17</sup> For a discussion on the origins and EU conception of LRRD, see: [Morazán, P. et al. 2012. Strengthening the Link between Relief, Rehabilitation and Development \(LRRD\) in the EU's Financing Instruments for Development and Humanitarian Aid under the MFF 2014-2020. European Parliament. DG External Policies, Policy department.](#)

<sup>18</sup> Humanitarian NGO Roundtable Netherlands: The World Humanitarian Summit – the European road to and from Istanbul. Conference organised by NGO VOICE and Dutch Platform on Humanitarian Action. 18 February 2016, The Hague.

<sup>19</sup> COM(2001).

<sup>20</sup> European Council. 2001. Gothenburg Programme: EU Programme for the Prevention of Violent Conflict. 9537/1/01/REV11

<sup>21</sup> Woolard, C. 2010. [EPLO Review of the Gothenburg Programme](#). EPLO.

The **European Consensus on Development (2005)** signalled the emergence of a European development cooperation identity for a growing number of EU Member States. The Consensus also acknowledged the close ties between security and development and included commitments to pursuing greater coherence between EU and MS development initiatives, and between development and humanitarian assistance.

In **2007, Council Conclusions on security and development** explicitly identified security as a development challenge<sup>22</sup>, and introduced the term “security-development nexus” in the EU’s foreign policy lexicon.

In the same year, a **European Consensus on Humanitarian aid (2007)** was signed. It underlined that *“EU humanitarian aid encompasses assistance, relief and protection operations to save and preserve life in humanitarian crisis or their immediate aftermath”, and that “disaster preparedness and recovery are essential to saving lives and enabling communities to increase their resilience”*. The Consensus also confirmed the clear distinction between EU humanitarian aid and the EU’s crisis management tools.

In **2009**, the **Lisbon treaty** changed the rules of the game. The ‘rebirth’ of EU foreign policy shifted the centre of gravity towards an interest-driven EU foreign policy and the EU’s ambitions as a global actor. The gradual maturation of new institutions of the European External Action Service (EEAS) and the position of High Representative/Vice-President (HR/VP), also paved the way for a new, more sophisticated conflict prevention and peacebuilding mandate, as well as a renewed focus on strategic interests vis-à-vis emerging economies and middle-income countries. The EU has since developed new and refined existing tools and instruments to react to and prevent ‘protracted crises’ that had dominated the first decade of the new millennium.<sup>23</sup>

In **2011**, the **‘Agenda for Change’ (AfC)** spelled out the EU’s strategy for high-impact aid, which would guide development cooperation programming in the 2014-2020 period. The AfC updated the Millennium Development Goals (MDG) narrative and reaffirmed the indivisibility of security and development. It also committed the EU to the principle of sector concentration in key EU strategic priorities. These would reflect more outright political objectives: governance, human rights and sustainable and inclusive development. The AfC also committed the EU to concentrating aid there where it is most needed i.e. in fragile countries, and paved the way for specific forms of support in contexts of fragility that *“enable recovery and resilience, notably through close coordination with the international community and proper articulation with humanitarian activities”*. The Communication restates the EU’s commitment to country ownership, yet it calls for a decentralised, country-based decision-making, which *“would give the EU the flexibility to respond to unexpected events, notably natural or man-made disasters”*.

In **2012**, the EU and its Member States adopted a **resilience strategy** based on its experiences with the food crises in the Horn of Africa and the Sahel. The two programmes, **‘Supporting Horn of Africa’s Resilience’ (SHARE)** and **‘l’Alliance Globale pour l’Initiative Résilience Sahel’ (AGIR)** were instrumental for moving away from the linear sequential model of LRRD. An EU ‘Action Plan for Resilience in Crisis Prone Countries 2013-2020’<sup>24</sup> outlines concrete steps for a more effective EU collaborative action on building resilience, bringing together humanitarian action, long-term development cooperation and on-going political engagement, notably through joint analysis, coordinated planning and programme

<sup>22</sup> European Council. 2007. Council Conclusions on Security and Development. 15097/07

<sup>23</sup> According to OCHA, the average length of humanitarian interventions has increased dramatically. 90 percent now last longer than 3 years with an average length of 7 years.

<sup>24</sup> European Commission. 2013. Commission Staff Working Document: Action Plan for Resilience in Crisis Prone Countries 2013-2020. SWD(2013) 227

implementation by humanitarian and development actors (from the EU and Member States)<sup>25</sup>. The Communication also called to ensure that the EU's resilience strategy is mutually supportive and consistent with the wider EU security approach, and to ensuring synergies between instruments, notably the CSDP and the Instrument for Stability (now the Instrument contributing to Stability and Peace (IcSP)), and lately the Trust Fund for the Central African Republic<sup>26</sup>. Resilience is now also systematically taken up in ECHO's Humanitarian Implementation Plans through the use of the Resilience Marker adopted in 2014.<sup>27</sup>

In **2013**, with the adoption of the '**comprehensive approach to external conflict and crisis**'<sup>28</sup> the EU went even further in its quest for an integrated approach to conflict prevention and peacebuilding, and engagement in fragile countries. The Comprehensive Approach not only advocates for bringing together all relevant EU (and member state) actions with regard to external crisis, but also sets out an agenda and concrete measures to activate existing tools and instruments based on a common strategic vision. The Communication defined eight measures to enhance the coherence and effectiveness of EU external action, spanning diplomatic relations, security, defence, financial trade, development cooperation and humanitarian aid: 1) develop a shared context analysis; 2) define a common strategic vision; 3) focus on prevention; 4) mobilise the different strengths and capacities of the EU; 5) commit to the long-term; 6) link internal and external policies and action; 7) make better use of the role of EU Delegations; and 8) work in partnership with other international and regional actors.<sup>29</sup>

An important recent addition to EU's policy framework is the Communication on Forced Displacement and Development entitled "Lives in Dignity: from aid dependence to self-reliance", issued in April 2016. The Communication is a clear departure from the linear conceptions of LRRD and embraces a "*comprehensive approach to resilience-building*". The new policy integrates humanitarian aid, development cooperation and political engagement right from the outset of a displacement crisis. It also calls for engaging a wide range of instruments and multiple actors simultaneously, based under their comparative advantages and under a joint strategic framework. The Communication highlights the importance clarifying shared responsibilities between humanitarian and development actors, while fully respecting the humanitarian principles; and in this regard, it attempts to reconcile development cooperation and humanitarian aid's distinct and at times difficult to reconcile guiding principles, by stating that "*[f]ull respect of humanitarian principles and close coordination with the host government are key*". The Communication also calls for this new policy to become the norm and for the systematisation of "*a deeper exchange of information, coordinated assessments, joint analytical frameworks, and coordinated programming and financial cycles. This involves setting up common targets for the short, medium and long term, as well as common indicators*".

The need to bridge the divide between EU humanitarian aid and development assistance is a silver thread in EU development, security, conflict prevention, and humanitarian policy since the appearance of the LRRD approach in the late 1990s. The EU has repeatedly reiterated the importance of addressing the root causes of conflict, fragility, migration and displacement to prevent humanitarian crisis. It has also repeatedly advocated for greater coherence between development, security, and humanitarian actors in protracted crisis and fragility situations, through collaborative action<sup>30</sup>.

<sup>25</sup> Bennett, C. 2015. The development agency of the future: fit for protracted crises? Overseas Development Institute Working Paper.

<sup>26</sup> Bennett, C. 2015. The development agency of the future: fit for protracted crises? Overseas Development Institute Working Paper.

<sup>27</sup> DG ECHO. 2014. Resilience Marker - General guidance. European Commission, November 2014.

<sup>28</sup> JOIN(2013) 30; Council conclusions of 12 May 2014.

<sup>29</sup> Faria, F. 2014. What EU Comprehensive Approach? Challenges for the EU Action Plan and beyond. (Briefing Note 71). Maastricht: ECDPM.

<sup>30</sup> This includes, inter alia, joint analytical frameworks, whole of government approaches, differentiated and articulated responses, joint strategies for short and long-term priorities, early consultation of humanitarian actors during the



Late June 2016, HR/VP Federica Mogherini presented the new **Global Strategy for the European Union's Foreign and Security Policy**, in a climate of uncertainty following the UK referendum on EU its membership. The EUGS shows that the resilience agenda and collaborative action between the different components of EU's external action, has become an integral part of EU's foreign and security policy. It also explicitly links humanitarian aid and the migration policies, emphasizing its work on resilience and humanitarian efforts in origin and transit countries. It commits the EU to investing in the UN and strengthening the links between its humanitarian functions and peacebuilding. The EUGS calls for strengthening the links between humanitarian aid and development in conflict situations, by ensuring humanitarian aid access to basic goods and services, including livelihoods, noting that this is a key building block to stabilisation efforts that can underpin long-term peacebuilding. On a more operational note, the EUGS also commits the EU to developing stronger links between humanitarian and development efforts through joint risk analysis, and multiannual programming and financing.

*“States are resilient when societies feel they are becoming better off and have hope in the future. Echoing the Sustainable Development Goals, the EU will adopt a joined-up approach to its humanitarian, development, migration, trade, investment, infrastructure, education, health and research policies” (EU Global Strategy).*

Late 2016, the European Commission presented its **proposal for an updated ‘European Consensus on Development’**<sup>31</sup>, which sets out an EU development policy that reflects the changes in the post-Lisbon external action architecture and the global 2030 Agenda for sustainable development. The Communication by and large follows the EUGS's call for a development cooperation approach that is coherent with the EU's strategic objectives abroad and makes development cooperation “*part of the full range of policies and instruments to prevent, manage and help resolve conflicts and crises*”. More specifically, it calls for a more coherent and complementary implementation of humanitarian aid and development cooperation, as a way to build resilience and tackle chronic vulnerability, and for improved working practices through deeper exchange of information, joint analysis, a shared definition of strategic priorities, joint programming, transition strategies and the EU's conflict Early Warning System.

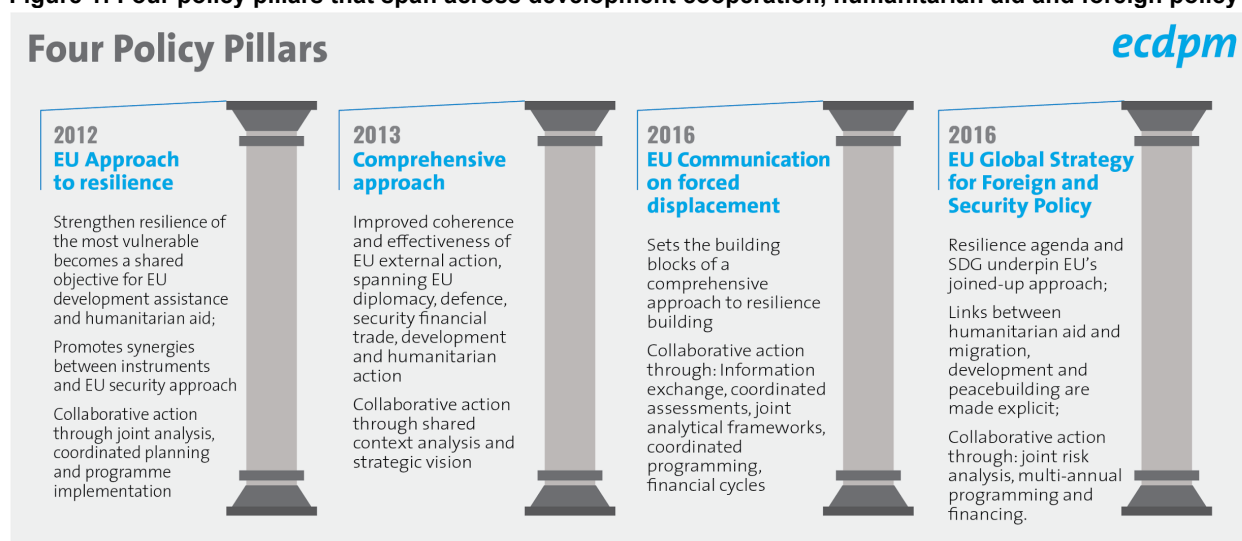
At the policy level, therefore, there is a clear move towards greater coherence culminating in 2016 with the EUGS and ongoing review of the European Consensus on development, which express the urgent need for a more coordinated approach. The question is whether the EU's current policy framework and political backing to bridging the divide between EU humanitarian and development assistance is sufficiently robust and whether it provides the necessary incentives for an effective translation into practice.

---

planning and follow-up of military missions, adapted coordinating mechanisms, more predictable joined-up development funds.

<sup>31</sup> European Commission. 2016. Proposal for a new European Consensus on Development: our World, our Dignity, our Future. COM(2016) 740 final.



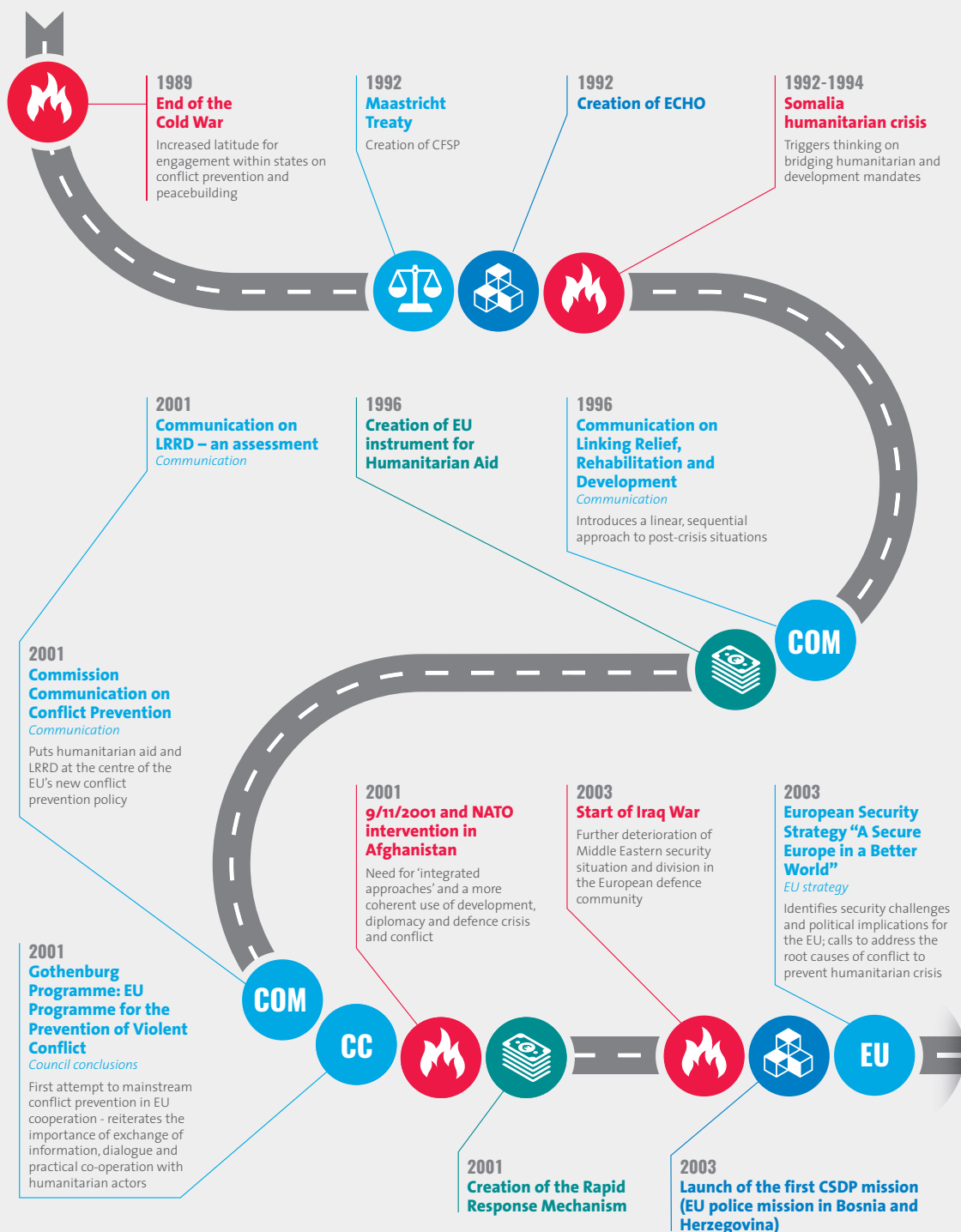
**Figure 1: Four policy pillars that span across development cooperation, humanitarian aid and foreign policy****Figure 2: EU Humanitarian Aid and Development cooperation 1992 - 2016**

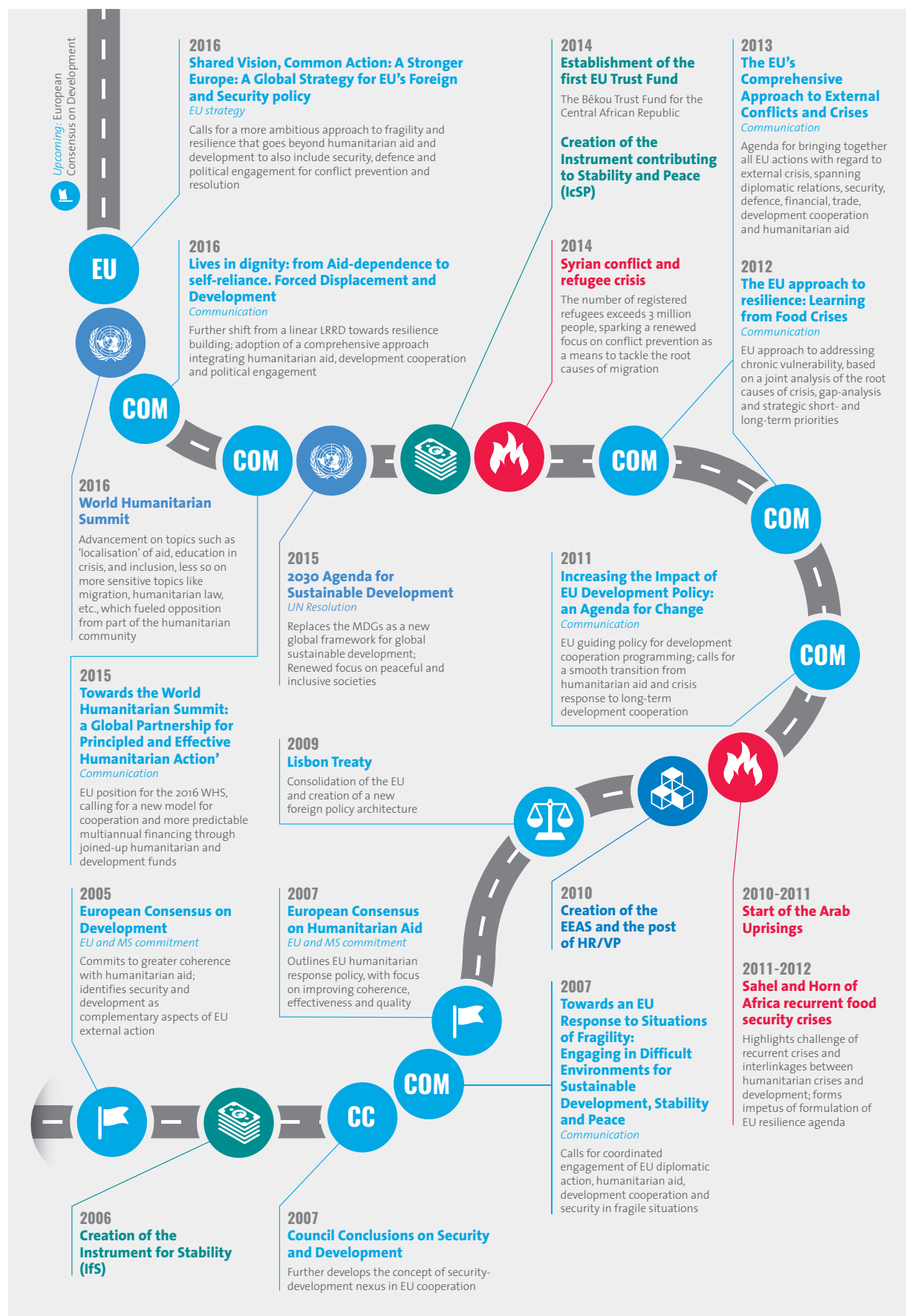
Please see below.

# EU HUMANITARIAN AID AND DEVELOPMENT COOPERATION

## 1992-2016

*ecdpm*





## 2.4. The EU's Institutional Architecture: Closing the Gap

Decision-making and operational management of the EU's engagement in situations of crisis and fragility spans across three different Directorate-Generals of the European Commission -DG DEVCO, DG NEAR and DG ECHO-, the Commission's Service for Foreign Policy Instruments (FPI) and the European External Action Service (EEAS). Each of these Directorates-General/services has its own mandate, political leadership, and priorities. They also have at their disposal and manage dedicated instruments, with their own legal basis, financial, procedural and operational characteristics.

While EU development cooperation goes back to the Treaty of Rome (1957), the EU's humanitarian systems were only created following the Maastricht Treaty in 1992. The Treaty consolidated the development cooperation mandate of the European Commission, and set up a separate European Community Humanitarian Aid Office (ECHO) to be able to respond to the "complex emergencies" of a post-Cold War global environment. Today ECHO is part of the European Commission and known as the DG for European Civil Protection and Humanitarian Aid Operations. Humanitarian operations function on the basis of Council regulation 1257/96 from 1996<sup>32</sup> which -ahead of its time- set out a relatively broad mandate that includes life-saving operations, as well as "relief to people affected by longer-lasting crises"; "risk preparedness" and "civil protection".

The 1990s and early 2000s decade saw the rapid multiplication of instruments and programmes for development cooperation (see figure 2), often in response to specific needs and developments in EU integration. Today the EU operates globally, using a mix of geographic and thematic instruments and programmes that are discussed below. The institutional landscape has also gradually moved away from focusing on aid delivery and administration towards an emerging integrated foreign policy, in which development cooperation and humanitarian aid are two of its components.

The Lisbon Treaty significantly changed the legal basis of EU foreign policy, and defined the EU's overall external action objectives as peace, security, sustainable development and the eradication of poverty, including by setting out a more expansive Common Foreign and Security Policy (CFSP)<sup>33</sup>. The creation of the EEAS and the gradual development of a stronger foreign policy architecture changed the face of EU development cooperation, reflected for example in the leading role of the EEAS in the area of conflict prevention and early warning. Moreover, while the development cooperation used to be the sole responsibility of the Commission's DGs DEV and AIDCO, today many of the strategic decisions - including country aid allocations and programming - are made jointly with the EEAS. Most recently the increasing profile of the European Neighbourhood Policy has led to the creation of a separate DG NEAR dedicated to the EU's operational response in neighbourhood countries.

The past decade saw the rapid consolidation of an EU architecture for conflict prevention, peacebuilding, and crisis response. Since the EU's foreign policy profile and mandate was upgraded, the EEAS increasingly takes the centre stage when it comes to dealing with crisis and conflict situations. Particularly the creation of the Conflict Prevention, Peace Building and Mediation Division (SECPO 2) under the Security Policy and Conflict Prevention Directorate of the EEAS has been key in developing an all-EU approach to conflict prevention and peacebuilding, including by developing guidance for conflict sensitivity, preparing a methodology for conflict analysis workshops, managing the EU's Early Warning System and

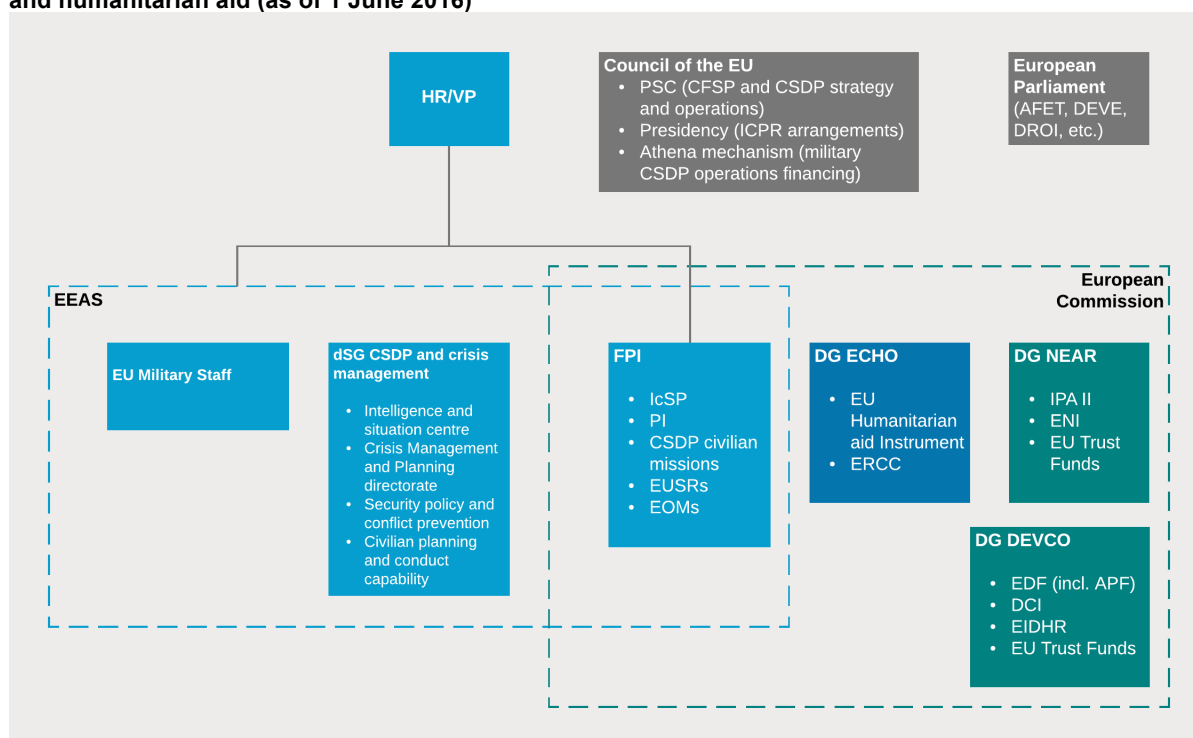
<sup>32</sup> Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid.

<sup>33</sup> Article 21 TEU defines the general provisions of EU external action, including development, peace and security. Articles 208-214 TFEU provide the legal basis for EU operations in the fields of development and cooperation with third countries, as well as humanitarian aid in line with the humanitarian principles of impartiality, neutrality and non-discrimination).

acting as a hub for thematic expertise. With the creation of the IcSP (managed by FPI), the political level now also has an operational response capacity to complement its diplomatic activities and CSDP missions and operations.

Figure 3 below illustrates the complexity of the current institutional organisation. While the European Commission setup is more or less stable, the EEAS is still in active development, and therefore regularly changes shape. These developments show a clear trend, however, from a primarily aid-centred architecture towards a more empowered political and crisis management architecture. Nevertheless, humanitarian aid remains a separate function with its own (legal) mandate. This is illustrated by the fact that ECHO runs a separate Emergency Response Coordination Centre (ERCC, acting as an information exchange and coordination hub for humanitarian and civil protection operations) that acts independently from the EEAS' Intelligence and Situation Centre (INTCEN). Still, in case of big crises that require a political response, the EU integrated political crisis response arrangements (ICPR) can be triggered by the Council Presidency to allow for information exchange, coordination and decision-making across the different EU institutions and agencies. The above shows that, even if institutional silos largely persist, new structures and increased operational capacity are increasingly blurring the lines.

**Figure 3: The EU's institutional setup for crisis management, conflict prevention, development cooperation and humanitarian aid (as of 1 June 2016)**



## 2.5. Flexibility and Compatibility of EU instruments: Struggling to Keep Up

The EU now has a wide range of funding instruments at its disposal relevant to addressing the specific needs of countries in (protracted) crisis, conflict or post-conflict and fragile situations, and to supporting LRRD. A major difficulty, however, remains linking the different approaches together in practice in a way that allows the EU to rapidly and flexibly react to new needs and challenges.

The EU humanitarian aid instrument is specifically designed to deal with humanitarian crisis and is allocated annually. It can finance quick emergency response and slightly longer-term activities (e.g. DRR) for a period of up to 24 months. However, ECHO is generally (systematically) under-budgeted and in need of top-ups from other funding sources to be able to respond to ever more challenging humanitarian appeals, and is particularly dependent on the EDF reserve (see below). The 2014-2020 MFF now also foresees an Emergency Assistance Reserve to make it easier to increase EU humanitarian funding when the need arises.

The efficiency of EU responses to crisis situations (long- or short-term) depends to a large extent on EU instruments' inbuilt flexibility, and the extent to which they allow the EU to intervene quickly and timely, and to swiftly reallocate funds across different envelopes and budget lines - including between development, relief and emergency envelopes. Arrangements have been designed to allow the EU to quickly respond to the recurrent humanitarian financing gap affecting ECHO, as needs arise, as outlined in Table 3. Although flexible funding exists and reallocations are possible, these require ad-hoc decisions reflecting a rather reactive approach to (protracted) crisis situations.

**Table 2: Flexibility in EU financing instruments and modalities<sup>34</sup>**

<b>Financing instrument</b>	<b>Budget allocation for 2014-2020</b>	<b>Normal operations and flexible measures (programme modifiers)</b>
<b>Development Cooperation Instrument (DCI)</b>  <i>Regulation 233/2014</i>	EUR 19.4 billion	<p>Normal operations: multiannual development cooperation programming with a focus on poverty reduction</p> <p><i>Inbuilt flexible procedures:</i>  <i>Urgency procedures (cf. quick contracting);</i>  <i>5% unallocated for unforeseen events;</i>  <i>No comitology for changes under EUR 10 million.</i></p>
<b>European Neighbourhood Instrument (ENI)</b>  <i>Regulation 232/2014</i>	EUR 15.4 billion	<p>Normal operations: implementation of ENP</p> <p><i>Flexible measures:</i>  <i>Urgency procedures;</i>  <i>Emergency reprogramming, in the context of crisis or emergencies;</i>  <i>10% unallocated "flexibility cushion" (since 2015) (cf. urgent programming to address post-conflict needs, refugee support and crisis and disaster response).</i></p>
<b>Instrument for contributing to Stability and Peace (IcSP)</b>  <i>Regulation 230/2014</i>	EUR 2.3 billion	<p>Normal operations: (non-programmable) short- to medium-term operations in response to (emerging) crisis situations, filling the gap when other instruments cannot be used (including humanitarian aid); programmed longer-term peacebuilding and conflict prevention interventions</p> <p><i>Inbuilt flexible procedures:</i>  <i>Direct management</i>  <i>70% permanent short-term crisis response component - unprogrammed (Art 3);</i>  <i>Retroactive funding;</i>  <i>Exceptional Assistance Measures (EAM) of a maximum duration of 2 times 18 months</i>  <i>Longer-term Interim Response Programmes (to re-establish conditions for longer-term development assistance)</i>  <i>Broad thematic scope, ranging from humanitarian action over economic incentives programmes to more political mediation, dialogue and conflict prevention interventions.</i></p>
<b>European Development Fund (EDF)</b>  <i>Cotonou Partnership Agreement (CPA) (2000)</i>	EUR 30.5 billion	<p>Normal operations: implementation of the CPA through multiannual development cooperation programming</p> <p><i>Inbuilt flexible procedures:</i>  <i>Urgency procedures</i>  <i>Emergency reprogramming (coordination between humanitarian instrument and EDF),</i>  <i>Reserve (B) envelope for unforeseen needs which can fund ECHO operations of up to 36 months</i>  <i>African Peace Facility (including dedicated early response mechanism)</i></p>
<b>Humanitarian Aid Instrument</b>  <i>Regulation 1257/96</i>	Annual allocation and needs-based adjustment	<p>Normal operations: Humanitarian assistance based on annual strategies and Humanitarian Implementation Plans (HIPs):  <i>Short term humanitarian interventions of up to 24 months</i>  <i>ECHO programmes (e.g. DIPECHO, ECHO's disaster preparedness programme)</i></p> <p><i>Inbuilt flexible procedures:</i>  <i>Emergency Assistance Reserve (MFF)</i>  <i>Enhanced Response Capacity for major crises</i></p>
<b>EU Trust Funds</b>  <i>Modality under financial regulation</i>	Ad-hoc contributions from EU instruments and Member States  <i>(can accommodate both humanitarian and development funding)</i>	<p>Normal operations: Trust Funds with own governance structure</p> <p><i>Inbuilt flexible procedures:</i>  <i>Combining EU humanitarian aid, development aid and member state contributions</i>  <i>Circumventing EU budgetary or EDF procedures</i></p>

<sup>34</sup> Annex 2 gives a detailed overview of different EU instruments' flexible procedures, showing that even though the majority of EU development cooperation instruments have not been specifically designed to engage quickly and respond to complex, volatile situations, all instruments have some degree of in-built flexibility.

As can be seen from table 2, the three major geographic instruments (the Development Cooperation Instrument<sup>35</sup>, the European Development Fund<sup>36</sup> and the European Neighbourhood Instrument<sup>37</sup>), two of which are fully dedicated to development cooperation, rely on regular multiannual programming, and foresee flexible measures. These include unallocated funds and the possibility of applying urgency procedures that allow for quick decision-making and contracting.

### **The European Development Fund**

The EDF appears to allow for more flexible reallocation to humanitarian aid than the DCI. ECHO can currently access up to 25% of the EDF reserves<sup>38</sup> to finance post-emergency actions and phase out emergency aid, topping up ECHO's insufficient annual allocations. The EDF procedures allow that these funds are used to finance activities of 36 months, even when this is channelled through ECHO. In this regard, there are concerns that the potential budgetisation of the EDF could be a problem for ECHO, as there would be less permeability between humanitarian and development envelopes<sup>39</sup>. The EDF, through its intra-ACP envelope, funds the African Peace Facility and its Early Response Mechanism (ERM), which allows to fund immediate response interventions (cf. conflict prevention, mediation and early response) at the request of the African Union or a Regional Economic Community, without requiring a financing decision by the European Commission.

Beyond flexibility arrangements to allow for quick responses to crises, the respective regulations of development instruments (EDF and DCI) also provide a legal basis for taking a more preventive approach to conflict and crisis by including conflict prevention and resolution, statebuilding and peacebuilding, and post-conflict reconciliation and reconstruction in country programming in crisis, post-crisis or fragile contexts.

Traditional forms of development cooperation are rarely fit for purpose when a crisis hits. Despite innovative mechanisms to increase flexibility and responsiveness in terms of crisis response, DEVCO instruments are still often perceived as too risk-averse in practice to engage in (protracted) crisis situations. Over the years, the EU has sought to increase flexibility within the budgetary confines of successive MFFs and has taken important steps to allow a more forceful set of instruments and improve the convergence between different EU instruments.

### **The Instrument for Contributing to Stability and Peace (IcSP)**

The IcSP<sup>40</sup>, which evolved from the Instrument for Stability (IfS), is a key instrument in EU's new generation toolkit for financing external action, specifically designed to support the EU's response to ongoing or emerging crises around the world in domains that are beyond the remit of humanitarian aid (including in the political and security sphere, yet excluding activities of a military nature). In line with the EU's comprehensive approach to external conflicts and crisis, the IcSP has a triple focus on: crisis

<sup>35</sup> The DCI is aimed at reducing and in the long-term eradicating poverty.

<sup>36</sup> The EDF, outside EU's budget and relying on Member States contribution, determined according to specific contribution keys, is EU's instrument to fund development, political and economic cooperation between the EU and countries from Africa, Caribbean and the Pacific.

<sup>37</sup> The ENI is EU's main instrument to implement the European Neighbourhood Policy, whose latest 2015 review introduced a strong security and crisis response element. See European Commission & High Representative of the Union for Foreign Affairs and Security Policy. JOIN(2015) 50 final Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. Review of the European Neighbourhood Policy. Brussels, 18 November 2015.

<sup>38</sup> Unallocated funds foreseen in the various NIPs and RIPs

<sup>39</sup> Interview with EU official, June 2016.

<sup>40</sup> The Instrument for contributing to Stability and Peace (IcSP), mobilised to fund urgent short-term actions in response to (emerging) crisis, when other instruments cannot be used, as well as to finance longer-term conflict prevention, peacebuilding and crisis preparedness activities, with a focus on civil society.



response, crisis preparedness and conflict prevention, and addressing global and transregional threats to peace, security and stability.

The IcSP's dedicated Crisis Response Component (CRC) (cf. used for responding to crisis or pre-crisis situations) is often perceived as the EU's most flexible budgetary instrument. It is specifically designed to fill in gaps in terms of upfront political action and when timely financial help cannot be provided from other EU sources. The CRC often complements EU Humanitarian Aid, e.g. by financing demining action to establish humanitarian access or to engage in politically sensitive situations where neutrality and independence cannot be guaranteed. At the same time, it contributes to smoothing the transition from crisis response to development by offering a longer-term time perspective. The Crisis Response Component represents some 70% of IcSP funding, whereas 9% is reserved for longer-term peacebuilding and conflict prevention activities. The remainder of the instrument is used to address transregional and global security threats, e.g. in relation to threats to public health.

### EU Trust Funds

Since 2013, the EU financial regulation also allows the Commission to set up dedicated **EU Trust Funds (EUTF)** jointly with other donor agencies. EU Trust Funds are designed to deliver more flexible, comprehensive and effective joint support in response to emergencies, fragility and other thematic priorities. Three such trust funds have been set up since, the most well known being the recently established '*Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa*'<sup>41</sup>. EUTFs can pool funding from different EU instruments (including humanitarian aid) and can leverage additional funding from Member States and other donor agencies. They also have their own governance structures to facilitate quick disbursement of funds. However, while EUTFs offer a technical escape route from EU budgetary procedures, they do not challenge the current system fundamentally.

*"The current revision of the financial regulation should be used as an opportunity to make the existing instruments more flexible, rather than to promote the proliferation of EUTFs and reducing the flexibility of humanitarian aid" (civil society representative).*

EUTFs are designed to address fragmentation of existing EU instruments in situations of crisis or fragility, bridge the gap between short-term relief and longer-term development, and take a regional approach. However, there currently is very limited guidance or systematic practice as to under which circumstances which instruments should contribute. In addition, a growing overlap between the EUTFs and the IcSP is perceived, meaning that there is scope for improving complementarity between instruments and avoiding institutional competition.

Early experiences with EU Trust Funds also raise questions about their suitability to attain the objectives they set out for themselves. The Emergency Trust Fund for Africa for example seeks to address the root causes (or push factors) for migration from three key regions, yet thus far mobilised less than EUR 2 billion, the majority of which is channelled from the EDF. The European Parliament is particularly critical, because it sees these Trust Funds, not only as an ad hoc response to structural needs, but also as a way in which member state contributions can circumvent budgetary control from the Parliament<sup>42</sup>.

*"The separation (between development interventions and humanitarian response) is essential in order to allow quick and flexible reaction in cases of sudden onset crises and disasters and response based on humanitarian principles. We however would appreciate more and clear connectedness and complementarity between the two financing instruments" (survey respondent)*

<sup>41</sup> Other EU Trust Funds are the Békou Trust fund (2013) for the Central African Republic, and the EU Trust Fund for Syria (2014).

<sup>42</sup> European Parliament. 2016. Motion for a European Parliament Resolution on the EU Trust Fund for Africa: the implications for development and humanitarian aid. (2015/2341(INI))

EU operational staff consulted for this study does not seem to be too concerned with functional overlap. Each instrument has its own general objective and/or attends to a specific geographic region, and allowing a limited degree of overlap is seen as a way to ease the rigidity of the system. EU stakeholders tend to value the diversity in EU funding instruments. Such flexibility allows them to engage with and support different sets of actors, to adjust to different time frames, to honour different commitments, and take advantage of the specific added value of humanitarians and development actors in the field.

A pressing question however is **how to make the best use of this diversity**, and how to avoid problems of coordination and dispersion of funding. The sequencing between humanitarian aid and development cooperation instruments often remains problematic in practice. While most stakeholders seem to agree on the need for more coordination, coherence and complementary, there is no clear view on what this should look like in different contexts, nor on how different EU financial instruments could allow for a smooth transition from one to the other. The lack of financial rules allowing joint implementation between EU instruments appears to be an important constraint according to survey respondents and interviewees, although the EUTFs are a step forward in this regard. Another often-cited difficulty is the absence of a comprehensive joint strategic framework (on what the EU wants to achieve in a particular country and how) to all EU instruments at the country level.

However, such joint strategic frameworks may not be realistic, nor feasible or desirable under all circumstances, notably in crisis situations where swift action is required. In others it may be politically unfeasible to align all EU actors around a common analysis and strategy. The EU has the possibility to develop Joint Framework Documents (JFDs), for example, which are strategic documents that integrate all aspects of EU external action and outline the broad range of EU interests and priorities in specific countries and regions. A recent mapping of the 11th EDF programming, however, suggests that this option was rarely used to inform programming, notably because JFDs were mainly concerned by short-term, military and crisis management issues rather than with a (joint) long-term perspective<sup>43</sup>.

The migration and refugee crisis has triggered a series of commitments that called for budgetary flexibility from the EU. The Madad Trust fund for Syria redirected funds from the ENI, the IPA and the DCI. While the Emergency trust fund for Africa draws mostly from the EDF reserves (unallocated funds outside the EU budget), additional funds are channelled from the ENI, DCI, IcSP, Humanitarian aid, and a DG Home budget line. A recent Clingendael report<sup>44</sup> signals that the budgetary amendments to address the migration and refugee crisis have stretched the EU budget to its limits and exhausted most of the inbuilt flexibility in order to finance the EU response (including migration management), making it very difficult to mobilise further flexibility measures in the remaining years of the MFF, should a new crisis situation arise. With more than three years to go to a new MFF, this may still prove an unsafe bet.

<sup>43</sup> Herrero, A., Knoll, A., Gregersen, C., Kokolo, W. 2015. Implementing the Agenda for Change: An independent analysis of the 11th EDF programming. (Discussion Paper 180). Maastricht: ECDPM.

<sup>44</sup> Mijs, A. and Schout, A. 2015. Flexibility in the EU Budget Are There Limits? Clingendael Report

### 3. Looking ahead: implications for the EU's strategic and operational systems

The EU Global strategy, if anything, conveys the strong sense of existential crisis surrounding EU foreign relations. In some ways, the new document can even be seen as a break with the past. To some, the EUGS's distinctive concept of "principled pragmatism" marks a return to Realpolitik<sup>45</sup> or a rejection of the liberal utopism of a 'normative power Europe' that hitherto pervaded EU foreign policy statements. In reality, the EUGS retains a lot of the normative elements of the past in its promotion of a rules-based global order. More important is perhaps the strong emphasis it puts on "resilience", which, coupled with the geographic refocusing on parts of Africa and Central Asia, sets out the foreign and security policy focus of the EU in the years to come.

Within this context, three important on-going or up-coming institutional processes are particularly concerned with the integration of humanitarian aid and development cooperation and would benefit from a clarification of the respective mandates and task division between the two:

- The review of the European Consensus on Development;
- The discussion and negotiation of a successor to the Cotonou Partnership Agreement in 2020;
- The mid-term review of the External action financing instruments (also feeding into discussions on the next multi-annual financial framework).

A common question for all these developments is "how does the EU envision its humanitarian and development mandate(s), how does this relate to its evolving foreign and development policy, and how will this affect its operations on the ground?"

In 2016, the EU's approach to crisis and fragility is fundamentally different than what it was when the existing architecture was designed. The separation between humanitarian aid and development cooperation that was long maintained in the institutional setup has come under increasing pressure from repeated calls for greater coherence and convergence as part of an integrated long-term approach to resilience. Today, the political reality in Europe and the adoption of an objective-driven approach to crisis management, and most of all the political response of the EU and Member States to the refugee crisis reveals the limits of the conceptual separation of the two historic mandates. It also illustrates that it is less and less realistic to apply the humanitarian principles of neutrality, impartiality and independence to the full range of relief operations that are financed by the EU budget.

At the same time, the humanitarian ecosystem has dramatically expanded its temporal and functional scope and now comprises a variety of relief operations and a diversity of both local and international actors that are much more difficult to define in terms of the narrow definitions of International Humanitarian Law of the European post-war era.

All this signals a pressing need to review the conceptual and institutional divisions that underpin the EU's humanitarian and development systems, in a way that respects, integrates but also modernises international humanitarian principles. The following sections look at politically and institutionally feasible options for a more effective integration between the two, both at a strategic and operational level.

---

<sup>45</sup> Biscop, S. 2016. The EU Global Strategy: Realpolitik with European Characteristics. Egmont Security Policy Brief No. 75.

### 3.1. Towards greater strategic coherence between humanitarian assistance and development cooperation

#### A revised European Consensus

Over the years, the EU has developed increasingly solid and purposeful foreign policy architecture. This comes with frequent calls for more coherence between all external policies. In fact, humanitarian aid and development cooperation are now more often mentioned in the same breath, as key components of a joined-up approach alongside diplomacy and even CSDP. While the overall EU narrative calls for strategic convergence, there is much less clarity on what this actually means in practice.

Some Member States are calling for one joint strategic approach to humanitarian assistance and development cooperation as part of a single European Consensus. Institutional actors tend to be more hesitant towards the call for greater strategic convergence, often citing tensions between an objective-led and more interest-driven EU approach and the need to be perceived as politically neutral agents in crisis situations. Humanitarian actors (international organisations and NGOs) are divided on the subject, either seeking a balance between access to financing and addressing direct needs, or taking a more critical position in defence of a fully separate humanitarian mandate.

Initial findings suggest that at this stage it may be difficult to secure sufficient buy-in from all relevant stakeholders for a single strategic approach to humanitarian assistance and development cooperation, including in Member States, DG DEVCO, the EEAS, DG ECHO, EU Delegations and ECHO field offices, and the broader humanitarian community. 75% of our survey respondents - and 100% of those in ECHO field offices<sup>46</sup> - think that the EU should keep two separate strategic documents. This view was largely supported by interviews with institutional stakeholders at Headquarters level in DG DEVCO, DG ECHO, the EEAS and FPI, who tend to think along the same lines.

While there is undoubtedly some level of institutional path dependency at play, the defensive concerns and apprehension for the political instrumentalisation of relief operations are not entirely unfounded. The political reality is that relief operations and funding are increasingly politicised and that the focus of the EU and Member States is more and more shifting from “principled” to “pragmatic”. However, the question whether or not a separation should be maintained may not be the most relevant one to ask. Looking at the evolution of the practice of humanitarian aid, the question could rather be to which operations, the classic, principled label of “humanitarian action” applies and to which it does not.

Two well-articulated strategic documents may therefore add more value than a single European Consensus on Humanitarian Aid and Development Cooperation. Having two separate documents does not preclude the EU from outlining coherent, common interests (such as resilience), and devising joint strategies and programming in situations where humanitarian aid, relief, peacebuilding, and development actors meet. It may also be more feasible to ensure that fragility and resilience receive a prominent place in the development vision that will be set out in the new European Consensus on Development. This would require more flexibility and creativity in applying the principles underpinning development effectiveness. It would also require efforts in improving the synergies between humanitarian aid, relief, conflict prevention and peacebuilding, and development cooperation at the strategic and operational level.

<sup>46</sup> Disaggregated figures: EU delegations (70%); ECHO field offices (100%); and Civil Society Organisations (66%).

For the **ongoing review of the Consensus**, this would mean to agree on a final document that:

- Is aligned to and expands on the commitments made by the EU Global Strategy with regards to bridging the divide between humanitarian and development assistance and clarifies the notion of a joined-up approach to EU external action and what it means for development cooperation;
- Reflects on the respective mandates of development cooperation and humanitarian aid, their driving principles and added value in protracted and fragility situations, and situates those within the framework of the SDGs;
- Commits the EU's development cooperation to addressing and finding political solutions to the root causes of conflict, disaster and (protracted) displacement, and clarifies the potential role of development cooperation in doing so;
- Reflects on the particular specificities and challenges of engaging in fragile and protracted situations, and revisits key development principles (cf. country ownership, alignment) to adapt to these realities;
- Fully integrates the main pillars of EU's collaborative action between EU humanitarian and development actors (cf. EU's resilience agenda, the Comprehensive Approach, and EU's strategy on forced displacement);
- Reflects the interrelatedness between humanitarian, development, peace and security, and climate change-related interventions to pave the way for aligned, harmonised and joint funding;
- Promotes a harmonised view on EU collaborative external action (bringing together all relevant actors driving EU's political, economic, energy, climate, and development diplomacy, security, peacebuilding, and humanitarian policy) with particular attention to creating operational incentives for a systematic exchange of information, joint context analysis, the development of joint vision and coherent country strategies, joint programming and/or planning (notably for humanitarian aid, development assistance and climate-financing), and joint results frameworks which include resilience-related objectives.

A lot of these elements are already taken up in the late 2016 European Commission proposal for the Consensus on Development. This draft consensus echoes the EUGS in the way that it reframes development cooperation (and humanitarian aid to some extent) as components of an increasingly strategic EU External Action. Similar to the EUGS the Consensus proposal serves an internal purpose as much as an external one, hence the strong emphasis on strengthening cooperation, coordination, joint action, etc. Redefining the EU's development vision in line with the EU Global Strategy can go a long way to ensure that the EU's ambitions with regard to securing state and "societal resilience to the east and south" are backed by a shared and coherent approach to development cooperation in the years to come.

What this does not do, however, is reflect on the prevailing conceptual difficulties that make many humanitarians wary of more and deeper integration, nor does it address the increasingly difficult position of humanitarian aid vis-à-vis a more pragmatic, but also more targeted approach to societal resilience in the wider EU neighbourhood. It may prove difficult to increase operational coherence, when at a strategic level the conceptual, institutional, and ultimately also procedural separation between humanitarian aid and development cooperation is maintained. The challenges posed by protracted crises in the Horn of Africa, the Sahel, and the Southern Mediterranean are enormous, and a coherent EU response that bridges humanitarian aid, conflict prevention and peacebuilding and long-term development planning requires a

more nuanced understanding of where the humanitarian principles are operationally most relevant, but also where they may be counterproductive, and in which cases a unified strategy and a diversified set of approaches and tools would be preferable<sup>47</sup>.

### **Diversifying the EU's emergency toolbox**

A more integrated approach to humanitarian and development aid also requires a far more rational and pragmatic approach to complementarity than the current one on the basis of conceptual and principled divisions. Joint analysis of short, medium and long-term needs, risks and strategic options for crisis response is the starting point for a cohesive mix of relevant approaches. Doing this also does not necessarily mean the instrumentalisation or subjugation of humanitarian aid for political objectives. It accepts that different forms of emergency response and relief can co-exist<sup>48</sup>, though may require a more upfront and explicit disclosure of the EU's objectives and aspirations in certain crisis situations.

There are crisis situations where a narrower emergency response, based on the classic humanitarian principles and IHL is needed<sup>49</sup>. These are situations that call for specialised organisations such as the ICRC and their ability to effectively and legitimately negotiate on the basis of IHL with warring parties, governments, etc., all in order to avoid further escalation of hostilities. These specialised organisations also play an important role to advocate for the respect of IHL and the Geneva conventions in other forms of crisis response and relief operations.

The EU as one of the six big humanitarian donor agencies<sup>50</sup> is well placed to adopt and promote a more diversified approach to emergency response, relief operations and humanitarian aid. Recent innovations in the humanitarian field such the increasing recognition of the role of local actors, and even the private sector, are opportunities to further diversify the EU's emergency response toolbox. The implementation of the WHS commitments, for example on education, may also provide opportunities to bridge operational and conceptual divides in practice. An explicit recognition of the increasingly differentiated humanitarian and emergency response landscape may also relax some of the forces that limit joint analysis and strategy on an operational level.

## **3.2. What type of instruments for engaging in protracted crisis situations?**

While pursuing strategic coherence is a prerequisite for modernising the humanitarian-development nexus, the operational systems for humanitarian aid and development cooperation have historically evolved on different tracks. Over the years, however, numerous initiatives have been taken to improve operational convergence as well as strategic coherence. The SHARE and AGIR experiments in the Sahel and the Horn of Africa produced a selection of Joint humanitarian and development frameworks, and the 2013 action plan on resilience further emphasised the possibility of joint analysis and programming. The IcSP filled an important gap, allowing the EU also to quickly and flexibly react to crisis situations in ways in which development cooperation funding would not be able to.

<sup>47</sup> Bennet, C. 2015. The Development Agency of the Future: Fit for Protracted Crisis? ODI Working Paper. P. 14.

<sup>48</sup> Bennett, C, M. Foley, and Pantuliano, S. 2016. Time to Let Go: Remaking Humanitarian Action for the Modern Era. ODI Humanitarian Policy Group. P. 75.

<sup>49</sup> Ibid.

<sup>50</sup> Along with the US, the UK, Sweden, Germany and Japan, the EU counts for more than two thirds of funding through the formal humanitarian channels. See. Bennett, C, M. Foley, and Pantuliano, S. 2016. Time to Let Go: Remaking Humanitarian Action for the Modern Era. ODI Humanitarian Policy Group. P. 57.

EU Trust Funds set up since 2014 allow for pooling funding from different instruments, but also to mobilise funding from other donors and sources. They are set up to respond to politically salient urgencies and mobilise funding more flexibly. Initial experiences with these Trust Funds tend to be sobering. **The reality is that Trust Funds are an ad hoc way in which the EU and its Member States react to particular crisis situations within the budgetary and institutional constraints of the current aid architecture of the EU.** They are not a new instrument or modality, and the proliferation of new trust funds for every new emergency is not a sustainable solution looking ahead, especially considering the limited inbuilt budgetary flexibility that remains without major additional member state commitments. While the Commission had hoped that Member States would at least match the EUR 1.8 billion from the institutions in the Emergency Trust Fund for Africa, pledged contributions from Member States in June 2016 totalled EUR 81.8 million, with single contributions often just enough to reach the EUR 3 million threshold required to be an active part of the Trust Fund's governance mechanism.

The question whether the EU's existing range of instruments is suited for its political ambitions is a very relevant but also a timely one to ask. 2016 is the midpoint of the current MFF, and the Mid-Term Review of the MFF and the different external financing instruments is underway. As in many institutional processes, a Mid-term Review allows for minor changes, but is mainly of value for the preparation of the next MFF. This process will take place in the next few years as proposals for the next generation of external financing instruments are due mid-2018<sup>51</sup>. The review period is an opportunity for Member States and EU institutions to propose changes to the external financing architecture, and the strain that the refugee and migration crisis has put on the EU's external financing architecture may well trigger an early debate. In parallel, the expiry of the Cotonou agreement in 2020 could re-ignite the debate on budgetisation of the EDF, much depending also on the outcome of the Brexit negotiations, as the UK currently counts for 15% of the total EDF contributions.

The European Commission has legal right of initiative to propose external financing instruments, their size, and even the budgetisation or not of the EDF. Any decision or scenario, however, will be subject to a debate and negotiation between Member States and the EU institutions, which means that in the next few years many of these elements will resurface and require decisions to be taken. An important starting point of these discussions is the mid-term review and the ongoing evaluations of the various external financing instruments, the results of which are expected mid 2017.

At this stage, there is little demand for further diversification of the instruments (e.g. creating new instruments)<sup>52</sup> at the operational level, but there are clear and urgent calls for further flexibility and reducing transaction costs related to linking humanitarian aid, security, conflict and disaster prevention and peacebuilding. The current setup of financing instruments has gradually evolved over the years and is partly also anchored in the institutional and political architecture of the EU. This is certainly the case for humanitarian aid and the various development cooperation instruments. What this also means is that each instrument corresponds to certain institutional constituents as well as thematic and geographic priorities and champions. Major changes may prove costly to implement and in terms of the political capital required to reach an agreement.

<sup>51</sup> European Commission. 2016. Evaluation Roadmap: Mid-Term Review of the Common Implementing Regulation (CIR). (Regulation EU (No) 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action)

<sup>52</sup> 70% of our survey respondents for example are not in favour of having one single financing instrument for humanitarian aid and development cooperation in protracted crisis situations.

That said, the coming years will see two major institutional processes coincide: the negotiation of a new framework with ACP countries after 2020, and the negotiation of a new MFF and series of external financing instruments. The outcome of both these process has the potential to transform the aid architecture of the EU, and will be key for the EU's ability to "adopt a joined-up approach to its humanitarian, development, migration, trade, investment, infrastructure, education, health and research policies" as the EUGS asserts.

Any discussion on the future aid architecture of the EU, and particularly the question on how to finance the EU's response to protracted crisis situations in its direct and wider neighbourhood will benefit from asking the following key questions:

1. **Does the EU have the right amount of external financing Instruments?** Is the current picture too dense as some would advocate, or are there gaps that limit the EU's ability to implement its commitments abroad? As the EU is expanding its societal resilience narrative and further develops its conflict prevention and peacebuilding architecture, would moving towards a unique instrument for crisis response facilitate or rather constrain the way it works?
2. **Does the EU have the necessary and adequate financial instruments for the new challenges and ambitions of EU external action?** The EUGS calls for a more integrated approach to conflicts and crisis, and supporting state and societal resilience within a more specific geographic framework (EU Neighbourhood, Central Asia, Africa, with particular attention to the Horn of Africa and the Sahel). Are the current largely development and poverty reduction focused development instruments capable of financing this agenda? Can this agenda be reconciled with the basic principles of country ownership, alignment with national and regional agendas and mutual accountability, particularly for the largest envelopes of funding of the DCI, ENI and EDF?
3. **What is the preferred institutional setting for the EU's External Financing Instruments?** Does the EU maintain the current situation in which DG DEVCO manages the bulk of EU external financing, or does it gravitate further towards a hybrid approach in which an increasing share of funding is managed by FPI, which is in charge of the IcSP? What does a more pragmatic approach mean for emergency response funding, and the relation between DG ECHO, DEVCO and the EEAS? Does the EU's focus on migration in external action give a stronger external role for DG HOME (and related agencies) and heading 3 of the MFF (security and citizenship, including, justice, home affairs, immigration and asylum), thus blurring the lines between internal and external dimensions of security?
4. **What lessons can we draw from the initial experiences setting up EU Trust Funds to address specific crisis situations?** Is the EUTF approach a suitable one to advance the EU's resilience agenda in the wider EU neighbourhood? What are initial lessons from EUTFs in terms of rapid disbursement and diversified fundraising? What are the advantages and disadvantages of a separate governance mechanism (outside the European Parliament's budgetary control)? And how many of these EUTFs can the EU realistically maintain?

*"The EDF is an instrument on which ECHO can count, the crisis envelopes of the EDF are very important. Flexible procedures also allow implementation without having to go through the NAO (...) budgetisation of the EDF could become a problem for us in the future" (EU official).*



5. How to finance a more diversified, pragmatic, approach to crisis response while maintaining a principled approach to sensitive humanitarian emergencies? How can the EU minimize political risk and ensure sustainable financing for those actors that can legitimately and credibly intervene on the basis of international humanitarian law? How can EU funding for key UN agencies and humanitarian organisations be safeguarded from political instrumentalisation, particularly in high-profile and sensitive contexts (e.g. Turkey Agreement)?

At this time, it is too early to prepare a detailed position for the next MFF. Much depends on the outcome of the Brexit negotiations and the ensuing political developments within Europe and beyond. Another important wildcard will be the negotiation of a successor arrangement to the Cotonou Agreement. The EDF allows for a surprising degree of financial flexibility compared to the EU's budgetary instruments. Humanitarian aid under the EU budget is very often topped up with EDF B-envelopes, and the largest share of the Emergency Trust Fund for Africa comes from the same unallocated reserves. A possible 'budgetisation' of the EDF would mean that the options for reallocating funds in response to crisis and particular developments will need to be created elsewhere, possibly in one or more of the external financing instruments of the post-2020 MFF.

### 3.3. Incentivising coherence: missing links in the EU's operational systems

There is no shortage of EU policies that call for greater operational coordination between humanitarian aid, development and more recently crisis management and conflict prevention and peacebuilding operations. A different question altogether is how this translates into the practice of interagency coordination and operational coherence on the ground.

*"What is really missing is institutional incentives to work together. We are well equipped, but we need systematisation. We need some degree of coercion, but with flexibility at the country level, with variable geometry, we need support from HQ, and creativity in the field" (EU official).*

Initial findings show that there is a general appreciation of the working relationship between staff across DGs and different departments. Many survey respondents also report that coordination mechanisms are in place and that, although there is room for improvement, there are promising experiences in ensuring coordination and complementarity at the operational level. Promising practices include, for example, crisis platforms for political coordination and information exchange; inter-service consultations before the adoption of financing decisions to avoid

overlap, and 'resilience strategies and joint humanitarian/development frameworks', jointly developed by DEVCO and ECHO at the field level, for example in Mali, Somalia and Ethiopia<sup>53</sup>. The EEAS (notably the Division for Conflict Prevention, Peacebuilding and Mediation, SECPOL 2) plays an increasingly important role by facilitating joint conflict analysis, joint identification and formulating guidance on conflict sensitivity, and facilitating the EU Early Warning System.

Despite the increasing degree of formalisation, partly triggered by the EU resilience agenda, operational coordination still remains largely ad-hoc and confined to certain high-profile situations and country contexts. Staff often attributes examples of effective coordination to personal relations and the expertise and motivation of individuals, rather than a systematic element of the EU's institutional culture. In fact, at the operational level, many feel great difficulty breaking down silos in practice, citing a variety of reasons that boil down to the following broad categories:

<sup>53</sup> Interview with EU officials, May 2016.

- **Lack of a common understanding and joint (country-level) strategy and persisting cultural barriers between humanitarian, development and security communities**  
e.g. *“Different timeframes and methods, different objectives, different principles, etc.”* (survey respondent).
- **High transaction costs due to fundamentally different operating modes**  
e.g. *“we don't use the same financing methods, the same implementing partners nor the same project length so it can be very challenging to coordinate actions and to ensure a follow-up from one to another”* (survey respondent).
- **Limited organisational incentives due to separate institutional provisions**  
e.g. *“Our HA office tends to work on its own and has its own resources so there is little incentive to work with development-oriented units”* (survey respondent).
- **Implementation gap between policy and practice**  
e.g. *“There is little coordination at the practical level on DEVCO and ECHO programmes but coordination is often limited to strategic level”* (survey respondent).

In short, the convergence between humanitarian aid and development cooperation often suffers from the same operational difficulties and policy-to-practice gaps as many other ‘multi-stakeholder’ EU policies. Policy commitments are in place and count with strong political backing, yet operational practice is lagging behind.

The 2013 EU Action Plan for Resilience<sup>54</sup> proposes a methodology for designing Joint Humanitarian-Development Frameworks (JHDF). JHDFs could ensure a joint and coordinated approach to context analysis and strategizing, however they have not been used systematically. Some reasons include: a lack of operational guidance on how to use the JHDF in practice, and the profound procedural differences and often physical distance between the humanitarian and development interventions. These respond to different programming cycles and procedures, further complicates convergence in practice, and the risk of political instrumentalisation of humanitarian aid has probably been a major disincentive.

*“The most important shortcoming of our current system is not at the level of instruments, but rather the EU’s capacity to elaborate joint strategic frameworks. Without them, each actor goes their own way, and then we need to find synergies retroactively. What we need, above all, is a methodology for developing such joint strategic frameworks” (EU official).*

<sup>54</sup> European Commission. 2013. Commission Staff Working Document: Action Plan for Resilience in Crisis Prone Countries 2013-2020. SWD(2013) 227.

*“In fragile countries, if you want to intervene effectively, you need to have the capacity to have (i) a political dialogue; (ii) a security policy (and an army possibly), (iii) humanitarian aid, and (iv) to think about development in the future. Very few actors can do all these things or act in at least three of these dimensions; but the EU can” (EU official).*

Looking ahead, mainstreaming integrated analysis and strategies requires discipline in understanding the context in which the EU intervenes, what the EU wants to achieve in a particular country (the vision), what it realistically can achieve in crisis-affected countries, and how it will pursue its strategic objectives. Systematic information sharing is the first prerequisite to forging a common understanding of the challenges that need to be addressed and how to prioritise them. Actors will need to ensure more and better networking, communication and coordination. Joint analysis needs to translate, where possible, into a

joint EU long-term vision and strategy, shared by all the actors concerned, while guaranteeing neutrality and independence of humanitarian actors when needed (especially in situations of violent conflict). This would then inform joint programming and joint planning.

Collaborative action in the form of joint analysis and joint programming will help make the EU’s emergency and crisis response mechanisms better fit for purpose. In order to achieve this, however, several structural obstacles need to be overcome or addressed:

- **Limited capacity for solid context analysis in EU Delegations.** Although in-house knowledge is valuable and can be capitalised on, EU Delegation staff is often over-stretched and responds to institutional incentives geared to disbursement rather than to knowledge production. ECDPM research on the 11th EDF programming experience shows that although a number of context analysis tools are at the disposal of EU Delegations (cf. conflict analysis, resilience analysis, and political economy tools), programming choices were rarely systematically informed by a solid context analysis. Rather, they reflected top-down sector priorities defined by DEVCO HQ<sup>55</sup>.
- **Uneven follow-up on innovative experiences.** One of the benefits of the IcSP for example is that it is designed to explore new domains and approaches in (post-)crisis contexts, while it can exert leverage by paving the way for other instruments to jump in. However, whether or not DEVCO and NEAR follow-up on IcSP initiatives cannot be guaranteed as it lies beyond FPI’s control. EU Trust Funds are a welcome evolution towards more coherent use of EU funds, although they also create an element of competition with existing EU instruments and coordination mechanisms.
- **Collaborative action may not always be appropriate or feasible.** Some actors argue that collaborative action should only kick in after immediate crisis has been dealt with. They argue that when an emergency arises, ECHO does not have time to sit around the table with DEVCO and EEAS colleagues and define a joint objective or strategy, and often (especially in conflict situations) it does not want to be seen as contributing to EU strategic priorities. A clear distinction needs to be made between foreseeable, pre-known crises such as the famine in Ethiopia and unexpected shocks and crises such as the 2004 Tsunami.

Strengthening links between EU humanitarian aid and development efforts therefore may require more than just increasing the scope of multi-annual programming for humanitarian aid and ensuring more alignment between the two. The EU may need to:

<sup>55</sup> Herrero, A., Knoll, A., Gregersen, C., Kokolo, W. 2015. Implementing the Agenda for Change: An independent analysis of the 11th EDF programming. (Discussion Paper 180). Maastricht: ECDPM.

- Revisit the EU's engagement principles of country ownership and sector concentration in situations of fragility and conflict and explore possible alternatives such as objective- and results-led programming, where appropriate. Several donor agencies have adopted a results-based approach to programming, which essentially changes the question from "what are we working on" to "what do we want to achieve". Moving towards results-based strategies, with clear objectives is an opportunity to create joint ownership between different EU and member state services; however it may be more difficult to reconcile with the country ownership principle, particularly in the context of ACP-EU cooperation.<sup>56</sup>
- **Incentivise coordination and cooperation at the operational level by allocating the necessary time and resources to do so.** EU Delegations are often overwhelmed by requests to analyse and coordinate. Simply adding another task to the pile is not an option. Developing a jointly owned analysis and strategy for engaging in fragile and conflict-affected contexts is a highly complex exercise that requires a convening role to be played at the operational level. This should not be made into an administrative exercise or fully outsourced to external consultants.
- **Ensure sufficient political capital to promote coordination on the ground.** Strong support from HQ, senior management and Member States is often crucial for joint strategic work to take place and innovation to take root. This can be essential to for example ensure that IcSP operations are adequately followed up in programming decisions, or to simply make joint work feature more prominently on the agenda.
- **Capitalise on existing experiences with EU trust funds, IcSP operations, Joint humanitarian-development frameworks, etc.** The past few years the EU has started experimenting, particularly in high-profile contexts (e.g. the Sahel) with a more strategic approach to crisis management and long-term support. These offer opportunities for process learning that can help identify ways to overcome cultural boundaries between humanitarians and development actors.

**Agree on a methodology to facilitate joint analysis and joint strategy.** The EU's analytical and strategic tools are already fragmented. Adding another analytical tool to the Delegations' repertoire is therefore not necessarily a good idea. To ensure wide ownership and strategic and operational benefits this should be part of a review of the existing portfolio of analytical tools and strategies.

---

<sup>56</sup> For a discussion of sector concentration and results-based programming, see: Herrero, A., Knoll, A., Gregersen, C., Kokolo, W. 2015. Implementing the Agenda for Change: An independent analysis of the 11th EDF programming. (Discussion Paper 180). Maastricht: ECDPM.

## 4. Concluding remarks

The operating context of the EU's humanitarian aid and development cooperation has changed dramatically since the current architecture was designed. Crises last much longer and are rarely contained to one or two countries. In response, the EU has developed an extensive policy framework in support of integrated strategies in situations of conflict or fragility, covering both the political and security dimensions and long-term development cooperation. At the same time, humanitarian aid has dramatically expanded its temporal and functional scope and now comprises a variety of relief operations and a diversity of both local and international actors.

As we move towards the implementation of the EU Global Strategy, calls for greater coherence are getting more urgent. Crisis accelerates the need for change, and the EUGS is a clear expression of an EU foreign policy in crisis containment mode, as it seeks to address the migration and refugee crisis, and an increasingly menacing EU Neighbourhood.

Today, the notion of a 'joined-up approach' no longer makes a clear functional distinction between the different EU external policies, but instead calls for a pragmatic and multifaceted approach to resilience in the surrounding regions. EU Trust Funds and the initial response to the migration and refugee crisis (e.g. Turkey agreement), if anything, illustrate the sense of urgency with which the EU is looking for new solutions.

All this signals the need to carefully re-examine the conceptual and institutional divisions that underpin the EU's humanitarian and development systems. This study looked at politically and institutionally feasible options for a more effective integration between the two, both at a strategic and operational level.

The implementation of the EU Global Strategy will coincide with a number of key institutional change processes: the review of the European Consensus on Development (2016), the negotiation of a post-Cotonou arrangement with the ACP (2020) and the mid-term review (2017) of the EU's external financing instruments ahead of the new MFF (2020). These developments offer opportunities for EU Member States and institutions to re-evaluate the current institutional architecture.

The EU has also made good progress in piloting joint action. However, in doing so several, simultaneous 'joint approaches' have been created and now co-exist, causing confusion, overlaps, missed synergies, and at times overstressing the existing operational capacity. Looking ahead, options for increasing more effective and efficient collaboration in the short to medium term include:

- Acknowledge the co-existence of a variety of crisis response approaches and the specific place and added value of international humanitarian principles therein;
- Incentivise coordination and cooperation at the operational level by allocating the necessary time and resources to do so;
- Ensure sufficient political capital and leadership to promote effective coordination on the ground;
- Capitalise on existing experiences with EU trust funds, IcSP operations and joint humanitarian-development frameworks; and
- Agree on a methodology to facilitate joint analysis and joint strategy.

## References

ADE and King's College London: Evaluation of the implementation of the European Consensus on Humanitarian Aid. European Commission Directorate General Humanitarian Aid and Civil Protection – ECHO

Arts, K and Dickson, A.K. 2004. EU Development Cooperation. From Model to Symbol. Manchester: Manchester University Press. P. 1.

Bennett, C. 2015. The development agency of the future: fit for protracted crises? Overseas Development Institute Working Paper.

Bennett, C, M. Foley, and Pantuliano, S. 2016. Time to Let Go: Remaking Humanitarian Action for the Modern Era. ODI Humanitarian Policy Group.

Bossuyt, J., Keijzer, N., Medinilla, A., Tollenaere, M. De. 2016. The future of ACP-EU relations: A political economy analysis. (Policy Management Report 21). Maastricht: ECDPM.

Bossuyt, J., Shackson, L., Datta, A. 2014. Study on the uptake of learning from EuropeAid's strategic evaluations into development policy and practice. European Commission.

Council of the European Union. 2001. Gothenburg Programme: EU Programme for the Prevention of Violent Conflict. 9537/1/01/REV11

Council of the European Union. 2007. Council Conclusions on Security and Development. 15097/07

Council of the European Union. 2015. Council Conclusions on the World Humanitarian Summit preparatory process. 15232/15

Council of the European Union. 2016. 3462nd Council meeting Foreign Affairs Development issues. Outcome of the council meeting. 8736/16

Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid

Council Regulation (EU, EURATOM) No 1311/2013 of 2 December 2013 laying down the multiannual financial framework for the years 2014-2020

Den Hertog, L. 2016. EU Budgetary responses to the 'Refugee Crisis' Reconfiguring the Funding Landscape. CEPS Paper in Liberty and Security in Europe. No. 93.

European Commission, DG ECHO. 2014. Resilience Marker - General guidance. European Commission, November 2014.

European Commission. 1996. Communication on Linking Relief, Rehabilitation and Development (LRRD). COM(96) 153.

European Commission. 2012. Communication: The EU Approach to resilience: Learning from Food crises. COM(2012) 586.

European Commission. 2013. Commission Staff Working Document: Action Plan for Resilience in Crisis Prone Countries 2013-2020. SWD(2013) 227.

European Commission. 2016. Proposal for a new European Consensus on Development: our World, Our Dignity, Our Future. COM(2016) 740.

European Commission and HR/VP. 2013. Joint Communication to the European Parliament and the Council: The EU's comprehensive approach to external conflict and crises. JOIN(2013) 30

European External Action Service. (2016). Shared Vision, Common Action: A Stronger Europe A Global Strategy for the European Union's Foreign And Security Policy.

Faria, F. 2014. What EU Comprehensive Approach? Challenges for the EU Action Plan and beyond. (Briefing Note 71). Maastricht: ECDPM.

Helly, D., Galeazzi, G., Parshotam, A., Gregersen, C., Kokolo, W., Sherriff, A. 2015. Stepping up? Best practice in joint programming and prospects for EU joint cooperation strategies. (Discussion Paper 183). Maastricht: ECDPM.

Herrero, A., Knoll, A., Gregersen, C., Kokolo, W. 2015. Implementing the Agenda for Change: An independent analysis of the 11th EDF programming. (Discussion Paper 180). Maastricht: ECDPM.

Hauck, V., Knoll, A., Herrero Cangas, A. 2015. EU Trust Funds – Shaping more comprehensive external action? (Briefing Note 81). Maastricht: ECDPM.

High Level Panel. 2016. Humanitarian Financing Report to the Secretary-General Too important to fail—addressing the humanitarian financing gap, January 2016.

Mälksoo, M. 2016. From the ESS to the EU Global Strategy: External Policy, Internal Purpose. Contemporary Security policy.

Mijs, A. and Schout, A. 2015. Flexibility in the EU Budget Are There Limits? Clingendael Report

Morazán, P. et al. 2012. Strengthening the Link between Relief, Rehabilitation and Development (LRRD) in the EU's Financing Instruments for Development and Humanitarian Aid under the MFF 2014-2020. European Parliament. DG External Policies, Policy department.

MSF. 2016. [MSF to pull out of World Humanitarian Summit](#).

OCHA. 2015. An end in sight: Multi-year planning to meet and reduce humanitarian needs in protracted crises. OCHA Policy and Studies Series 15.

OECD. 2015. *States of Fragility 2015: Meeting Post-2015 Ambitions*, OECD Publishing, Paris.

Ramet, V. 2012. Linking relief, rehabilitation and development: Towards more effective aid. European Parliament Directorate-General for External Policies. Policy Brief.

Scott, R. 2015. Financing in Crisis? Making Humanitarian Finance Fit for the Future. OECD Development cooperation Working Paper 22.

The Guardian. 17 June 2016. [MSF rejects EU funding in protest at refugee deal](#).

United Nations. 2016. One humanity: shared responsibility Report of the Secretary-General for the World Humanitarian Summit. UNSG Seventieth session. Item 73 (a)

University of Leuven & ECDPM (forthcoming). 'Does the EU have the right instruments to finance assistance in enduring crises and the needs of upper middle income countries?' Brussels: European Union.

Wagner, W. & Anholt, R. 2016. Resilience as the EU Global Strategy's new leitmotif: pragmatic, problematic or promising?, Contemporary Security Policy.

Woolard, C. 2010. [EPLO Review of the Gothenburg Programme](#). EPLO.

Wouters, J. and F. Naert. 2003. [The EU and conflict prevention: a brief historic overview](#). KULeuven Institute for International Law Working Paper No 52 - April 2003.



## Annex 1: Flexibility measures in EU External Financing Instruments

- **The Development Cooperation Instrument (DCI)** is aimed at reducing and, in the long term, eradicating poverty. The Regulation (EU) No 233/2014<sup>57</sup> stresses the need to step up coordination between relief, rehabilitation and development, and foresees to mainstream conflict prevention throughout all programmes. The DCI is programmed on a multi-annual basis, based on existing national and regional policy documents, and in close consultation with partner country authorities, and multiple stakeholders, which can be a long process. Financing decisions are also subject to comitology examination procedures. The DCI disposes of the following measures that enhance flexibility: (i) it allows to keep 5% of funding unallocated, to cover unforeseen events. (ii) foresees the application of urgency procedures and (iii) it allows not to apply the comitology procedure for special measures, below a 10 million EUR threshold.
- **The European Neighbourhood Instrument (ENI)** is established under Regulation (EU) No 232/2014<sup>58</sup> and is EU's main instrument to implement the European Neighbourhood Policy . Its primary objective is that of advancing towards an area of shared prosperity and good neighbourliness, including by promoting confidence building, and contributing to security and the prevention and settlements of conflicts, including protracted conflicts. A key distinctive feature of the ENI is that programming is done only for the first years of the Multiannual Financial Framework period, so as to allow tailoring EU support to the evolving situation in each country and region. The timeframes of programming documents also differ from one country to the other. The Regulation disposes of flexibility measures, including: (i) urgency procedures (allowing quicker decision making and contracting procedures), and (ii) reprogramming, in the context crisis or emergency contexts. Finally, the ENP 2015 review introduced "flexibility cushions", which allow to keep 10% of resources unallocated, and to use them for urgent programming, notably to address post-conflict needs, provide refugee support, and deliver crisis and disaster response.
- **The Instrument contributing to Stability and Peace (IcSP)** is established under Regulation (EU) No 230/2014<sup>59</sup>, and can be mobilised to fund urgent actions in response to situations of crisis or emerging crisis, often complementing EU humanitarian assistance. It is also used to deliver longer-term capacity building of organisations engaged in crisis response and peacebuilding. IcSP interventions can include support to refugees and IDPs, and support to livelihood and economic recovery. The IcSP is perceived as one of the most flexible instruments in EU's toolkit, for the following reasons: (i) The "Short-term crisis response component" always operates under urgency procedures; (ii) Retroactive funding, allowing partners to start operations before a financing decision has been officially taken is allowed; (iii) Exceptional Assistance Measures can be taken for a maximum period of 18 months, with the option of an additional no-cost 6 month extension; a second EAM can be adopted to ensure continued support of EU long-term assistance (up to 36 months in total); (iv) Interim Response Programmes can also be funded to re-establish conditions for longer-term (development) assistance or to ensure the continuation of EU support, particularly in situations of protracted crisis. The IcSP was also specifically designed to allow quick and flexible interventions and to fill in the gaps when other instruments cannot be used, including ECHO, "*when it cannot do*

<sup>57</sup> Regulation (EU) No 233/2014 of the European Parliament and the Council of 11 March 2014 establishing a financing instrument for development cooperation for the period 2014-2020.

<sup>58</sup> Regulation (EU) No 232/2014 of the European Parliament and the Council of 11 March 2014 establishing a European Neighbourhood Instrument.

<sup>59</sup> Regulation (EU) No 230/2014 of the European Parliament and the Council of 11 March 2014 establishing an Instrument Contributing to Stability and Peace.



*certain things due to limitations in its mandate, especially in relation to security and conflict protection issues*<sup>60</sup>. The IcSP notably differentiates itself from other instruments through its highly political character, e.g. by funding mediation or confidence-building activities. However, the IcSP only allows to fund short- to medium-term interventions, constraining the instruments' ability to support efforts towards building resilience in a sustainable manner, particularly when no follow-up funding by other EU instruments is secured.

- **The European Development Fund (EDF):** is set up under the Cotonou Partnership Agreement (2000-2020), which currently governs ACP-EU relations. It falls outside the remit of the EU budget and is funded by direct contributions from EU Member States. The EDF's legal basis - established in the Council Regulation (EU) 2015/322<sup>61</sup>, allows programming to include conflict prevention and resolution, statebuilding and peacebuilding, and post-conflict reconciliation and reconstruction. Like the DCI, the EDF programming takes as existing country and regional strategies as the point of departure, and is subject to multi-stakeholder consultation. A special feature of the EDF is the principle of co-management, according to which all financing decisions need to be taken jointly between the EU and the National Authorising Officer (NAO), representing the beneficiary country. In some contexts, the co-management principle translates in long delays in decision-making, and governments may also block the allocation of funding to sectors that are crucial to addressing vulnerability and increasing resilience. The EDF also foresees specific flexibility measures which allow, among others to bypass the NAO under specific circumstances, including: (i) the possibility to reprogram aid in order to ensure coordination between humanitarian and development instruments; (ii) urgency procedures to allow quicker financing decisions and contracting, by relying on centralised management (rather than co-management); (iii) a reserve for unforeseen needs (B-envelope), which increases the allocation for emergency and recovery needs. Finally, the EDF - within its intra-ACP envelope foresees to fund the African Peace Facility (APF) which includes an Early Response Mechanism (ERM) which is designed to fund immediate response interventions (cf. crisis prevention, early response), and which can be mobilised upon the African Union or a Regional Economic Community (REC)'s request, without a decision by the EC.
- **ECHO's humanitarian aid instrument** is established under the Council Regulation 1257/96, ECHO's humanitarian aid instrument is programmed on an annual basis through World wide decisions, based on Annual Strategies, and which are then translated into Humanitarian Implementation Plans, to deal with specific crisis, and into the funding of short-term interventions (maximum of 24 months)<sup>62</sup>. The recurrent mismatch between budgetary allocations to ECHO and humanitarian needs, led the EU to introduce an Emergency Aid Reserve (EAR) in the current MFF 2014-2020. The EAR allows the transfer of funds to ECHO when required, and even if they were not foreseen in the budget. ECHO can also access 25% of the EDF B-reserve to finance post-emergency actions (and phase out emergency aid). EDF B-envelope funding can be used to finance ECHO initiatives for up to 36 months. ECHO has also an "Enhanced Response Capacity" (ERC), designed to improve EU's response in major emergencies, notably through rapid response teams. ECHO's Disaster Preparedness Programme (DIPECHO) allows ECHO to support disaster preparedness and DRR activities, with the aim of reducing communities' vulnerability and increasing their resilience.

<sup>60</sup> Interview with EU official, June 2016.

<sup>61</sup> Council Regulation (EU) 2015/322 of 2 March 2015 on the implementation of the 11th EDF.

<sup>62</sup> See: [http://ec.europa.eu/echo/files/funding/decisions/2016/HIPs/WWD\\_BUD\\_2016\\_en.pdf](http://ec.europa.eu/echo/files/funding/decisions/2016/HIPs/WWD_BUD_2016_en.pdf)

- **EU Trust Funds (EUTFs)** are a recent add-on to the EU's external action instruments. The 2013 financial regulation<sup>63</sup> opened up the possibility to authorise the Commission to set up and manage trust funds, jointly with other donor agencies. EUTFs respond to EU's will to deliver more flexible, comprehensive and effective joint EU support<sup>64</sup>, particularly to address crisis or post-crisis situations. EUTFs can pool funds from different EU budget lines and instruments, and leverage funds from different EU Member States and other donors. EUTFs are managed outside the EDF and the EU budget rules and have their own specific governance structure<sup>65</sup>, which allowing for quick-decision making as no Commission Financing Decision needs to be taken. EUTFs can also be seen as a key instrument that bridge humanitarian and development aid, and allow for a collective approach to crisis management that increases complementarity between humanitarian and development actors, as they align their activities under a unique strategic framework<sup>66</sup>. The EUTFs are not governed by EU's financial rules and regulations, and in this way offer a technical solution by allowing to circumvent EU's cumbersome procedures, yet without fundamentally challenging the current EU aid architecture.

---

<sup>63</sup> See: [http://ec.europa.eu/budget/biblio/documents/regulations/regulations\\_en.cfm](http://ec.europa.eu/budget/biblio/documents/regulations/regulations_en.cfm)

<sup>64</sup> Hauck, Knoll and Herrero Cangas, November 2015.

<sup>65</sup> The Trust Fund Board decides on the Trust Fund's global strategy and is chaired by the European Commission and composed by contributing donors with voting rights; the Operational Committee is chaired by the European Commission and includes representatives of all donors.

<sup>66</sup> The Bêkou Trust Fund for example was set up between the EU (DEVCO, ECHO and EEAS), France, Germany and the Netherlands to promote the stabilisation and reconstruction of the Central African Republic, effectively bringing humanitarian and development funding under one joint coordinating body. Although ECHO's contribution is symbolic - 3 million EUR out of the current 113 million EUR that have been pooled for the Bekou Trust Fund, its added value lies in bringing together humanitarian and development actors under a joint strategic framework for resilience, in a situation of post-crisis.



### About ECDPM

ECDPM was established in 1986 as an independent foundation to improve European cooperation with the group of African, Caribbean and Pacific countries (ACP). Its main goal today is to broker effective partnerships between the European Union and the developing world, especially Africa. ECDPM promotes inclusive forms of development and cooperates with public and private sector organisations to better manage international relations. It also supports the reform of policies and institutions in both Europe and the developing world. One of ECDPM's key strengths is its extensive network of relations in developing countries, including emerging economies. Among its partners are multilateral institutions, international centres of excellence and a broad range of state and non-state organisations.

### Thematic priorities

ECDPM organises its work around four themes:

- Reconciling values and interests in the external action of the EU and other international players
- Promoting economic governance and trade for inclusive and sustainable growth
- Supporting societal dynamics of change related to democracy and governance in developing countries, particularly Africa
- Addressing food security as a global public good through information and support to regional integration, markets and agriculture

### Approach

ECDPM is a "think and do tank". It links policies and practice using a mix of roles and methods. ECDPM organises and facilitates policy dialogues, provides tailor-made analysis and advice, participates in South-North networks and does policy-oriented research with partners from the South.

ECDPM also assists with the implementation of policies and has a strong track record in evaluating policy impact. ECDPM's activities are largely designed to support institutions in the developing world to define their own agendas. ECDPM brings a frank and independent perspective to its activities, entering partnerships with an open mind and a clear focus on results.

For more information please visit [www.ecdpm.org](http://www.ecdpm.org)

### ECDPM Discussion Papers

ECDPM Discussion Papers present initial findings of work-in-progress at the Centre to facilitate meaningful and substantive exchange on key policy questions. The aim is to stimulate broader reflection and informed debate on EU external action, with a focus on relations with countries in the South.

**This publication benefits from the generous support of ECDPM's core, institutional and programme funders:  
The Netherlands, Belgium, Finland, Ireland, Luxemburg, Portugal, Sweden, Switzerland and Austria.**

ISSN 1571-7577

The logo for ECDPM, featuring the lowercase letters "ecdpm" in a white, sans-serif font on a blue rectangular background.

#### HEAD OFFICE SIÈGE

Onze Lieve Vrouweplein 21  
6211 HE Maastricht  
The Netherlands *Pays Bas*  
Tel +31 (0)43 350 29 00  
Fax +31 (0)43 350 29 02

BRUSSELS OFFICE  
BUREAU DE BRUXELLES  
*Rue Archimède 5*  
1000 Brussels *Bruxelles*  
Belgium *Belgique*  
Tel +32 (0)2 237 43 10  
Fax +32 (0)2 237 43 19

[info@ecdpm.org](mailto:info@ecdpm.org)  
[www.ecdpm.org](http://www.ecdpm.org)  
KvK 41077447