

European Humanitarian Roundtables – East Findings and Recommendations

Ahead of the World Humanitarian Summit (WHS), due to take place in May 2016, the Network on Humanitarian Action (NOHA) and the European Commission are organising a series of roundtables. The aim of these events is to present and discuss the core themes and priorities of the WHS process and the European Union's policy position towards the WHS. The events provide an opportunity for those affected by conflict, academics, practitioners, and youth involved in humanitarian action, as well as the broader humanitarian community, to make substantive contributions to the European Union's humanitarian policy and practice.

Each event spans two days. On the first day, experts are divided into working groups to discuss specific themes from the perspective of the WHS reports and the European Commission's position paper. On the second day, after a series of short presentations from NOHA, the European Commission and the WHS, representatives from the first day present the results and recommendations from the previous day's discussions. At the end of each event, a document reflecting the views of the participants is published. The aim is to provide concrete recommendations to the European Union and to the broader humanitarian community.

The Warsaw roundtable marked the third in a series of four events, preceded by the roundtable in Aix-en-Provence held on the 3 and 4 of February and Uppsala on the 16 and 17 of February. The 27 experts who gathered in Warsaw represented a plethora of stakeholders from Poland, Czech Republic, Slovenia, Slovakia, Poland, Germany, and Switzerland. They were able to discuss and build upon the recommendations from the working groups in Aix-en-Provence and Uppsala which represented the first glances into the gaps and shortcomings of current policy prescriptions toward the World Humanitarian Summit, as well as emphasised the topics in the European Commission's position paper that could be expanded upon.

The present document summarises the recommendations and findings of the experts who met in Warsaw. These will be used as a basis for discussion and will be built upon during the final roundtable event which will take place in Dublin on the 30 and 31 March 2016.

All working group members agreed that any humanitarian effort must be backed up by political will, with state actors in particular generating the necessary political will to fulfil their obligations under international humanitarian and human rights law.

*The signatures on the document do not reflect the full number of participants, but instead those who have already been willing to professionally endorse the recommendations they have made. The names of further participants will be added as they confirm the recommendations.

The information and views set out in this publication are those of the participants in the working groups at the Humanitarian roundtables and do not necessarily reflect the official opinion of the European Union. Neither the European Union institutions and bodies nor any person acting on their behalf may be held responsible for the use which may be made of the information contained therein.

E.1. Working group on access and subsidiarity

E.1.P: In the context of access with reference to humanitarian principles, the working group expects that EU and national level funds shall not be conditional or restricted on the grounds of political or security considerations. The group reiterates N.1.3 and S.1.7 in relation to support for local actors. Predictable multi-annual funding could support subsidiarity and foster development by empowering local actors and supporting a smooth transition to the development phase, as seen in Action Area 7. Building on Action Area 5, 'Subsidiarity', the group specified that access should be through local market structures or channels where possible.

E.1.1. Access and legal framework: The working group reiterates the need for strengthening legal frameworks in accordance with Action Area 2 of the Communication. In addition to N.1.4 and S.1.3, attention should also be given to relevance of the international legal frameworks in order to facilitate humanitarian access. Specifically, the international community could consider: ensuring that all actors comply with applicable laws; revising international law with regards to humanitarian access by taking into account the changing nature of humanitarian crises; and reinforcing the mechanisms for international law enforcement.

E.1.2. Security and counterterrorism issues: Donors should give more support to NGOs that can gain access in dangerous areas. This can include covering the extra costs such as security officers, appropriate security training, and monitoring and evaluation for the security of aid workers. In relation to difficulties in transferring funds, the group identified that there is a potential for reinforced dialogue and partnership with the private and banking sectors while still utilising donors or external facilitators. The group also observed several issues around counterterrorism, highlighting the importance for humanitarian actors to negotiate access on a case by case basis but with overarching donor acceptance. This went in line with the need to accept the codes and guidelines for engagement by humanitarian actors and the need to have separate rules for local actors. The group further acknowledged the difficulty in balancing transparency and confidentiality.

E.1.3. Gender and other cross-cutting issues: In reference to N.1.1, the group specified that "meaningful attention" should mean translating gender into concrete action in the field. Innovative approaches to gender inclusion can be necessary. Furthermore, it was noted that needs assessment and humanitarian action should be inclusive, incorporating all of the relevant stakeholders, in order to identify marginalised and vulnerable groups. This includes but is not limited to people with disabilities, women, children, the elderly, the sick, socially marginalised, ethnic minorities, indigenous people, and people in remote areas. Humanitarian action also should be context-informed on its potential impact on local economy, national and local politics, and know what vulnerability means in a local context.

E.1.4. What is missing from the key documents towards the WHS: The working group found that a more set and comprehensive role of diaspora needs to be underlined in the build-up to the WHS, as diaspora plays a bigger role than just in advocacy and remittances. It was observed that there can be limitations to them being principled humanitarian actors. Nevertheless, this is often an assumption and leads to them facing difficulty in interacting with the conventional humanitarian system. Furthermore, S.1.7, the group identified that at least national and local platforms of NGOs and CBOs should have access to coordination mechanisms.

These recommendations were based upon input from and agreed to by the following group members:

Elmi Abdi, Foundation for Somalia

Sylvie Cambou Prokopowicz, Polish Humanitarian Action and NOHA student

Celia Cranfield, VOICE, Facilitator

Gzregorz Gruca, Polish Humanitarian Action

Erik Mohns, Berghof Foundation

Jürgen Clemens, Malteser International

Jan Říkovský, Caritas – College of Social Work Olomouc

Roman Wieruszewski, Poznań Human Rights Centre

E.2. Working group on current humanitarian challenges in Ukraine

E.2.1. Protracted crisis: We call upon the international community to intensify efforts to put an end to the conflict in Eastern Ukraine, to fulfil the Minsk Agreements, and to make sure that this protracted crisis does not become a forgotten one. The specificity of the crisis requires cooperation of humanitarian and development actors in order to fully respond to the complexity of the affected population's needs, both IDPs and host communities.

E.2.2. Humanitarian principles & IHL: Taking into consideration the continuous violations of humanitarian principles and international law (e.g. IHL, IHRL, Refugee Law), we urge all parties to the conflict to respect and fulfil their obligations and commitments. The international community should increase its support to the dissemination of the principles of IHL among all parties, both inside government and non-government controlled areas. It should be emphasised that civilians and civilian objects must not be targeted or used for military purposes, detainees should be treated humanely, humanitarian personnel have to be protected, and protective emblems should be respected.

E.2.3. Access: The delivery of humanitarian assistance, especially in non-government controlled and grey zone areas, continues to be a major challenge. The responsibility of providing impartial humanitarian assistance and protection lies primarily with the parties to the conflict. However, we recall the obligation of the parties concerned to ensure access to affected populations, in case they are not able or willing to provide the assistance themselves. They should have in place appropriate legal and policy frameworks to facilitate humanitarian access. For that purpose, the dialogue of the humanitarian actors with the Ukrainian government and the de facto authorities of Luhansk and Donetsk Oblast' should be intensified.

E.2.4. Local organisations: We recognise the potential of local actors in reaching affected populations and playing a major role in humanitarian response in Ukraine. The international community should support local organisations in their capacity building and awareness raising of international humanitarian standards, in order to enable them to overcome their difficulties (e.g. cases of language barrier, financial gap, insufficient accountability etc.). This will result in their increased participation and empowerment, as well as a more efficient and effective aid delivery.

E.2.5. Protection & support for host communities: In order to provide assistance and protection to the most vulnerable, the needs of the host communities must also be addressed. Humanitarian planning and response should be adjusted accordingly to foster social cohesion and prevent hostilities between host communities and IDPs in rural and urban settings. This requires adequate data collection, stable funding, short-term projects and long-term strategies, as well as collaboration between the communities and the displaced population themselves.

E.2.6. Joint needs assessment: The effectiveness of coordination mechanisms should be ensured in order to provide for an efficient, coherent, adequate and timely response. This can be achieved through transparent communication, joint strategic planning, joint needs assessment, improved information sharing and management. This will enable saving and equal distribution of resources, clear understanding of the context, and provision of reliable data on the form and scale of actual needs. For instance, it has been proven that the cash-based interventions are seen as a dignified and flexible method of providing humanitarian response, thus, they should be supported whenever possible.

These recommendations were based upon input from and agreed to by the following group members:

Alisa Ananbeh, former employee of UNHCR-Jordan and UNHCR-Ukraine

Salla Himberg, Red Cross EU Office

Monika Kacprzak, UNICEF Poland

Anita Kołodziejka, Polish Ministry of Foreign Affairs

Artur Malantowicz, NOHA, Facilitator

Elżbieta Mikos-Skuza, NOHA and University of Warsaw

E.3. Working group on protection in urban settings

E.3.P: The working group endorses the recommendations made by the North and the South in general, but specifically highlights S.3.5 of access and subsidiarity regarding counterterrorism¹, due to its particular impact on protection in urban settings.

E.3.1: Concerning Action Area 3, rather than focusing solely on the humanitarian community, the emphasis should be first and foremost on ensuring that governments and international state community systematically ensure by all means possible the protection of civilians/crisis affected people.

E.3.2: Concerning Action Area 2, the responsibilities of governments/de facto authorities should appear first and not second. The focus should be on governments ensuring a safe and secure environment for crisis affected people rather than only for humanitarian actors. In addition, the enforcement of existing legal frameworks, rather than their adoption, should be highlighted. The wording of the recommendation should emphasise the obligation of states to ensure a safe and secure environment ("must" instead of "should").

E.3.4: The group agrees that protection in urban settings is contingent upon ensuring the livelihood of both host and refugee/displaced persons. This implies, as recommended in the North, access to humanitarian aid, the labour market and housing, without negatively impacting host communities.

E.3.4: As per N.3.6 recommendation, the group reaffirms the importance of working with local authorities and development actors to ensure that host and displaced communities have comprehensive access to all basic public services (housing, electricity, etc.), which require activities beyond humanitarian action.

E.3.5: The international community cannot accept impunity and this should be a clear position from the EU. There is an obligation to punish those responsible for genocide, war crimes and crimes against humanity. States are obliged to cooperate with the International Criminal Court and have to empower national criminal courts. Protection is contingent on this.

E.3.6: In addition to N.3.2 recommendation, more research and collaboration with academic institutions and think-tanks should be undertaken to ensure that current and/or regular patterns of displacement and the needs of affected people are better anticipated, solutions established in advance and commitment ensured.

E.3.7: The voices of affected people must be meaningfully taken into account when devising and implementing protection strategies and measures. Knowledge of applicable laws and political rules in different situations of urban violence has to be disseminated among humanitarian actors and national and local actors.

These recommendations were based upon input from and agreed to by the following group members:

Sophie Borel, NOHA, Facilitator

Hans-Joachim Heintze, NOHA and Ruhr-University Bochum

Michał Kurpiński, Free Syria Foundation

Khaula Sawah, International Union of Medical Care and Relief Organizations (UOSSM)

¹ Regarding Counterterrorism, the European Union's position should be more explicit concerning how to deal with this issue. This affects humanitarian aid, especially local actors. In line with the Secretary General of the WHS, states should "ensure that counterterrorism or counter insurgency measures do not inhibit humanitarian action and provide for necessary exemptions."

E.4. Working group on forced and protracted displacement

E.4.1. Dignity and protection: Building on N.4.8, we want to emphasise that all actors should be held accountable to ensure protection of the displaced people, especially those most vulnerable because of age, gender and disability. Moreover, they should engage with and listen to displaced people throughout the project cycle in order to give them voice and choices. There is also a need for timely determination and documentation of refugee status, and actors should commit to guarantee respect for the dignity, access to basic services and protection of displaced also before status determination.

E.4.2. Diversity and standardisation: In support for N.1.3, the working group wants to emphasise that, while recognising the need to maintain the diversity and comparative advantage of humanitarian actors, there is also a need to harmonise standards and requirements for project proposals and reporting in the context of displacement.

E.4.3. Regional frameworks: The working group calls for regional organisations to strengthen and develop normative frameworks for IDPs and climate change induced displacement and to increase work on conflict prevention, conflict resolution and peacebuilding in order to contribute to address the root causes of displacement. Likewise, regional organisations should ensure that their funding and projects follow the needs of displaced people and across borders, instead of being focused on single countries. Regional funding instruments instead of country-based funding could be one option to support that.

E.4.4. Humanitarian action and development: Building on S.4.3, we see a need for development funds to support the integration of displaced populations in host communities by including IDPs and refugees in national development plans and supporting local civil society, as first responders, to host and integrate refugees and IDPs into the society, support their self-reliance and ensure their access to local services rather than assisting them within camp settings.

E.4.5. Displacement in Europe: In view of the humanitarian refugee crisis that the EU is currently facing within its borders, we strongly recommend the EU to commit towards a principled and comprehensive approach regarding reception, status determination, access to services in order to increase responsibility sharing. The EU should seek to make use of its own humanitarian expertise, including NGOs within the Member States, and operational capacity to assist displaced people within Europe. Furthermore, the EU should increase its role in conflict reduction, prevention and peace building to address the root causes of displacement. The working group confirms S.4.3, and calls on EU political actors to increase legal pathways for entry into the EU in order to ensure safer travel and prevent illegal smuggling of human beings. This could be done through larger numbers of student and non-student visas and increased family reunifications. The EU should look into the possibility to interlink certain EU funds (AMIF, DG ECHO) in order to enable a holistic support to displaced people across the European borders and their integration in Europe.

These recommendations were based upon input from and agreed to by the following group members:

Inez Kipfer-Didavi, Johanniter International Assistance

Maciej Fagasinski, The Refugee.pl Foundation

Veronica Foubert, Geneva Centre for Education and Research in Humanitarian Action (CERAH)

Samuel Hagos, NOHA Student

Patricija Virtič, platform of Slovene development and humanitarian aid NGOs (SLOGA)

Will Wright, NOHA, Facilitator