

European Humanitarian Roundtables – West 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 organised a series of roundtables. The aim of these events was 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 provided 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 spanned two days. On the first day, experts were 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 presented the results and recommendations from the previous day's discussions. At the end of each event, a document reflecting the views of the participants was published. The aim is to provide concrete recommendations to the European Union and to the broader humanitarian community.

The Dublin roundtable marked the last in a series of four events, preceded by the roundtable in Aix-en-Provence held on the 3 and 4 of February, Uppsala on the 16 and 17 of February, and Warsaw on 1 and 2 of March. The 29 experts who gathered in Dublin represented a wide range of stakeholders from Belgium, France, Ireland, Netherlands, Slovenia, Spain, Switzerland, and United Kingdom. They discussed and built upon the recommendations from the working groups in Aix-en-Provence, Uppsala, Warsaw.

The present document summarises the recommendations and findings of the experts who met in Dublin. These will be combined with the recommendations from the previous roundtables in a final document encapsulating the recommendations of the over 100 humanitarian stakeholders who contributed to the roundtable process.

*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.

W.1. Working group on access and subsidiarity

W.1.P: The working group recognises the work of the groups at previous roundtables and the importance of the European Union's principled humanitarian approach. They call on the EU to retain and strengthen the link between future actions and existing commitments such as the European Consensus on Humanitarian Aid (Consensus). As an overall comment on the Communication and the Secretary General's report, the group feels that there is insufficient distinction being made between the laws and modalities of response relative to disasters on the one hand and conflict on the other.

Clarifying the dimensions of subsidiarity

W.1.1: Empowerment of crisis affected populations has not been mentioned in the previous recommendations or in the Communication. Subsidiarity needs to be considered to include empowerment, solidarity and accountability.

Making subsidiarity effective

W.1.2: There is a need to move away from a language of 'us' and 'them' to a language of 'we' - we being the affected population.

W.1.3: The concept of subsidiarity, as defined in the Irish Humanitarian Summit and used in these discussions, states that humanitarian action should be a support to the efforts and capacities of affected people to help them cope in times of crisis and to assist them in their recovery in a manner that enhances their resilience to future shocks and stresses. Humanitarian actors must respect the culture and capacities of affected people and recognise that affected people are the central actors in their own survival and recovery. Subsidiarity serves as a constant reminder that humanitarian response, whether local or external, is best developed with and for affected people. The core intent of humanitarian subsidiarity is to enhance the effectiveness and coverage of crisis responses while at the same time respecting the agency of disaster affected populations. The spirit of subsidiarity is a multidirectional process seeking to identify and support the most suitable response and responders possible for each case with crisis affected people at the centre.

W.1.4: Subsidiarity will be effective if:

W.1.4.a: response instruments are contextualised and relativised,

W.1.4.b: all responders, irrespective of their origin and nature, apply the humanitarian principles, established codes and standards of practice in their action, and

W.1.4.c: there is greater access to funding, control and decision making mechanisms for local actors.

W.1.5: To support the capacity of local actors: (1) funding for capacity building of local responders needs to be available and accessible, and (2) localised capacity building services need to be developed.

Diversity in funding mechanisms

W.1.6: As access to funding is a prerequisite of the ability to programme, there is a need for more varied funding mechanisms that allow NGOs to manage and access them directly.

W.1.7: The working group calls on the European Union to:

W.1.7.a: ensure the Grand Bargain strengthens the diversity of the humanitarian system, financial mechanisms, and budget holders;

W.1.7.b: reaffirm DG ECHO's responsibility to manage funds in a manner consistent with the Consensus, and as a model donor in adhering to humanitarian and Good Humanitarian Donorship principles in all funding decisions; and

W.1.7.c: encourage DG ECHO to lead on the simplification and standardisation of donor reporting, accountability, and transparency mechanisms so that they allow smaller organisations to access and apply them.

Access

W.1.8: The working group calls upon member states to adhere to obligations under international humanitarian law, including their responsibility to "respect and ensure respect" for IHL, believes that there is a need for adequate independent mechanisms to monitor and report on violations, and therefore recommends that

W.1.8.a: the European Commission work with member states to document, fund research and develop lessons learned in relation to the arbitrary withholding of humanitarian access; and that

W.1.8.b: member states support national disaster management agencies to develop and strengthen effective mechanisms for humanitarian delivery in support of a decline in bureaucratic impediments.

W.1.9: To ensure principled co-ordination between member states and EU policies, the working group calls on DG ECHO to ensure that humanitarian agencies are invited to engage in a discussion regarding the EU crisis management system that supports principled humanitarian response.

W.1.10: The working group recommends that the specificity of principled humanitarian action is recognised and secured in keeping with provision 22¹ of the Consensus.

W.1.11: In relation to counter-terrorism legislation and the prohibitions on contact, the working group calls on member states to allow for humanitarian dialogue across frontlines to enable impartial humanitarian action.

W.1.12: The humanitarian principles remain relevant and are critical to humanitarian access. The working group calls on all implementing agencies to ensure that they are applying these principles.

W.1.13: The group commends the recent Security Council Resolution 2254 (2015, provision 12) and calls on states to proactively identify and condemn any collective punishment mechanisms, such as sieges, that adversely impact crisis-affected populations' ability to access aid.

W.1.14: The working group notes the applicability of Human Rights Law to all disaster contexts and calls on states to respect their obligations under it.

W.1.15: The group calls on all member states to adopt and implement International Disaster Relief and Initial Recovery Assistance (IDRL) guidelines and to support the adoption of IDRL outside the EU by the governments of all disaster affected countries.

W.1.16: The group calls on EU member states to support and encourage the adoption of regional conventions developed to protect internally displaced populations in a manner consistent with the Kampala Convention on IDPs.

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

Jane Backhurst, ChristianAid

Rory Downham, Institut Bioforce

Sulagna Maitra, NOHA and University College Dublin, Facilitator

Dualta Roughneen, Plan International Ireland

Tim Seal, Humanitarian Leadership Academy

¹ The principles that apply to humanitarian aid are specific and distinct from other forms of aid. EU humanitarian aid, including early recovery, should take long-term development objectives into account where possible, and is closely linked to development cooperation whose principles and practices are outlined in 'the European Consensus on Development'. EU humanitarian aid is delivered in situations where other instruments related to crisis management, civil protection and consular assistance may also come into play. Hence, the EU is committed to ensure coherence and complementarity in its response to crises, making the most effective use of the various instruments mobilised. Therefore the EU should enhance efforts to raise awareness of and take into account humanitarian principles and considerations more systematically in its work throughout its Institutions.

W.2. Working group on gender based violence and resilience

W.2.P: Concerned about the absence of any reference to gender and gender based violence (GBV) in the Communication from the Commission to the European Parliament and the Council; Appreciating the attention given to gender and GBV in the UN Secretary General's Report to the World Humanitarian Summit but noting that gender has been siloed and limited to Core Responsibilities 2 and 3, where GBV was addressed in the context of armed conflict only; Ensuring that treatment with dignity is formulated without distinction as per the UN SG Report; The working group makes the following recommendations to be integrated in all future European Union documents, communications and policies.

Political leadership to prevent and end conflict

W.2.1: Global leadership is needed to end impunity on GBV in all humanitarian crises and to ensure that perpetrators are held accountable by strengthening justice systems to investigate and prosecute GBV.

Uphold the norms that safeguard humanity

W.2.2: The European Union and its member states should reaffirm previous commitments that have been made with regard to gender and GBV in humanitarian action.

W.2.3: The working group calls on all stakeholders to ensure that Refugee Law is applied without discrimination, including on the basis of sex, gender and nationality.

Leaving no one behind

W.2.4: Humanitarian programming must ensure that actions related to GBV, women's empowerment and gender mainstreaming are appropriate and distinct.

W.2.5: The working group calls upon the international community to recognise the importance of addressing GBV in all humanitarian contexts, including conflict, disasters and other emergencies (e.g. public health emergencies and displacement).

W.2.6: Humanitarian stakeholders should work to ensure equitable access to humanitarian assistance and protection and to productive resources, including housing, land and property.

From Delivering aid to reducing need

W.2.7: European humanitarian actors should work to fully utilise and promote the DG ECHO "Gender and Age Marker" throughout the whole programme cycle.

W.2.8: The working group emphasises the need to recognise the central role that women play in conflict prevention, conflict resolution, post-conflict reconstruction, DRR and resilience building with reference to the Women, Peace and Security agenda, the Sendai Framework and Agenda 2030.

W.2.9: There is a need to build resilience by promoting community-based systems and organisations to prevent and mitigate GBV and to ensure survivors' access to support and care.

Investing in humanity

W.2.10: The working group emphasises the need to deliver gender-sensitive humanitarian action and implement context-specific approaches that promote women and girls' empowerment over their own lives from the first stages of a humanitarian response.

W.2.11: European humanitarian actors should work to ensure that the DG ECHO "Gender and Age Marker" informs humanitarian funding decisions.

W.2.12: Internationally, there is a need to increase investment across the humanitarian sector in targeted GBV prevention programmes.

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

Cristina Churruga, NOHA and University of Deusto

Lisa Doherty, Department of Foreign Affairs and Trade of Ireland

Siobhan Foran, International Federation of Red Cross and Red Crescent Societies (IFRC)

Ronan McDermott, NOHA and University College Dublin

Réiseal Ni Cheilleachair, Trócaire

Sophie Borel, NOHA, facilitator

Furthermore, members of other groups to agree to endorse these recommendations include:

Antonio Donini, Tufts University and Geneva Graduate Institute

Michiel Hofmann

Sulagna Maitra, NOHA and University College Dublin

Artur Malantowicz, NOHA

Martin McCann, RedR UK and Sphere

Will Wright, NOHA

W.3. Working group on protection in urban settings

While each urban context is unique and requires specific methodologies and actions, these recommendations should represent key areas of concern in providing protection in urban environments.

W.3.1: In the complexity of urban environments, humanitarian actors need to understand and acknowledge the presence, roles and responsibilities of a wide range of stakeholders.

W.3.2: Humanitarian action requires respect for existing and emerging bonds, bridges and linkages in urban environments, both physical and societal. These are critical elements in understanding conflict prevention and post-conflict reconciliation.

W.3.3: Concerning Action Area 3, the emphasis should be on ensuring that governments of the affected countries and the international community systematically ensure by all means possible the protection of civilians and crisis affected people.

W.3.4: Concerning Action Area 2, it is the primary responsibility of governments and de facto authorities to ensure safe and secure environments for crisis affected people rather than only for humanitarian actors.

W.3.5: Humanitarian programmes should, in an optimal manner, make use of, build on and strengthen formal and informal systems, including economy, health, and protection infrastructure.

W.3.6: As dissidents and those affected by violence can use urban settings to hide or remain anonymous to avoid further violence, it is crucial for humanitarian programmes to respect the chosen anonymity that urban contexts can provide some individuals.

W.3.7: Humanitarians must optimise their use of technology and innovation to better address protection and assistance in terms of the specifics of urban environments, especially with regards to groups with increased risk and special needs including women, children, the elderly, and people living with disabilities.

W.3.8: Humanitarian programming in urban contexts should involve experts in various facets of urbanisation, taking into account local expertise as much as possible.

W.3.9: The group supports E.3.4, but emphasises the need for design, maintenance, and repair of critical infrastructure to ensure the quick return to service and access following disasters.

W.3.10: Humanitarian activities in urban contexts require open and easily accessible information for increased accountability and acceptance. This should be context specific to include different outreach mechanisms for affected and non-affected populations.

W.3.11: In the long-term context of protection actions in urban environments, humanitarian actors should use and support local universities and research centres to improve lesson learning over time. This can mean support for local universities to access crucial knowledge and build local expertise.

W.3.12: The working group recognises that current urban warfare often includes indiscriminate attacks on civilian areas, critical infrastructures such as hospitals and schools, and indiscriminate use of booby traps and other deadly devices. These all represent sources of immense suffering for urban populations and result in massive displacement. The working group reiterates that all states and parties to IHL instruments must exert all pressure on warring parties to ensure safety and security of urban populations in conflict zones.

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

François Grünewald, Groupe URD

Frances Hill, Enhancing Learning and Research for Humanitarian Assistance (ELRHA)

*Bram Jansen, Wageningen University
Martin McCann, RedR UK and Sphere
Will Wright, NOHA, Facilitator*

W.4. Working Group on Forced and Protracted Displacement

W.4.P: The working group expresses grave concern that the recent EU-Turkey deal of 18 March 2016 contradicts a large number of recommendations developed within the European Humanitarian Roundtables framework, most notably respect for the international humanitarian and refugee law, and the needs-based approach to humanitarian action. As such the deal damages the credibility of the European Union, undermines the European Consensus on Humanitarian Aid and constitutes a dangerous precedent of principled humanitarian donors being instrumentalised by political agendas.

W.4.1. Adherence to international law: The working group supports the S.4.2 which highlighted the need to ensure the fundamental rights of concerned peoples by a strict adherence to international humanitarian and refugee law. Furthermore, it stresses that an independent study should be conducted on the implications of breaches of international humanitarian law, especially refugee law, by the European Union, in relation to the EU-Turkey deal of 18 March 2016.

W.4.2. Upholding humanitarian principles: The working group reiterates the N.4.1, and agrees that on multiple occasions humanitarian action has been instrumentalised for political and military objectives, neglecting the assistance and protection needs of the most vulnerable. All humanitarian stakeholders have to be held accountable in adhering to their own commitments. The group highlights the need for the EU member states to abide by the humanitarian principles, to which they have committed through the European Consensus on Humanitarian Aid. Furthermore, the EU should comply with and advocate that its partners comply with the IASC Statement on the Centrality of Protection in Humanitarian Action.

W.4.3: Needs-based approach: In support to S.4.1, the working group agrees that with regard to challenges to the definitions and categorisation of displaced peoples, it is paramount for humanitarians to continue activities based on need and the principle of impartiality. While the sheer number of cases makes action difficult, assistance and protection must be provided based on needs rather than on the legal status of displaced people. In doing so, specific rights to protection of all displaced peoples must be guaranteed by Member States.

W.4.4: Independent & joint needs assessment: In reference to N.4.4, independent needs assessments are a prerequisite while joint assessments are desirable in order enable efficient, effective and adequate response to humanitarian needs. The needs assessments should not be the basis for divisive competitive processes applied by agencies and donors.

Long-term solutions

W.4.5. Context & understanding: The working group calls upon the relevant EU institutions to ensure that contextual analysis, based on disaggregated data, underpins long-term response strategies, including determination of the adequate type of response, such as humanitarian or development, or a combination of both.

W.4.6. Adequate financial tools: In reference to N.4.4 and in support of S.4.6, there is a need to develop more long term instruments in forced or protected displacement situations in order to respond to the needs of crises-affected populations. To achieve long-term and sustainable solutions, a set of smarter and more flexible tools that can be adjusted to changing contexts and needs should be developed. The importance of predictability of funding and multi-annual frameworks in achieving this should also be stressed, as well as finding durable solutions (that is, return, integration and resettlement).

W.4.7. preparedness & prevention: In support N.4.7, the working group reiterated that the displacement of vulnerable populations can be caused by both violent conflicts and natural hazards. EU member states and their development partners need to increase investment in disaster risk reduction and climate change adaptation to mitigate and prepare for these risks. Likewise, in reference to E.4.3, the working group calls for regional organisations and states to strengthen and develop normative frameworks for displaced people and to increase work on conflict prevention, conflict resolution and peacebuilding.

W.4.8. IDPs/refugees & host communities: The working group considered E.2.5 and found it applicable in all contexts. 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 tension between host communities and displaced populations 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 displaced population themselves.

Cross-cutting issues

W.4.9. Evidence-based approach: In reference to N.4.8, the working group affirms that the EU should ensure that its actions and those of its humanitarian partners are based on disaggregated age and gender data and are culturally appropriate. Meaningful participation of women, men, girls and boys will safeguard their rights. Vulnerable groups' needs and capacities should be identified and acknowledged to secure their self-reliance, safety and dignity. This is of particular importance in the context of forced and protracted displacements.

W.4.10. Harmonisation of HA system: The working group is concerned with the continuing bureaucratisation of the humanitarian system. The EU should initiate a process aimed at reducing or eliminating unnecessary procedures, and in particular at harmonising and simplifying administrative and financial requirements throughout and beyond the project cycle.

W.4.11. Localisation & subsidiarity: Building on N.4.6, the working group recommends that the inclusion of local actors in humanitarian action should be supported. However, in conflict situations the need to safeguard the impartiality and neutrality of humanitarian action requires a careful case by case assessment. Capacity building of local and national actors should become a commitment of humanitarian stakeholders, when necessary and possible, and when this does not prejudice humanitarian principles. The dialogue with national actors must go beyond rhetoric. Increasing the proportion of direct funding to local and national partners, where appropriate, should be supported by the EU and its member states.

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

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Antonio Donini, Tufts University and Geneva Graduate Institute

Joost Herman, NOHA and University of Groningen

Michiel Hofman, Medecins Sans Frontières Belgium

Artur Malantowicz, NOHA, Facilitator

Francisco Rey, Institute for the Study of Conflict and Humanitarian Action (IECAH)

Kathrin Schick, VOICE