

EVALUATION

OF THE EUROPEAN COMMISSION'S DIRECTORATE GENERAL FOR HUMANITARIAN AID (DG ECHO) 2000 - 2005

prepared for

EUROPEAN COMMISSION



Humanitarian Aid

The European Commission's Directorate-General for Humanitarian Aid (DG ECHO)

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23th June 2006



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This document has been produced by an independent consulting team at the request of the European Commission's Directorate-General for Humanitarian Aid.

The comments contained herein reflect the opinions of the consultants only and do not necessarily reflect the views of the European Commission.

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Acknowledgements

Whilst this was an independent evaluation, the evaluation team made use of the facilities, support and information offered by DG ECHO.

During the meetings and interviews with key partners and other actors in Berlin, Brussels, Bochum, Copenhagen, Den Haag, Geneva, London, Luxembourg, Maastricht, Nairobi, New York, Paris, Stockholm and Washington, essential background information, advice and numerous documents were readily provided. The evaluation team expresses its thanks to all persons who have assisted it in the completion of this evaluation.

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List of Abbreviations

3 Cs	Coherence, Complementarity and Coordination
ACF	Action Contre la Faim
ACP	Africa, Caribbean, and Pacific
AIDCO	EuropeAid Co-operation Office
ALA	Asian and Latin American developing countries
ALNAP	Active Learning Network on Accountability and Performance
BPRM	Bureau of Population, Refugees, and Migration, U.S. Department of State
CAP	Consolidated Appeals Process
CD	Compact Disk
CERF	Central Emergency Revolving Fund
CHAP	Common Humanitarian Action Plan
CNN	Cable News Network
Council	Council of the European Union
ICRC	International Committee of the Red Cross and Red Crescent
DDR	Disarmament, Demobilisation, and Reintegration
DFID	UK Department for International Development
DG AIDCO	European Commission's Directorate-General for Aid Co-operation
DG ENV	European Commission's Directorate-General for Environment
DG DEV	European Commission's Directorate-General for Development
DG ECHO	European Commission's Directorate-General for Humanitarian Aid
DG RELEX	European Commission's Directorate-General for External Relations
DIPECHO	Disaster Preparedness ECHO
DPP	Disaster Preparedness and Prevention
EC	European Commission
ECA	European Court of Auditors
ECHO	European Commission's Directorate-General for Humanitarian Aid
ECDPM	European Centre for Development Policy Management
EDF	European Development Fund
EFTA	European Free Trade Association
EMOP	Emergency Operations
ERU	Emergency Response Unit
ESDP	European Security and Defence Policy
EU	European Union
FAFA	Financial and Administrative Framework Agreement (for UN agencies)
FAO	Food and Agriculture Organization
FED	See EDF, above
FPA	Framework Partnership Agreement
HA	Humanitarian Aid
GFE	GFE Consulting Worldwide
HAC	Humanitarian Aid Committee
HQ	Headquarters of DG ECHO

IDP	Internally Displaced Person
IFAD	International Fund for Agricultural Development
IFRC	International Federation of Red Cross and Red Crescent Societies
IHL	International Humanitarian Law
INGO	International Non-Governmental Organisation
IO	International Organisation
IRC	International Rescue Committee
IT	Information Technology
LRRD	Linking Relief, Rehabilitation and Development
m	Million
MIC	Civil Protection Monitoring and Information Centre
MSF	Médecins Sans Frontières
NATO	North Atlantic Treaty Association
NGO	Non-Governmental Organisation
NOHA	Network on Humanitarian Assistance : A European Master's programme in International Humanitarian Assistance
OCHA	UN Office for the Coordination of Humanitarian Affairs
ODI	Overseas Development Institute (UK)
OECD	Organisation for Economic Co-operation and Development
OECD DAC	Organisation for Economic Co-operation and Development – Development Assistance Committee
OFDA	Office for Foreign Disaster Assistance
RELEX	European Commission's Directorate-General for External Relations
RSO	Regional Support Office (DG ECHO)
SCR	The former name of the Europe Aid Co-operation Office of the European Commission
SIDA	See HIV/AIDS, above
SPD	Strategic Partner Dialogue
SST	Sector Support Team
SPHERE	Project launched in 1997 by a group of humanitarian NGOs and the Red Cross in Geneva for quality issues
TA	Technical Assistant
TNT	International Courier Service of the Dutch Post KPN
UK	United Kingdom
UN	United Nations
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UN OCHA	UN Office for the Coordination of Humanitarian Affairs
USAID	United States Agency for International Development
VOICE	Voluntary Organisations in Co-operation in Emergencies
WFP	World Food Programme
WHO	World Health Organization

EXECUTIVE SUMMARY

Introduction

In 2005 the European Commission's Humanitarian Aid department (DG ECHO), using a restricted tender procedure, contracted the independent consulting company "GFE Consulting Worldwide" to realise this evaluation.

This evaluation is the third major evaluation of DG ECHO since its foundation. The first evaluation covered humanitarian aid from 1991 to 1996, the second the period 1996 to 1998/99 and this evaluation covers the period 2000 to 2005.

This evaluation has reviewed: the follow-up given to the previous evaluation; the application of the OECD's Development Assistance Committee criteria of relevance efficiency effectiveness, impact, sustainability and connectedness; the application of the Maastricht Treaty's criteria of coherence, complementarity and coordination (also called the 3Cs issue); and the actual position of DG ECHO at a time when it is facing a number of strategic and operational challenges.

The evaluation team, of four senior experts, was:

- Dr. Ulrich Daldrup, Team Leader, Chief Executive of GFE Consulting, former Mayor of Aachen, former Commissioner to Latvia of the German Government and Professor for International Treaties and International Management (University a. sc. Cologne);
- Hanja Maij-Weggen, Royal Governor of the Province of North-Brabant (Dutch Government), former Minister and former Member of the European Parliament and 'Rapporteur' on ECHO;
- Francois Grünewald, deputy team leader, senior researcher and evaluator in Humanitarian aid and associate Professor on Humanitarian Aid at Paris XII University; and
- Graham White, Senior expert in Humanitarian Aid projects evaluation.

The evaluation team conducted interviews with all of the European Institutions involved with humanitarian aid: the European Parliament (Committee for Foreign Relations and Committee for Development), the Council, the Directorates-General of the European Commission for Humanitarian Aid (DG ECHO), External Relations (DG RELEX), Development (DG DEV), Environment (DG ENV), EuropeAid (DG AIDCO); and the European Court of Auditors (ECA).

Interviews were also held with officials of: the Governments of six EU Member States, the U.S. administration in Washington, the United Nations agencies present in New York, Geneva and Brussels, the International Committee of the Red Cross and the International Federation of the Red Cross, the association for Voluntary Organisations in Cooperation in Emergencies of NGOs VOICE, NATO, the German and the Dutch Ministries of Defence, the European Centre for Development Policy Management (ECDPM) and many other actors and institutes involved in humanitarian aid.

The process also included a workshop held in Nairobi, with DG ECHO's Nairobi-based field staff and staff from certain other of DG ECHO's field offices, representatives of UN agencies, USAID and NGOs.

The evaluation team submits here its key findings and recommendations.

Background

The European Commission's Humanitarian Aid department (ECHO) has its origins in a function located in 1991 under the European Commission's Directorate-General for Development. In 1991 in recognition of the need to make speedy funding of humanitarian interventions the Commission decided to create a "European Office for Emergency Humanitarian Aid", the name was shortly afterwards changed to "European Community Humanitarian Office", the acronym for which remains used to this day. A particular impetus to the creation of DG ECHO was given by the Kurdistan crisis at that time. In 1992 DG ECHO started work with a small number of officials grouped around three units.

The European Union is now the largest humanitarian aid donor in the world, contributing more than 30% of the total international public budget for Humanitarian Aid¹. Without counting Member States' bilateral contributions, the institutions of the European Union by themselves are among the most important donors and actors in the field of Humanitarian Aid. With the new EU Financial Perspectives for 2007-2013, DG ECHO will become the world's largest single donor. Each year up to 50 million people benefit directly or indirectly from the EU institutions' humanitarian aid activities.

The single largest portion of EU humanitarian aid activities is the under the responsibility of the European Commission's Directorate-General for Humanitarian Aid (DG ECHO).

In 1996 the Council Humanitarian Regulation (EC) 1257/96² was established as the European Commission's legal basis for humanitarian activities. The Humanitarian Regulation allows DG ECHO to implement humanitarian operations directly or to fund NGOs and International Organisations to do so. In practice DG ECHO rarely implements operations itself, but works through partner organisations which are able to access beneficiaries directly.

The Humanitarian Regulation allows DG ECHO to intervene anywhere in the world outside the EU in accordance with its specific legal basis, subject to the principles of international humanitarian laws³, namely that the aid is administered with impartiality, non-discrimination and neutrality.

At present the Commission's Directorate-General for Humanitarian Aid, DG ECHO, is neither formally guided by, nor subject to any foreign policy, when managing the implementation of humanitarian aid. This allows DG ECHO to act throughout the world including in many regions where there are under-funded crises, or so-called "forgotten" crises - regions and situations, where bilateral aid only finds its way with difficulty.

While Member States tend to concentrate their development and humanitarian aid in regions where they have specific interests or historic links, and deal with their own national NGOs and international organisations, DG ECHO is ready to work in all failed and fragile states with humanitarian needs.

A further distinguishing feature of DG ECHO's modus operandi is the large number of partner organisations with which it works. DG ECHO has approximately ten times the number of humanitarian partners as compared with one of the major EU Member State administrations which is managing a humanitarian budget one fifth the size of DG ECHO's.

The average annual humanitarian aid budget for 2000 to 2005 for DG ECHO was €543 million. It is anticipated under the European Community's Financial Perspectives for 2007-2013 that certain other European Commission humanitarian activities, specifically emergency food aid and part of the aid to

¹ Refer to UN OCHA statistics for the year 2005. In other EU documents the EU share of humanitarian aid is shown to be as high as 50%

² Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid – Official Journal L 163, 02/07/96 P. 0001 -0006

³ The Geneva Conventions and their Additional Protocols . Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field. Geneva, 12 August 1949. See also <http://www.icrc.org/ihl.nsf/INTRO?OpenView>

uprooted people, will be transferred to DG ECHO. As a result, DG ECHO's budget will increase to € 732m in 2007 and up to €875m by 2013.

Findings

The European Union is now the predominant humanitarian actor on the world scene, not only in terms of the level of funding that it manages, but also in terms of respect for the traditional core European humanitarian values. European values that correspond to the principles of international humanitarian laws, namely that humanitarian aid should be implemented with impartiality, non-discrimination and neutrality⁴. These values are being undermined as a result of changes in the international political scene and by extension from these the changing nature of warfare, most particularly what is called 'asymmetric' warfare. The European Commission's Directorate General for Humanitarian Aid is a key institutional actor facing the task of preserving traditional humanitarian values in the face of a deteriorating international political scene and increasing humanitarian needs arising from climatic change and developmental failure.

For the period evaluated 2000-2005 DG ECHO has endeavoured to follow-up the previous major evaluation undertaken in accordance with Article 20 of the Humanitarian Regulation of 1996. This has been managed at a time when the European Commission's services have been undergoing a far-reaching reform process, in respect of which DG ECHO has also been fully compliant, wherever applicable. Although not every recommendation from the previous evaluation has been implemented, DG ECHO has undertaken initiatives in many other areas which demonstrate that DG ECHO is not only a learning organisation, but is also willing and able to adapt, innovate and lead.

DG ECHO and the roles of the European Commission and the Council are changing. European Common Foreign and Security Policy, European Security and Defence Policy and inter alia the objectives of a greater role in crisis management, i.e. improving the EU's disaster response capacities, represent an organisational challenge for the continuation of humanitarian aid implementation in its present form. DG ECHO does not have a forum with the Council in which to discuss policy matters pertaining to humanitarian aid: there is no Council working group for humanitarian issues⁵. Not only EU Member States but also UN organisations are increasingly making use of the logistical support which military forces are able to offer for humanitarian aid and rescue missions.

DG ECHO is a world class leading humanitarian donor and it is now facing the demands of increasing expectations inter alia for: a disaster response capacity, inputs to civil military cooperation, building NGO capacity, and to co-manage certain aspects of civil protection, at a time when other actors are expanding their roles in external relations, including crisis management.

DG ECHO's evolution in scenarios

If DG ECHO is to respect its mandate and to continue to implement humanitarian aid in accordance with the European tradition it will probably have to adapt its current organisational structure, however, there is a choice of organisational scenarios. The evaluation team sets out below specific conclusions and recommendations which it considers need to be taken up if DG ECHO is, to not only retain its place, retain the European humanitarian tradition of needs driven implementation, but also to fulfil its potential and to meet the expectations of European citizens and the international humanitarian aid community.

Given these matters the evaluation has developed three scenarios as to how DG ECHO could develop in the next five years.

⁴ These "values" are also included in the non ratified "European Constitution"

⁵ There are geographic working groups, in which DG ECHO intervenes if humanitarian aid is at stake. There is also a working group on Development (CODEV), which should be competent for humanitarian aid.

Scenario 1: DG ECHO would become more strategic. This scenario maintains the status quo, but would involve internal re-organisation. A unit could be created in charge of long term commitments and of cooperation with the international humanitarian agencies and bodies. The policy unit would be enhanced to promote the coordination, coherence, and complementarity of EU humanitarian aid. DG ECHO's Information Unit for public relations (visibility) would adopt a more communication oriented approach. DG ECHO would also have to increase communication with the European Parliament and the Member States could create a forum for humanitarian issues at the Council.

Scenario 2: DG ECHO would become the European coordinator of humanitarian aid. This would include formalised cooperation with UN-OCHA. DG ECHO's Regional Support Offices would support DG ECHO in this work and get a more predominant function. (Scenario 2 includes scenario 1).

Scenario 3: This would involve a major re-organisation of DG ECHO itself as per scenario 2, but also a "European Agency for Humanitarian Aid" would be created, under DG ECHO's management, to contribute to the maintenance of the European tradition of neutrality, independence and impartiality in the implementation of Humanitarian Aid. This executive agency should inter alia provide a disaster response capacity in logistical matters, particularly transport, to avoid that DG ECHO has to rely on other agencies or structures that do not have a humanitarian mandate and which are certain to come into being or to be expanded upon over the coming years. The agency could also manage the contractual and payment functions and maintain and operate a disaster response capacity to assist the humanitarian aid activities of the EU, possibly including Search & Rescue, Civil Protection (outside the EU), coordination of Civil-Military Cooperation, emergency Food Aid, organisation of air operations and other means of transport, management of DG ECHO's field staff and offices, etc.

DG ECHO would then concentrate on budget, strategy and policy matters, definition of priorities, inter-institutional and inter-humanitarian agency relations, needs assessment and analysis, establishment and running of the framework relations with the partners, civil military cooperation and communication. DG ECHO has to become the leading force on humanitarian aid policy matters

The agency scenario would overcome certain of the staffing issues, as recruitment of skilled staff could be easier and a higher percentage of non-officials can be employed. An agency could possibly achieve a much better "visibility" as compared to a Directorate-general. Nonetheless the use of an agency can have drawbacks too, including an additional workload for the senior management of DG ECHO, the risks that an agency may enter more into implementation than wished by DG ECHO's partners and more into policy than wished by DG ECHO.

On balance given the high expectations of DG ECHO and the challenging environment that it is facing the evaluation considers that scenario 3 may become inevitable during the next five years.

DG ECHO as part of the Humanitarian Aid system

The Council through Council Regulation 1257/96 (and also through the non-ratified European Constitution) gave to the Commission the mandate to coordinate the EU Member States Humanitarian Aid activities and policy. This mandate has not so far been implemented. EU Member States humanitarian aid policies remain un-coordinated; complementarity and coherence are extremely loose. The Council regulation entitles the EU Member States to comprehensively oversee and control of the Commission's humanitarian aid activities and budgetary spending. The instrument for this control is the "Humanitarian Aid Committee - HAC". Despite the intentions expressed in the non-ratified European

Constitution⁶ and in Council Regulation 1257/96 (Article 10 (1))⁷, that the Commission should coordinate the humanitarian aid of the European Union, this remains a challenge to the Union.

The relatively recent involvement of DG ENV in the realm of “Civil Protection” outside the EU Member States has created a certain amount of confusion in the field. The joint presence of the MIC⁸ of DG ENV and DG ECHO in the theatres of operations appears to have induced more duplication and incoherence and this has been negatively perceived by the international aid community and the Member States. In the opinion of the evaluation team, it is not logical to have two Commission services intervening in the same crisis to do a similar job, albeit in a slightly different timeframe.

Cooperation between DG ECHO and UN agencies (with the exception of the WFP) lacks administrative and procedural coherence. The influence of DG ECHO on UN decision making is limited⁹. Whilst there is appreciation for: the increase of financial transfers to the UN system; the solution of certain of the administrative problems with the "EC-UN Financial and Administrative Financing Agreement" (FAFA); and the set up of the thematic funding procedures in 2003 for capacity building at UN bodies - there is still much to do to ensure that DG ECHO gets full recognition and influence in the UN system.

DG ECHO is considered to be highly efficient, even under the strict financial regulations required of the European Commission. DG ECHO describes itself as an “active” donor. Operations financed by DG ECHO cover, inter alia, four main sectors: food aid, water and sanitation, health and nutrition/food security, and shelter. Through thematic funding to mandated international agencies and the Grant Facility to NGOs, as well as through commissioning of studies and evaluations, it has demonstrated its commitment to capacity building of humanitarian partners and a lot of interest in cross-cutting issues such as, field-security, quality-management and IHL/protection. DG ECHO has developed a set of methodologies and guidelines for the strategic management of humanitarian aid activities. These include “Global Needs Assessments”, “Entry and Exit Criteria”, “Forgotten Crises Analysis”, a Disaster Index and other similar assessment tools. Some of these tools are now used by the Member States.

DG ECHO has developed a system of four decision mechanisms to respond to each type of crisis: “Primary emergency decision”, “Emergency decision”, “Humanitarian aid decision” and, “Global plans”.

DG ECHO has been a rapidly-growing Directorate-General with 200 staff at headquarters in Brussels and up to 100 experts in the field.

DG ECHO provides its assistance through financial support to partner organisations. Three main partner groups implement the humanitarian aid operations funded through grants by DG ECHO:

- Non-governmental organisations, including the national societies of the Red Cross (NGOs), in 2005 there was a total of 193 different NGOs funded by DG ECHO
- The UN system, mainly UNHCR, WFP, UNICEF, WHO
- The international agencies and organisations, mainly the Red Cross family (ICRC, IFRC).

⁶ SECTION 3 - HUMANITARIAN AID - Article III-321 – Article 6: “The Commission may take any useful initiative to promote coordination between actions of the Union and those of the Member States, in order to enhance the efficiency and complementarity of Union and national humanitarian aid measures.” By the end of 2005 Member States have already ratified the Constitution for Europe: Austria, Belgium, Cyprus, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, Slovakia, Slovenia and Spain.

⁷ Article 10 : 1. In order to guarantee and enhance the effectiveness and consistency of Community and national humanitarian aid systems, the Commission may take any measure necessary to promote close coordination between its own activities and those of the Member States, both at decision-making level and on the ground. To that end, the Member States and the Commission shall operate a system for exchange of information.

⁸ Civil Protection Monitoring and Information Centre (MIC).

⁹ The European Commission is not a member of the United Nations. Nevertheless both partners are entitled to sign agreements on cooperation.

To ease the contracting procedure with its partners, DG ECHO has developed over the years legal frameworks that govern the relations with its partners. During the period under review the following emerged: “Financial and Administrative Framework Agreement (FAFA)” for its relations with the UN organisations, and a new “Framework Partnership Agreement (FPA)” for its relations with the NGOs. For DG ECHO’s relations with International Organisations (ICRC, IFRC, IOM), a specific FPA has been adopted. These new mechanisms have been implemented since 2003 and partnership arrangements are being evaluated for a series of key DG ECHO partners. Despite the introduction of the new FPA which is de facto a “certification process for NGOs”, the quality of NGOs and of their projects vary widely.

There exists a general “frustration” amongst many DG ECHO partners due to DG ECHO’s perceived tendency to “micro-management”. Whilst initial advances for grants are often quickly expedited, interim and final payments are often subject to delay caused by, what partners called, a “nitty-gritty” attitude of DG ECHO to submitted reports. This view is shared by all Member States and partners which the evaluation team has interviewed.

The evaluation team has been advised by DG ECHO officials that, the legal life of the EC's financial decisions covering humanitarian aid are limited to eighteen months. This is based on the EC Financial Regulation's budgetary principle of 'annuality' (the matching of income and expenditures in one budgetary period) and the 'desired' short term nature of humanitarian actions. Contracts have to be completed within the legal life of the decision, therefore they have a typical duration of 12 months, although they can be paid up to some time afterwards. However, some emergency actions (e.g. refugee camps) need a longer lasting contract. In theory it should be possible to establish contracts for longer time periods than 18 months, if the EC's services agree to such a financing decision. The consulting team considers that longer life contracts could be justified for a limited number of types of humanitarian actions, e.g. disaster preparedness and thematic funding.

Another issue is the 'commitment' of budgets. By 'commitment' we are referring to the practice of reserving for specific contracts the budgetary funds made available in any one twelve month calendar period. These commitments respect the individual EC financing decisions that attribute funds for humanitarian actions. Certain of DG ECHO's partners would like to have guarantees of sequential funding from individual annual budgets over the medium term. However, the position of DG ECHO, which is based on its interpretation of the Financial Regulation, is that unless this is explicitly foreseen by the 'basic act', in this case the Humanitarian Regulation, no such legally binding guarantees against future budgets can be entered into. The consulting team does not necessarily agree with this position and considers that DG ECHO should seek to create implementing rules for the Humanitarian Regulation that could, among other matters, allow for the commitment of funds in future budgets, in order to give certain partners reliability of future funding.

The Financial Regulation unfortunately may prevent DG ECHO from following the main trends and mechanisms supported and promoted by many bilateral donors, including EU Members States, such as the Good Humanitarian Donorship Initiative (especially on standard reporting and proactive funding) or the OECD Harmonisation of Aid process¹⁰. Micro-management and unnecessary administrative control are still too often seen as an ECHO trademark.

Recommendations

Most recommendations of the Article 20 Evaluation from 1999 have been at least partly implemented. Nevertheless some recommendations from 1999 continue to be valid in 2006 and should be revisited. In this report these issues are addressed. As the expectations of the Community’s performance, and in particular of DG ECHO, remain very high, the evaluation proposes the following key recommendations, in order to meet future challenges and to maintain and develop its excellent brand.

¹⁰ (OECD Declaration, Paris Conference, Mars 2005)

Recommendation 1: To achieve the objective of better political accountability for the humanitarian aid managed by DG ECHO, to all stakeholders, the European Commission, through DG ECHO, has the legal mandate and potential to become a stronger coordinator of EU humanitarian aid and to promote complementarity and coherence in overall EU Humanitarian Aid policy. The fulfilment of this part of the Humanitarian Regulation’s mandate by the Commission may render EU humanitarian aid more effective and efficient. This could only have a positive impact on the EU’s international influence.

- DG ECHO could improve its presence and communication with the European Parliament¹¹. The Parliament will be a better partner for the Commission’s humanitarian aid, if the Parliament is briefed on essential humanitarian aid issues of the Commission and the EU Member States on a more systematic basis.
- The operation of the Humanitarian Aid Committee system should be reviewed with the Member States. Although the HAC is composed of representatives of Member States the HAC committee limits its role more to review, rather to function as an active forum for humanitarian issues. A forum needs to be created. The HAC always receives full details of DG ECHO draft funding decisions in advance of HAC meetings. This is an excellent exercise in transparency and accountability. But possibly time could be found for discussion of other matters using the HAC as a platform for information and concertation of EU wide humanitarian aid issues. Any time saved could be used by the HAC to go into more detail on key decision files particularly related to strategy and policy making for coordination.
- The Member States should consider creating a working group at the Council on humanitarian aid or at least dedicating specific sessions of the working group on Development Cooperation (CODEV) to humanitarian aid issues. This will be a better platform for communication on European humanitarian aid issues between DG ECHO and the Member States.
- Under the new budget perspectives 2007/13 the Commission intends to concentrate most humanitarian aid activities under DG ECHO. Whilst this concentration is a step in the right direction, fragmentation would continue. The Commission should consider concentrating all its Humanitarian Aid activities under the Directorate-General for Humanitarian Aid (DG ECHO). In particular the Commission could find another organisational set-up for Civil Protection’s management of Monitoring and Information Centres ‘MIC’ missions outside the EU. An agreement on coordination signed between DG ECHO and DG ENV is not respected at present. In the opinion of the evaluation team responsibility for civil protection actions outside the EU should be transferred to DG ECHO’s competences, thus avoiding the duplication, waste of resources and confusion of having two EC services present in the same theatre of operations for similar activities with only a marginally different timeline.
- A substantial reinforcement of the human resources within DG ECHO’s policy unit is required over the short- to medium-term in order to: generate and update the policy papers needed; promote relations with EU Member States, other European Union institutions, other donors and international partners; improve DG ECHO’s presence at international events and fora; exchange officials with key major donors. The evaluation team considers that several additional officials are needed for the policy function over the next five years. Depending on how expectations are to be met the number of extra officials in this unit could approach double figures.

¹¹ The European Parliament has two Committees that have an interest in Humanitarian Aid: development and foreign relations. As the humanitarian aid regulation is based on the development chapter of the Treaty, DG ECHO communicates with the Committee for development. The Committee for foreign relations has also indicated an interest in dealing with Humanitarian Aid affairs. The European Parliament does not explicitly mention “Humanitarian Aid” in any of its Committees titles, despite the growing its importance. The European Parliament might consider designating one Committee or work-group solely in charge of Humanitarian Aid.

- Despite the different administrative rules and cultures existing between the UN system and DG ECHO, it is imperative that ways and means are identified for the UN and DG ECHO to work together in a smooth and efficient manner. Particularly praiseworthy has been DG ECHO's introduction of thematic funding to build up the capacity of its UN partners, this should be continued wherever possible.
- The evaluation considers that UN OCHA is a key partner for DG ECHO in the fulfilment of this objective and recommends that relations are strengthened. DG ECHO should coordinate for the EU and countries in the enlargement process, in the same way as UN OCHA is doing for major humanitarian actors. Further, DG ECHO should consider concluding a cooperation agreement with UN OCHA, an agreement that might include the exchange of personnel, cooperation in strategy- and policy-making and coordination in the management of international emergencies. The Commission should seek to fund UN OCHA's budget on a long-term basis, i.e. a multi-annual basis.

Recommendation 2: In order to increase the influence of DG ECHO on international humanitarian aid policy-making and strategy, DG ECHO should develop a disaster response capability to attain an international influence that corresponds to its international reputation. The Commission should consider, whether this may need additional human resources, possibly through the use of an executive agency structure:

- This will require a clarification of certain principles, including the way the various institutions interpret what is necessary for DG ECHO to stick to its stated principles, which is to fund the implementation of humanitarian assistance in an impartial, neutral and independent manner. While it is obvious to the evaluation team that DG ECHO, as an integral part of the European Commission, is as such part of a political institution the Commission should consider promoting, and clarifying if necessary, DG ECHO's mandate as being only for the needs driven implementation of humanitarian assistance and that it is not therefore a political part of the EU's crisis response capacity; and
- European Common Foreign and Security Policy, European Security and Defence Policy and inter alia the objectives of a greater role in crisis management improving the EU's disaster response capacities represent an organisational challenge for the continuation of humanitarian aid implementation in its present form. The Member States, the UN organisations, and even the ICRC, are increasingly making use of the logistical support which military forces are able to offer for humanitarian aid and rescue missions. DG ECHO is hesitant about these developments, but has already initiated a dialogue with international actors on the issue. DG ECHO should continue to work at the European level to define clear criteria for civil-military cooperation and DG ECHO should target logistical support, particularly transport, as a key part of its response capacity building.

Recommendation 3: Despite the different administrative rules and cultures existing between the UN system and DG ECHO, it is imperative that ways and means be identified for the two organisations to work together in a smooth and efficient manner and to promote mutual understanding and cooperation. UN OCHA is willing to conclude a cooperation agreement with DG ECHO that might promote future cooperation of the two international institutions e.g. with exchanges of officials, mechanisms for communication, joint missions, etc. (see also recommendation 1 above.)

Recommendation 4: UN and other organisations wish to enter into longer term contracts and multi-annual budgetary commitments with DG ECHO. It would obviously be more convenient for them to have longer term contracts and guaranteed amounts set aside under future annual budgets. However, for DG ECHO this poses some problems in so far as the core of DG ECHO's activities is responding to emergencies. DG ECHO is concerned to risk the exceptions given to it from the Financial Regulation and its implementing rules, to quickly respond to finance actions. One purpose for DG ECHO keeping project durations to 12 months or shorter is to not inadvertently overlap with development projects. If this were to be the case then DG ECHO's exemptions in the financial regulation could be questioned or it would

have to put in place a procedure which is normally used for projects having a longer duration. For these reasons DG ECHO does not have projects' with durations of more than 12 months.

- For protracted crises and for specific programmes, the Commission should support the possibility of indicative multi-annual funding for UN and Red Cross partners, to be confirmed each year after acceptance of the budget, i.e. DG ECHO would explain the parameters under which it would continue funding, subject to the availability of funds.

Some articles of the EC Financial Regulation are not appropriate for the specific nature of humanitarian aid, others are open to interpretation. The Financial Regulation is rigorous and EC officials are prudent in their application of the rules. DG ECHO's legal basis, the Humanitarian Aid Regulation of 1996 mandated the Commission under Article 15(1) to "adopt implementing regulations for this regulation". The Commission has not made use of this mandate to change its "basic act", in the more recent years this was because the EU Constitution would have caused other changes, in earlier years it was because DG ECHO was still growing and working on other tools and methodologies. The Commission should use this mandate to establish implementing rules adapted for the mission of DG ECHO, clarify its competencies and its budgetary and working conditions. Implementing rules specifically designed for DG ECHO could have several benefits. Such implementing rules may also facilitate memorandums of understanding both with other Commission services and international organisations.

- Most partners find the single form system for submission of project proposals a significant improvement from before, but with many repetitions. The Single form could be reviewed and improved. Nonetheless, the introduction of outputs and outcomes under the 2003 FPA in operation contracts is a crucial step forward in improving the quality of management information and must be maintained.
- DG ECHO should streamline the details of contract management, and give more focus to the strategic direction of humanitarian aid policy instead. Useful synergies could be achieved if the contract control and payments function was combined with the legal affairs and NGO relations function, this would: reduce confusion by improving information flows; facilitate training of staff and partners; and improve communication with partners by having these complementary functions located in one unit.
- DG ECHO's payment procedures have sometimes been reported to be very slow. At the end of a project, there are shared responsibilities between the partners and ECHO for the final closing of the project. In this context, procedures for cash-transfer of final payments could be adapted and speeded up.
- The evaluation team considers that DG ECHO could allow more of its partners assessed as being of lower risk a higher level of advance funding. At present only the UN agencies and international organisations receive systematically funding advances above 50%;¹²
- Similarly, DG ECHO should review whether, for those cases where partners are awarded satisfactory audit results, other controls at final payment stage are necessary

Recommendation 5: The process of review of the FPA itself and of the evaluation of its implementation has to be pursued and appropriate resources should be made available for that. The selection and contracting procedures could be improved and need to be kept under review. The cooperation with the NGOs should be continued, i.e. the annual conference and strategic programming dialogues with the key ECHO partners.

¹² Under certain circumstances, when well justified, NGO partners may have a chance to be granted an 80% advance.

Recommendation 6: The organisational structure of DG ECHO has slowly evolved to address regularly emerging challenges. This internal structure now has to be further adjusted to fit many of DG ECHO's new needs and responsibilities and to increase DG ECHO's potential for greater influence and efficiency.

- This would first necessitate a series of institutional modifications within DG ECHO (e.g. reinforcement of the policy unit possibly with the creation of an "External relations sector" in charge of the EU's internal and external coordination of humanitarian aid, a "Technical unit" providing technical know-how, better integration of the Regional Support Offices as part the Directorate-General's organigramme, the creation of a new Unit to manage the "emergency Food Aid" that will soon be transferred to DG ECHO and a better level of cooperation with the international agencies);
- It would secondly require a review of the distribution of tasks across units and the allocation of human resources. The operational units should be equipped with more technically skilled human resources, this has in part taken place with the recent reinforcements of technical assistants at field level. And under-staffed units, such as the policy unit, should be better equipped with officials experienced in coordination and policy making to enable them to respond to their tasks. Internal procedures can be streamlined and made more efficient, by combining the legal administrative, NGO relations and contract control and payment sectors, (as per the above recommendation). Consideration should also be given as to whether the information technology function should remain within the human resources function. Where an IT function is not sufficiently large to form a unit of its own, it would be more common to associate this function within a budgetary or financial unit.

Recommendation 7: In order to improve the visibility of DG ECHO and to ensure that the European citizens and political circles could know more about what ECHO stands for and what the Community's Humanitarian aid stands for, a series of actions should be initiated:

- Ongoing effort at ECHO's level to shift the visibility focus to a more encompassing communication¹³ strategy should be commended, also focussing more on information to the European population; and
- Communication multipliers in the EU should be more systematically briefed.

Recommendation 8: For the Safety and Security of humanitarian personnel DG ECHO must continue to train its partners in the use of its contractual tools in order to promote safety and security measures for humanitarian personnel. DG ECHO needs to devote additional human resources to promoting policy matters related to the safety and security of humanitarian personnel, such as advocacy and civil-military relations.

Recommendation 9: For improving information for decision making purposes DG ECHO must promote the consultation of beneficiaries as standard wherever possible. The accurate assessment of needs, the matching of needs with available resources will improve the transparency, efficiency and cost-effectiveness of the response, thus avoiding under-spending and over-spending alike. DG ECHO must continue to insist on the use of outputs and outcomes in its management of operational contracts and the extension and updating of computer software to include all key information and the design of standard reports. DG ECHO must continue to maintain tools and methodologies for needs assessment and analysis.

¹³ DG ECHO communication strategy.

MAIN REPORT

1. INTRODUCTION

Since the publication of the last Article 20 evaluation in 1999, the world has undergone significant changes. Some of these changes took place in the context of dramatic world events making headline news, e.g. asymmetric war, climatic change, etc. Other changes were the result of progressively maturing processes within the humanitarian sector, e.g. the gradual move from inputs to use of outputs and outcomes in humanitarian actions, the increasing professionalism of humanitarian actors, the ever rising expectations of taxpayers. These changes have drastically modified the framework within which humanitarian aid is now carried out.

1999 was also the year of the resignation of the European Commission. The resulting atmosphere and the far reaching reform process undertaken in response to public demands for increased accountability created an institutional context where reform and modernisation were the order of the day.

The various processes both outside and inside the Commission had a strong impact on the way DG ECHO and its partners have had to work since the last Article 20 evaluation. It is important to appreciate not only how difficult this period has been, but also how creative the humanitarian sector has managed to be. This review is also essential to understand the role, difficulties and achievements of DG ECHO and its partners during the period under review.

Six years after the end of last evaluation of the European Commission's humanitarian aid in 1999, as requested by Article 20 of the Council Regulation 1257/96, DG ECHO has decided to undergo a further evaluation. This evaluation has been tasked with reviewing the recommendations of the "Article 20 Evaluation" presented in 1999 and evaluate the "3 Cs" issue.

This evaluation report consists of two evaluation strategies:

- an evaluation of the 3Cs issue (coherence, complementarity and coordination); and
- an evaluation of the follow-up to the "Article 20 Evaluation" of 1999.

The 3Cs issue refers to the 1992 Treaty of Maastricht, where for the first time coherence, complementarity and coordination had been requested for the Community's development activities. The 3Cs had been taken up by some EU Member States, but not yet all. Although DG ECHO has been evaluating the 3Cs issue since 2003, this has been in the context of the operations that it finances. This evaluation is the first time the 3Cs have also been evaluated at the level of DG ECHO itself and the other humanitarian activities managed by the Commission. The 3Cs issue has a direct impact on efficiency and effectiveness of the Commission's humanitarian aid activities and on overall coherence of these activities between all actors of the Community, the EU Member States and the partners of DG ECHO.

The evaluation team submits herewith its findings and recommendations. The evaluation conducted interviews with the EU's institutions involved with humanitarian aid: European Parliament (Committee for Foreign Relations and Committee for Development), the Council, the Directorates-General of the European Commission for Humanitarian Aid (ECHO), External Relations (RELEX), Development (DEV), Environment (ENV), International Cooperation (AIDCO), and the European Court of Auditors. Interviews were also held with the Governments of six EU Member States, with the U.S. administration in Washington, with the United Nations agencies in New York, Geneva and Brussels, the International Committee and the Federation of the Red Cross, the association of NGOs "VOICE", NATO headquarters, the German and the Dutch Ministries of Defence and many other actors and institutes involved in humanitarian aid. Furthermore a workshop was held in Nairobi, with DG ECHO's field staff,

the experts of DG ECHO’s Regional Support Offices, UN agencies, USAID and NGOs officials completed the evaluation.

2. EUROPEAN COMMISSION’S HUMANITARIAN AID

The primary aim of the Community’s humanitarian aid is to prevent or relieve human suffering. The Community’s humanitarian response is determined by the needs of victims and is not based on or subject to political considerations. The Community’s aid is delivered according to international humanitarian law¹⁴ and respecting the principles of neutrality, impartiality and non-discrimination. These principles are laid down in the “Madrid Declaration”¹⁵, the humanitarian aid regulation and in the non-ratified European Constitution.

The primary instrument for the EU’s disaster response is humanitarian aid and it is legally established under Council Regulation No. 1257/96.

In accordance with Council Regulation 1257/96 the EU’s humanitarian aid is channelled through Civil Society, humanitarian NGOs, through specialised agencies of the United Nations and international organisations, and the Red Cross family.

The European Union as a whole is the largest donor of humanitarian assistance in the world, contributing 2.050 million USD of the global public humanitarian contribution of 7.035m USD in 2005¹⁶.

Country	Contribution in thousands of US\$ in 2005
European Commission	688,036
United Kingdom	461,864
Germany	362,799
Sweden	311,888
Netherlands	292,156
France	149,158
Italy	142,316
Denmark	141,203
Finland	97,484
Ireland	91,263
Belgium	69,305
TOTAL European Union	2,051,128
United States	1,612,773
Japan	713,132

The global figure of humanitarian aid includes 4.500m USD contribution by private individuals and private organisations, bringing the global figure (private and public) to 11.540m USD. In 2005 the European Commission’s DG ECHO was the second largest donor (after BPRM with 996m USD), contributing about 688m USD or 6%¹⁷ of the annual total humanitarian aid in the world. In 2005 the Commission funded humanitarian aid to a total of 651m euro¹⁸. In 2004 the Commission further

¹⁴ Convention of Geneva, 1949

Convention on refugees, 1951 and Convention of OUA, 1969, on the rights of refugees in Africa

¹⁵ At the humanitarian aid summit held on 14th December 1995, representatives of the European Union, the European Commission, and other governments and international agencies and NGOs adopted the Madrid Declaration, a statement of principles and options for humanitarian aid activities. See also “Manual for the Evaluation of Humanitarian Aid”, ECHO, Evaluation Unit, 1999

¹⁶ Published by UN OCHA on 6th January 2006 on www.reliefweb.int

¹⁷ From the same UN OCHA statistics dated 6th January 2006

¹⁸ The statistics give different figures: (OCHA shows total EU HA as 688m USD, or 557m euro – DG ECHO’s latest figures shows a total of 542m euros, of which 511m euros are fully committed.

enhanced its management of humanitarian aid with the creation of a Directorate-General for Humanitarian Aid (DG ECHO) from a previously existing Directorate. This Directorate-General is the Commission's primary service responsible for humanitarian aid to non-EU countries. DG ECHO has an initial annual budget of approximately 500m euro¹⁹. With the new EU budget package for 2007-2013, this will increase to €732 m in 2007 and up to €875 m by 2013. This will make DG ECHO the largest single humanitarian aid donor in the world. DG ECHO does not implement the distribution of humanitarian aid itself; it acts as a donor. DG ECHO's interpretation of its role as a donor is that of an "active donor" or "operational donor", which can take the initiative and works with partner organisations and which has a presence in the field. DG ECHO's funds are channelled through individual contracts with partner organisations. On average between 2001 and 2004, the annual budget was granted to the following three partner types:

- 59 % to non governmental organisations (NGO);
- 27 % to UN agencies;
- 10 % to international organisations, mainly the ICRC and the IFRC.

By far the largest share of DG ECHO's aid goes to Africa (43%).

In the event of unforeseen large-scale emergencies such as the tsunami, DG ECHO can call for additional funding from the Community's Emergency Reserve, which has a total of 200m euro.

DG ECHO is engaged in responding to both natural and man-made disasters. There are three 'types' of humanitarian aid preparing for and responding to the immediate aftermath:

- through emergency and disaster response (primary emergency decisions -allowing up to 3m euro to be allocated within the first 72 hours after the start of the crisis, and emergency decisions);
- responding to protracted crises (mainly through non-emergency decisions and the global plans), allocated for countries with longer-term crisis;
- preparing for disasters (through the DIPECHO programme).

DG ECHO's main areas of intervention (called "sectors") are four: (1) Food/nutritional support, (2) Shelter, (3) Medical assistance and (4) Water/sanitation. From 2007 on, emergency food aid will be transferred to DG ECHO complementing DG ECHO's interventions.

In 2005 the Commission started to develop an Early Warning, Alert and Disaster Preparedness instrument, by integrating disaster risk reduction into its development policy. The EU is thus preparing itself to contribute at all stages in the chain of an action, from prevention to detection to response.

¹⁹ The initial humanitarian aid annual budget may be supplemented in case of unforeseen needs by calling upon the emergency reserve of the Community budget. Between 2000 and 2005, this happened every year except for 2004.

3. DG ECHO AND ITS ENVIRONMENT

3.1 Coherence, Complementarity and Coordination: The 3Cs²⁰

At the request of some of the EU Member States the terms of reference required the evaluation to consider the so-called issue of the 3Cs (coherence, complementarity and coordination). The European Union has to respect the 3Cs in its work in the field of development cooperation (Article 130U 178). But no explicit reference is made in any of the EU treaties to consider the 3Cs in the field of humanitarian aid. It is the first time that the issue of the 3Cs has been addressed in respect of the humanitarian aid activities of the Commission at an EU level.

Coherence in this context relates to an intervention being logical (it makes sense), consistent (it is in agreement with other activities), and working together with other actions to form a meaningful whole.

The requirements for coherence are based on effectiveness and quality in international actions. Coherence allows for the detecting of interference and incompatibility in policy implementation. The aim of coherence is to achieve better results in humanitarian aid activities and to improve effectiveness with the limited public funds available.

The evaluation studied the 3Cs issues not only within DG ECHO but also at other levels: political (European Parliament, European Council, Member States), administrative (other DGs of the Commission) and contractual partners, such as the UN, the Red Cross family and the NGOs.

Strengthened coordination between Community humanitarian aid and the EU Member States bilateral aid in disaster and crisis response would be of benefit to all. Council Regulation 1257/96 but also the non-ratified European Constitution state²¹:

- *The Commission may take any useful initiative to promote coordination between actions of the Union and those of the Member States, in order to enhance the efficiency and complementarity of Union and national humanitarian aid measures.*
- *The Union shall ensure that its humanitarian aid operations are coordinated and consistent with those of international organisations and bodies, in particular those forming part of the United Nations system.*

In the same section, the Constitution entitles the Commission to do the following:

- *European laws or framework laws shall establish the measures defining the framework within which the Union's humanitarian aid operations shall be implemented.*

²⁰ The EC Treaty states that "the Union shall, in particular, ensure the consistency of its external activities as a whole in the context of its external relations, security, economic and development policies" (article 3, EU Treaty). In the context of development policy, article 178 states that "the community shall take account of the objectives referred to in article 177 [*ie the development policy objectives*] in the policies that it implements which are likely to affect developing countries".

On coordination with the Member States, the Treaty states in the development chapter that "the Community and the Member States shall coordinate their policies on development cooperation" (article 180, EC Treaty). The possibility of joint actions and Member State contribution to the implementation of Community aid programmes are also mentioned in article 180.

Complementarity between the Community and the Member States' development policies is another key principle stated by article 177 of the EC Treaty. Complementarity aims to ensure a better division of labour on a case-by-case basis according to each party's comparative advantage (financial contribution, experience) and in the respect of the primary role of the beneficiary country (principle of 'ownership').

²¹ Official Journal of the European Union C 310/145: SECTION 3 - HUMANITARIAN AID Article III-3216.12.2004 EN - Official Journal of the European Union C 310/145

DG ECHO has taken a number of initiatives to improve coordination and exchange of information with the Member States. A system of information on humanitarian aid spending is in place (the so-called 14 point system) and is articulated with the financial tracking system of OCHA. In the event of major crises, specific discussions have taken place in the Humanitarian Aid Committee. In addition, ECHO has convened coordination meetings in Brussels (such as the one held in March 2006 for Pakistan). In 2004, DG ECHO also took the initiative of organising thematic workshops with the member states to improve policy coordination. These initiatives are, nonetheless partial, and could be generalised to all crises and to other policy issues. In addition, the Member States should have established a working group for humanitarian tasks at the Council to establish an EU wide dialogue and coordination at decision taking level. But DG ECHO has not yet found its leadership role in the EU.

Further, the following observations result from the evaluation:

- Obviously, humanitarian aid is a response to a disaster. Humanitarian aid is not the correct vehicle to address persistent poverty, or a declining social environment in a country. These are issues for development policy. The same is true for situations before and after an emergency. Prevention, rehabilitation, reconstruction are subjects for development aid. Coherence and complementarity between humanitarian aid during an emergency, and development aid before and after an emergency are not systematically viewed within the Commission.
- The Humanitarian Aid Committee (HAC) has been created. Article 16 and Article 17 of the Council Regulation 1257/96 of 20 June 1996 put in place a committee that shall “discuss guidelines presented by the Commission for humanitarian aid ...” This is the only formal activity at the EU level that brings together the 25 EU Member States and the Commission in the field of humanitarian aid activities. According to Article 17 of the Council regulation, the HAC has a controlling function over DG ECHO activities, but is not a platform or forum for EU humanitarian aid policy making.
- No formal coherence and no formal coordination exists between the 25 EU Member States in humanitarian aid policy and activities. The 25 EU Member States have not concluded any common agreement on cooperation or concertation of their bilateral humanitarian aid. With the exception of Council Regulation 1257/96 and the non-ratified European Constitution, no EU treaty refers to common European humanitarian aid or its coordination²².
- The humanitarian aid activities of the EU are fragmented between 26 players: the 25 Member States and the European Commission. There are no common actions, no common procedures and no common visibility. Most countries act without reference to the other players.
- This lack of coherent influence diminishes the impact of the EU in global humanitarian aid policy. This becomes visible with the ICRC: the EU as a whole is the largest donor to the ICRC; it contributes more than 50% of the ICRC budget. However since this contribution is split into individual national grants (25 EU Member States plus DG ECHO) the influence of the EU on ICRC policy is smaller, compared to that of the USA. The same observation can be made about the EU influence on UN agencies, such as UNHCR, UNICEF and OCHA.
- The serious lack of coherence, coordination and complementarity in EU humanitarian aid has a negative impact on the efficiency of EU humanitarian aid. It would seem that national priorities and the preference for national visibility are more important issues in international humanitarian aid than an effective and coordinated assistance of the EU as the whole.

²² While the Treaty of Maastricht regulates coordination among EU Member States in development aid and in foreign policy. At that time “humanitarian aid” had been seen as being part of “development aid”.

- The existing system for reporting humanitarian aid grants (the so called “14 point” system) is an excellent initiative, but lacks statistical reliability. This can be due to inconsistent interpretations of data to be communicated by the EU Member States. The EU Member States have also different interpretations as to what should be included under the term of humanitarian aid. This may explain non existing reliability of statistics on “humanitarian aid budgets and contributions”.
- Coherence on humanitarian aid within the European Commission is in need of improvement. Five different Directorate-Generals deal with activities that may fall within the realm of humanitarian aid or impact on it
 - o DG ECHO
 - o DG DEV
 - o DG AIDCO
 - o DG RELEX
 - o DG ENV
- A large grey-zone continues to exist in the area of humanitarian aid. This “grey-zone includes: rehabilitation, reconstruction, transition, LRRD, advocacy, human rights...
- There is no coherent policy or coordination function between DG ENV and DG ECHO.
- The complementarity between DG ECHO and DG DEV is very limited. The key sectors for DG ECHO (i.e. shelter, food, water & sanitation, health) are not always complementary to the development goals of DG DEV. DG DEV activities are based on the EU/ACP agreement that delegates powers of decision to the ACP national governments, while DG ECHO acts independently and impartially. This in reality limits the possibilities of complementarity, because of the differing interests. While DG ECHO is active in all failed and fragile countries outside the EU, DG DEV is only engaged in the ACP countries.

3.2 DG ECHO and the EU Member States

The value of the total humanitarian aid of the 25 EU Member States plus DG ECHO amounted in 2005 to 1.500m euro.

Due to the absence of any working group or any legal mandate the coordination between the EU’s humanitarian aid activities and policy is mainly based on Article 17 of Council Regulation 1257/96. This article foresees the implementation of a “Humanitarian Aid Committee (HAC)” whose main responsibility is to monitor and to authorize the humanitarian aid activities of DG ECHO. This HAC-committee allows only limited room for complementarity and coordination of the EU humanitarian aid policy, due to its working practices and framework it cannot at present act as a forum for DG ECHO. DG ECHO has no forum or working group for humanitarian aid with the Council.

The Union’s humanitarian aid is in fact neither orchestrated, nor coherent. Three different interest groups in respect of humanitarian aid policy have been identified by the evaluation team: the more Nordic countries (Sweden, Denmark, Netherlands, UK, and to a more limited extent Germany) with high emphasis on working with the UN system and with important budgets for humanitarian aid, the remaining 10 EU Member States of the old EU (before the 2004 enlargement), with less commitment to humanitarian aid and the ten new EU Member States with marginal budgets for humanitarian aid affairs. It should be mentioned, that Luxemburg is the most generous donor, when adjusted for the size of the population.

Most EU Member States have a humanitarian aid policy, with a national budget for bilateral aid. These budgets can be very important, 547m euro for UK, 300m euro for Denmark, 210m euro for the Netherlands and 110m euro for Germany²³. Bilateral humanitarian aid is allocated in the form of grants to NGOs, the UN and the Red Cross family. The procedures are very simple when compared to those introduced by DG ECHO. The Dutch Ministry of Foreign Affairs handles the 210m euro budget with only 13 staff members, which amounts to 16.2m euro disbursement per person²⁴. (DG ECHO disburses 500m euro with 200 staff members at headquarters, which amounts to a ratio of disbursement of 2.5m euro per person²⁵). Bilateral aid is largely managed in the form of direct funding without operational involvement, and less, as in the case of DG ECHO, as involved funding²⁶. Bilateral aid operates more on a principle of trust; whilst DG ECHO operates more on a principle of control. A large proportion of Member States bilateral aid is contributed to UN programmes, some of which is un-earmarked. Only a small number of NGOs can benefit from the bilateral humanitarian aid budgets, often less than 20. By comparison DG ECHO had contracts in 2005 with 193 NGO partners. DG ECHO remains committed to working with a large number of partners in order to maintain and promote the European humanitarian tradition. The Heads of Member State departments in charge of humanitarian aid expressed their full satisfaction with the work done by DG ECHO. One of them described this with the following words: “We have to thank God that DG ECHO exists, because DG ECHO takes care of the forgotten crises in the world”.

This is one of many compliments the evaluation team has received from Member States. Bilateral humanitarian aid focuses on the more visible and more political disasters that are in line with political priorities. DG ECHO’s humanitarian aid to the less visible and unattractive forgotten crises allows the Member States’ bilateral aid to respond to the so-called “CNN-Crises²⁷”. All Member States expressed high esteem for the work done by DG ECHO.

Nevertheless, this overall satisfaction is not without criticism towards DG ECHO. The following remarks and statements were heard in the Member States administrations, when the evaluation team interviewed:

- DG ECHO focuses too much on the detail of contracts and not enough on the overall strategy. Consequently it has little influence on international humanitarian aid policy;
- Some Member States would like to see the HAC develop into a strategic platform or forum for the formulation of European humanitarian aid policy. It does not achieve this at present;
- The visibility policy of DG ECHO should be changed into a communication strategy aimed at most particularly young persons using educational and youth networks to inform them and their families;
- DG ECHO should develop closer cooperation and coordination with UN OCHA;
- DG ECHO has already engaged in joint evaluation processes with Member States. Bilateral donors such as Denmark are very supportive of that;
- The duplication and confusion created by the Civil Protection activities of DG ENV outside the EU, which is a cause for serious concern to some Member States, must be resolved;
- DG ECHO is too bureaucratic. Although emergency decision making is very fast, certain procedures are slow, in particular those related to making final payments;
- DG ECHO and DG DEV have no integrated approach;
- There should be more informal HAC style meetings with the officials of the Member States;
- The grant-procedures of the Member States are less bureaucratic, when compared to those of DG ECHO, and based on the “principles of trust” towards its partners. That means less controls and less micro-management. Control is carried out by national Courts of auditors;

²³ Figures for 2005. Figures taken from Ministries of Foreign affairs during interviews (+ DFID for UK and SIDA for Sweden)

²⁴ Assisted by personnel in the Dutch Embassies

²⁵ Not all 200 staff members of DG ECHO are directly involved in managing humanitarian aid. Up to 40% of the staff is in charge of administrative support functions.

²⁶ DG ECHO officials understand its funding to be more a payment for the delivery of a given output in a given context. Following DG ECHO this approach explains the need for a greater control.

²⁷ Term used by humanitarian aid experts to describe the phenomena of crises put forward by the media

- The largest share of most bilateral humanitarian aid is granted to the UN agencies (e.g. Netherlands 75 % of the annual budget); and
- In cases of humanitarian aid emergencies DG ECHO should operate under the global crisis management of UN OCHA²⁸.

A member state representative suggested to modify Article 13 of the Council Regulation in such a way that the financial restrictions imposed on DG ECHO (i.e. the 2m euros and the 10m euros limitations for decisions) are lifted.

3.3 DG ECHO and the European Community

3.3.1 DG ECHO and the European Parliament

The European Parliament follows humanitarian aid in its Committee for Development. DG ECHO has mandated its policy unit to communicate with the Parliament. The evaluation team's meetings with the Parliament showed that the coordination and communication between DG ECHO and the Committee for Development are very much ad hoc and not comprehensive. A full and systematic communication of information on the humanitarian aid managed by DG ECHO to the Parliament would certainly be to the advantage of DG ECHO. The Parliament is an excellent communicator and multiplier, and could help to improve DG ECHO's visibility in Europe, but the Parliament is also the institution that finally decides the Commission's budget for humanitarian aid. Despite the fact that the Parliament is a political body, the Parliament can still be a good partner in promoting the European tradition in humanitarian aid, particularly in respect of advocacy.

The U.S. Administration informed the evaluation team²⁹, that it briefed the U.S. Senate several times per month. Experience has shown, that this engagement pays dividends and that the U.S. Senate is always a reliable partner to the U.S. humanitarian aid services in case of unexpected emergencies.

The interview of the evaluation with the vice-Chairman of the Committee for Development showed, that the members of that Committee are perhaps not very well briefed about the Commission's humanitarian aid activities.

Another issue is that in the Parliament no Committee or sub-Committee is formally in charge of humanitarian aid. A Committee for Human Rights exists, but neither the Committee for Foreign Relations nor the one for Development explicitly mentions humanitarian aid as being one of their responsibilities. Humanitarian aid is actually under the responsibility of the Committee for Development. It is the sole responsibility of the European Parliament to render the position of "humanitarian aid" more visible within its Committees. The Committee for Foreign Relations indicated an interest to the evaluation team in becoming formally in charge of humanitarian aid.

3.3.2 DG ECHO and the Council of the European Union

The Council is the main decision-making body of the European Union. The Council and the Commission are responsible for ensuring the consistency of the European Union's external activities as a whole in the context of its external relations, security, economic and development policies. The Council and the Commission ensure the implementation of these policies, each in accordance with its respective powers³⁰.

²⁸ Some Member States wish a closer and more coordinated decision taking and implementation of activities between both: DG ECHO and UN OCHA.

²⁹ Deputy Director Office for Foreign Disaster Assistance DCHA/OFDA in USAID, Washington

³⁰ Article 3 of the Treaty on European Union. In this context, the role of the Council is to define and implement the EU's common foreign and security policy, based on guidelines set by the European Council."

Within the context of the CFSP, the Union is developing a common security policy, covering all questions relating to its security, including the progressive framing of a common defence policy. This policy could lead to a common defence policy, should the European Council so decide, subject to a decision adopted by the Member States in accordance with their respective constitutional requirements.

In addition to appointing Mr Javier Solana as the first High Representative for the CFSP, the Cologne European Council meeting in June 1999 placed crisis management tasks (known as the Petersberg tasks) at the core of the process of strengthening the CFSP. These crisis management tasks include humanitarian and rescue tasks³¹, peacekeeping tasks and tasks of combat-force in crisis management, including peacemaking.

The Council is preparing itself to be in charge of the full range of the Petersberg tasks, which, in its view, ranges from Humanitarian activities, Civil Protection, Conflict Prevention, and the coordination of response to armed conflicts outside the EU³².

This ambitious project is still at the planning stage, but might conflict with the interests of the Commission and the European Parliament. Of particular risk is the tradition of independence, impartiality and neutrality in the implementation of humanitarian aid. The Evaluation team recommends keeping humanitarian aid apart from the political and foreign policy objectives of other elements of crisis management under Council leadership.

The Council has already created a “Civil Military Cell” in the form of an emergency room. This “cell” also has access to some intelligence information from the Member States. The Council has invited the Commission to delegate up to three staff members into this Intelligence Cell. DG ECHO is invited to delegate one of its staff, because DG ECHO by its mandate is dealing with emergencies and might benefit most from background and early-warning information.

3.3.3 DG ECHO and the Commission

Humanitarian aid activities of the Commission are not centralized into one Directorate-General. This may find its explanation in the historical growth of humanitarian aid issues and activities over the last twenty years. Apart from DG ECHO, which is responsible for the implementation of the European Commission’s humanitarian aid, four other Directorate-Generals are responsible for policies and instruments which are related or impact humanitarian aid: DG AIDCO, DG RELEX, and DG DEV and DG ENV.

DG AIDCO is responsible for the implementation of the EU's external aid programmes, with some exceptions such as humanitarian assistance. So far, DG AIDCO has been responsible for food aid (both emergency and food security). Emergency food aid will move to DG ECHO as part of the 2007-2013 financial perspectives). In DG AIDCO, there are several units whose work has interactions with that of ECHO. These interactions include:

- AIDCO E4, which manages the Rapid Reaction Mechanism set up to ensure a quick and clear response within the EU’s external policy framework ;
- AIDCO E5, the Security and Migration Unit, which covers the areas of security (police reform, border management and control, fight against illegal crime, terrorism), migration (legal/illegal migration, asylum policy); crisis resolution (exit strategies, anti-personnel mines, refugees and IDPs)
- AIDCO ALA South-East Asia, which manages the “uprooted people” programme that is implemented in cooperation with DG RELEX;

³¹ The Evaluation team observes, that there could be a difference between “Humanitarian aid”, as funded and implemented by the European Commission, and “humanitarian tasks” as laid down in the “Petersberg tasks”. If there is a difference, this is not made clear in any official document and could be misleading.

³² Interview with the Director of the Private Office of the Secretary General of the Council of the European Union.

- AIDCO geographical directorates are concerned with the LRRD processes.

In DG RELEX, following a Council Regulation, the “Rapid Reaction Mechanism³³” was established in 2001. Interestingly, this RRM is not under CFSP Pillar II but under DG RELEX in Pillar I, therefore under the Commission and not under the Council. The financial capacity of this RRM represents roughly 2% of DG ECHO’s funds as at 2005/6. Although the regulation stipulates there is a principle of exclusivity in order to avoid possible overlaps, there is still a risk of competition in the use of the Emergency Aid Reserve, as this is not exclusively for humanitarian aid.

DG DEV and DG ECHO fall under the responsibility of the same Commissioner. DG DEV is responsible for the relations with the ACP countries as well as for the programming of the European Development Fund. Responsibility for implementation falls within the mandate of DG AIDCO.

DG DEV and DG ECHO interact in two respects: on LRRD, as DG DEV is responsible for the programming of aid, and for the preparation of the country strategy papers; and, in relation to the use of the European Development Fund for humanitarian aid and emergency response.

DG DEV works exclusively with the ACP countries and is bound to respect the ACP-agreement (Agreement of Cotonou). The Cotonou Agreement may not reflect the policy of independence and impartiality followed by DG ECHO. Article 72 of the Agreement defines how EDF funding can be used for humanitarian aid and emergencies. This article is largely in line with the mandate for humanitarian aid (Regulation 1257/96). Under the 9th EDF agreement (2003 – 2007), up to 145m euros could be accessed for humanitarian aid, at dates of drafting circa 97.7m euros have been entered into contracts by DG ECHO. However Article 72.6 could at some stage be in contradiction with the general policy of ECHO. DG ECHO, in general, does not respond to the humanitarian aid appeals launched by ACP national governments, whereas Article 72.6 invites these national governments to initiate humanitarian aid. Article 73 foresees post-emergency activities and transition activities from emergency aid into development. Although DG AIDCO/DEV have used some funds for post-emergency activities, this facility could be more used to formulate and to implement long-term post-emergency activities, i.e. sustainable LRRD programmes. This should allow more and better complementarity in humanitarian aid and development activities in ACP countries. The policy function at DG ECHO has to be reinforced to better promote LRRD activities.

As both DGs are under the same Commissioner one would expect a more coordinated and integrated approach.

In DG ENV, as a response to the growing number and magnitude of natural and technological disasters in the EU, the collaboration between the Civil Defence and Civil Protection mechanisms within Member States has increased over recent years. In 2001, a new EC mechanism was created under DG Environment, known as Community Civil Protection which can be triggered for intervention both inside and outside the Union. This mechanism has several characteristics, the main one being a cross-pillar tool that can be used either under Pillar II (triggered by the Council) or by Pillar I (activated by the Commission).

As defined by the Göteborg Council in June 2001, Civil Protection covers almost all the fields covered already by DG ECHO, but uses a mechanism that permits a quick deployment of highly-trained experts selected from the Civil Security or Protection forces from Member States. In order to coordinate the process and to mobilise teams quickly, a Civil Protection Monitoring and Information Centre (MIC) tool has been set up and has been frequently deployed³⁴.

³³ Council regulation EC N° 381/2001 of 26 February 2001

³⁴ E.g. in 2005 during tsunami, Pakistan earthquake and in 2003 Bam earthquake

However confusion arose when, in the late 90's, DG ENV coordinated first missions of national civil protection units outside the EU, (i.e. initiated after the earthquake in Turkey). This led to the creation of the MIC in 2001.

The internal rivalry between the Commission's services, Directorates-General ENV and DG ECHO, in emergency crises is confusing. In 2005, as has been reported on many occasions, in particular again during the 2005 earthquake in Pakistan, to the evaluation team, the Commission's services had a dual response to a crisis : through DG ECHO and through DG ENV/MIC³⁵. The un-coordinated presence, in the field, alongside ECHO representatives of MIC assessment and coordination experts was a source of confusion.

This is neither logical nor efficient. Despite a signed Memorandum of Understanding³⁶, both DGs are not fully communicating with each-other. The Commission could find another organisational set-up for MIC-missions outside the EU. The evaluation team considers that Civil Protection actions outside the EU should be the responsibility of DG ECHO. In the absence of such a transfer, the agreement on coordination signed between DG ECHO and DG ENV should be respected by both services.

3.3.4 DG ECHO, the EC Delegations and the decentralisation process

The perceptions of DG ECHO by the EC's Delegations have been very varied. The double process of decentralisation, adopted by the Commission at the beginning of the period under review in May 2000, and the attempt to develop LRRD approaches at the Delegation level, led to several evolutions which are enshrined in a note to the attention of all Heads of Delegation and DG ECHO field experts³⁷. It was indeed necessary to ensure both coherence within the deployment of EC services, but also to respect the very specific mandates and working procedures of DG ECHO and of course to ensure the security of all EC personnel in the field. This was indeed seen as vital in view of the dangers and difficulties increasingly facing humanitarian work. Important developments from the decentralisation resulted in a more comprehensive dialogue between DG ECHO staff and their EC Delegation colleagues on issues related to both the context and the management of operations. This has greatly improved working relations in several contexts and resulted in a sound management of LRRD issues in certain countries or regions, e.g. Afghanistan and the Manu River basin in West Africa.

DG ECHO practices a centralised approach. DG ECHO has a network of experts deployed in third countries in two types of offices: field offices, which are linked to specific operations, and Regional Support Offices. DG ECHO's offices have no power of decision. Personnel in these offices are experts with limited contracts. DG ECHO follows a policy of separation on matters affecting the management and implementation of operations from the Commission's Delegations; the Delegations are of course kept informed. This serves DG ECHO's understanding of independence and neutrality, but also addresses security issues for its field staff. DG ECHO follows a policy of self-presentation as a neutral and independent part of the Commission. The evaluation team does not share the view that DG ECHO needs to be presented separately in the field, as had been outlined above. In practice neither local authorities, warring parties nor beneficiaries, are likely to be able to discriminate between the EC's services. DG ECHO's field structure should be integrated in the Delegations, also for efficiency reasons, wherever possible. The cooperation between the EC Delegations and DG ECHO's offices has been defined in the above mentioned joint ECHO-RELEX note.

³⁵ Civil Protection Monitoring and Information Centre (MIC)

³⁶ Memorandum of Understanding between (DG ECHO and DG Environment, dated 16th March 2003 (signed Catherine Day and Costanza Adinolfi)

³⁷ Note for the intention of Heads of EC Delegations and ECHO technical assistants: guidelines for relations between Delegations, ECHO Headquarters (Brussels) and ECHO field offices, 19 July 2002 (co-signed by G. Legras, Director General of DG RELEX, and C. Adinolfi, Director of ECHO)..

3.4 DG ECHO and the United Nations

3.4.1 Overall experience

The UN System has global support and experience. Principal humanitarian aid actors accept UN-OCHA as the lead organisation for humanitarian aid coordination, including civil protection mechanisms.

On 24th September 2003 the UN Secretary General and the President of the Council of the European Union signed a joint declaration on UN-EU cooperation in crisis management.

As a result of the slow UN reaction to the Darfur crisis, the UN Under-Secretary and Emergency Relief Coordinator (ERC) launched a review of the UN performance in humanitarian action at the end of 2004. This is known as the Humanitarian Response Review or HRR.

While the Commission did not commit to the Central Emergency Revolving Fund (CERF) initiative of UN-OCHA, due inter alia to requirements for identifiable projects and costs under the Humanitarian and Financial Regulations and concerns over accountability, it is nevertheless interesting to note that most of the EU Member States and HAC members are very supportive of it and agreed unanimously on it on 15th December 2005 in New York.

DG ECHO is seen by its UN partners in the field as a strong partner in the overall coordination processes. However, the fact that many of DG ECHO's technical assistants have an NGO background is seen in some segments of the UN as possibly introducing a bias against the UN agencies.

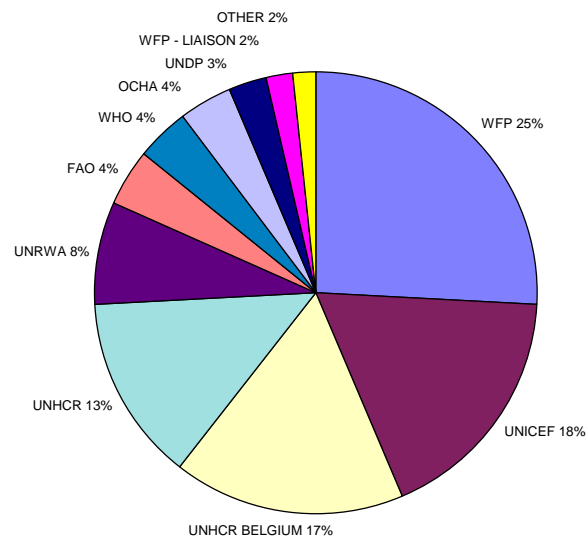
The interaction between the UN "integrated missions" (political negotiations, peace-keeping, state-building and humanitarian action) and respecting humanitarian space for aid workers is not without difficulties. These issues are of relevance to the Community and its own positioning towards the EU Crisis Management Mechanisms under Pillar II.

The share of UN agencies in the funding received from DG ECHO has increased from 24% in 2001 to 32% in 2005. The most important partners of the UN system of DG ECHO are set out below (by budget allocation):

Table 1 - Grants to UN partners 2000-2005

Partner	Euros
WFP	251.206.001
UNICEF	159,167,598
UNHCR	272.069.330
UNRWA	67,890,284
FAO	37,589,910
WHO	35,048,755
OCHA	34,194,337
UNDP	24,053,806
OTHER	13,789,349
TOTAL	895,009,376

Figure 1 - Distribution of UN grants by partner 2000-2005



Despite the relative importance of DG ECHO's contribution to the UN agencies, the cooperation between the two organisations is not always easy and smooth. A certain degree of caution between the organisations has been identified by the evaluation team. The Director of a UN-agency in Brussels said the Commission and the UN are two different worlds of administration, bureaucracy and culture that are not readily compatible.

The actual cooperation between DG ECHO and the UN-agencies is far from being perfect. The systems of the UN and the Commission do not necessarily match each other, as can be seen from the following list, which summarizes the findings of the evaluation to this respect:

- The UN agencies expect a long term commitment from DG ECHO to co-fund its UN-programmes, but DG ECHO prefers to fund projects on a shorter term basis, it considers it is required to do it under the humanitarian regulation and the 'principle of annuality' in the use of EU budgetary funds;
- The UN agencies fund their overheads from their projects (no cost transparency), but DG ECHO wants full cost transparency and is not interested in contributing to any material funding of the UN system's non-project related costs;
- The UN agencies fund their programmes with contributions from many donors, but DG ECHO prefers its contribution to be identifiable and not pooled with the contributions of other donors, in accordance with the principle of accountability;
- The UN system audits its programmes itself, or by audit missions arranged by the court of audits of its members, however DG ECHO cannot audit its contribution to the UN system and is limited to "verification" or control missions;
- The UN has developed its own reporting system that is accepted by bilateral donors; meanwhile DG ECHO has developed its own reporting standards. The UN reproaches DG ECHO, for not respecting the Stockholm declaration on the reporting issue. DG ECHO considers that the UN bodies need to improve their accounting systems, i.e. introduce accruals accounting and make more use of software to generate donor specific reports, with information as to outputs and outcomes;

- The UN has relatively easy access to both earmarked and non-earmarked funding from its members (most bilateral contributions), but DG ECHO has a tendency to treat the UN agencies like its NGO partners (with a lot of control);
- The UN agencies have their own interpretation of how it uses DG ECHO funded equipment within their large programmes. As far as DG ECHO is concerned, the equipment funded to UN programmes should be used in a stricter manner inside the projects funded by DG ECHO and not inside the overall UN country system³⁸; and
- WFP, the largest UN partner of DG ECHO, does not have difficulties in the cooperation as mentioned. This may be due, as explained by an official of WFP in Brussels, to the more short term management of food aid and its easier accountability. Nevertheless as WFP works on the basis of PRROs and EMOPs which are not always short term, other UN agencies should be able to work with ECHO on the basis of the FAFA.

3.4.2 DG ECHO and UN OCHA

In December 1991, the UN General Assembly³⁹ adopted a resolution to strengthen the United Nation's response to both complex emergencies and natural disasters.

Resolution 46/182 also created the Inter-Agency Standing Committee (IASC), the Consolidated Appeals Process (CAP) and the Central Emergency Revolving Fund (CERF) as key coordination mechanisms and tools of the ERC.

As part of a UN reform in 1998, DHA was reorganized into the Office for the Coordination of Humanitarian Affairs, OCHA. Its mandate was expanded to include the coordination of humanitarian response, policy development and humanitarian advocacy.

The mission of OCHA is to *mobilize and coordinate effective and principled humanitarian action in partnership with national and international actors*. OCHA carries out its coordination function primarily through the Inter-Agency Standing Committee. OCHA is widely recognized as the only global coordinating body for emergency response and humanitarian aid activities. OCHA has the mandate from all UN Member States to coordinate globally all emergency aid.

OCHA's budget for 2006 is USD128,445,299 of which about 10 percent or USD 12,795,992, comes from the regular UN budget and the remaining part (more than \$115 million, including projects and field activities) from extra-budgetary resources donated by members and donor organisations.

DG ECHO funded OCHA with a contribution of 16m USD in 2005, up from only 0.5m USD in 2001. This funding is provided under the "Thematic Funding" contractual tool⁴⁰. No specific agreement for cooperation in matters of coordination has been concluded between the Commission and OCHA, although there has been an exchange of letters on disaster response in 2004 and the Financial and Administrative Framework Agreement is applicable. Further, in many large disasters, ECHO funds OCHA's field coordination efforts⁴¹.

³⁸ If a project is funded on a multi-donor basis (what most UN projects are), the UN agency does not need to ask DG ECHO for authorisation regarding the use of the equipment, but only report on it in the final report. Nevertheless this is, following the UN, an ongoing conflict between the UN and DG ECHO.

³⁹ Resolution 46/182

⁴⁰ UN OCHA received also geographic funding from DG ECHO

⁴¹ For example, €1.5 m were granted to OCHA for coordination in the Pakistan earthquake (in addition to €1 m for disaster preparedness); similarly, €1 m was provided for coordination in Sri Lanka and Indonesia, following the Tsunami (as well as €2 m for early warning systems).

UN OCHA officials at New York headquarter stated, that both USAID and British DFID seem to be more cooperative with OCHA when compared to DG ECHO. DFID and UN OCHA have concluded an agreement that defines closer cooperation and funding by DFID.

On 14th December 2005 the expanded CERF was approved by the UN Members, including all EU members of the UN. The reservations of DG ECHO concerning the CERF initiative have not been conveyed properly to the UN, and, with the exception of DFID, not to the EU Member States.

OCHA would like to enter into a more formal cooperation with DG ECHO. This cooperation could allow deepening of understanding for both partners, common policy formulation and to organize the global emergency and crisis management in a concerted way in matters of coordination.

In the above-mentioned exchange of letters in 2004⁴² the Commission agreed to cooperate with OCHA in the area of disaster response. As a result of these letters two “Joint standard operating procedures” have been agreed:

- UN OCHA – DG ENV, Community Mechanism for Civil Protection; and
- UN OCHA – DG ECHO, for coordination in disaster response.

Based on the existing procedures, both UN OCHA and DG ECHO could enter into coordination procedures by a mutual agreement that could include:

- Cooperating in the global management of emergencies;
- Coordinating the EU’s humanitarian aid activities with those of the UN;
- Promoting the exchange of staff between the two organisations;
- Encouraging OCHA to reinforce its office in Brussels to liaise, at the appropriate senior level, with the European Institutions;
- Pushing for multi-annual funding in DG ECHO's programmes and budget in favour of OCHA⁴³;
- Encouraging DG ECHO to develop a relationship similar to the one OCHA has with DFID (bilateral agreement on cooperation); and
- Sharing of regional offices between DG ECHO and OCHA, since both organisations are opening regional offices, often in the same cities.

UN-OCHA reconfirmed its willingness to the evaluation team to conclude an agreement with DG ECHO. The Commission’s “Staff regulations” Article 37/38/39 allows the secondment of Commission staff members. Council regulation 1257/96 mandates the Community to coordinate the Union’s humanitarian aid activities with those of the United Nations system.

Humanitarian aid will need an improved regulatory framework. This could be formulated together by UN OCHA and DG ECHO together with other mandated bodies. Integrated missions of UN OCHA with DG ECHO on protection issues have not been fruitful in the past. More resources should be devoted by DG ECHO to joint missions.

Many forgotten crises need a political solution. The UN and the EU should take common initiatives to find sustainable solutions to these crises. Without a political solution, the humanitarian aid organisations will continue to pay the bill for a lack of decisions.

⁴² Letter signed Margot Wallström and Poul Nielson (European Commission, Cab. 04/D/10475), dated 27th October 2004 at the attention of Jan Egeland, Under-Secretary-General for Humanitarian Affairs, OCHA.

Letter signed Jan Egeland, Under-Secretary-General for Humanitarian Affairs, OCHA, dated 28th October 2004 at the attention of Margot Wallström and Poul Nielson, European Commission

⁴³ The Member States of the UN fund the UN agencies through mid and long term commitments. The US government committes its funding aid to UN agencies, as the UNHCR, two years in advance, what assures to the UN agencies a more sustainable budget security. These commitments are independent from ad-hoc funding in case of emergencies.

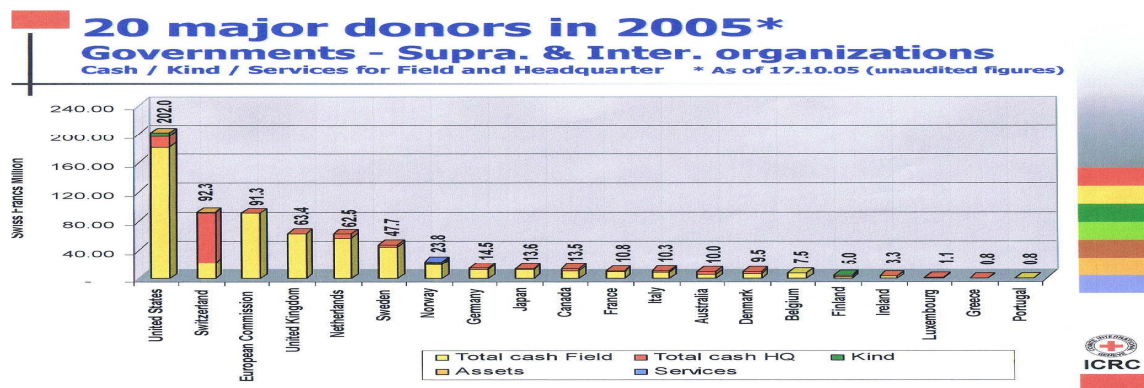
3.5 DG ECHO and the Red Cross Movement

The Red Cross Movement is composed of :

- The International Committee of the Red Cross (ICRC). The ICRC has been given an international mandate from the international community to apply and develop International Humanitarian Law (IHL), in particular the 1949 IV Geneva Conventions. The ICRC is the component of the movement specialised in conflict situations. It coordinates all Red Cross activities in these situations.
- The International Federation of the Red Cross and Red Crescent Societies (IFRC). Founded in 1979 as the League of the Red Cross, the IFRC is the component of the movement which deals with natural disasters, and refugee situations outside war zones. It coordinates the efforts of the national societies in these situations.
- The national Red Cross or Red Crescent Societies in the different countries. In almost all countries, there is a Red Cross or a Red Crescent society. The national societies of the Red Cross in the EU Member States are in regular contact with DG ECHO.

The life of the Red Cross movement is organised around regular International Conferences, where Red Cross Representatives and Diplomatic Representatives of its Member Countries meet and validate key evolutions in IHL. All EU Member States participate at the International Conferences. It should be mentioned that the Red Cross Principles are a key reference for the EU’s Humanitarian Aid activities, including those of DG ECHO. In the non-ratified European Constitution the three basic elements underlying IHL: impartiality, neutrality and independence are integrated.

The European Member States and DG ECHO contribute more than 50% to the budget of the Red Cross movement. However the Union’s influence is much lower when compared to the influence of the U.S., which contributes only half as much as the EU. But as the EU contribution is fragmented into 25 country contributions (25 member States), plus the Commission’s contribution, the European contribution can not be seen as one piece given under a common strategy. The EU aid to the ICRC is therefore less influential. This fragmentation against the US contribution can be seen from the following graphics:



The following table shows the composition of the financial contribution by DG ECHO into the Red Cross movement (in EURO):

Components	2000	2001	2002	2003	2004	2005	Total
ICRC	25,950,000	31,155,000	34,483,864	57,802,001	33,475,486	33,772,444	216,638,795
IFRC	16,485,000	9,975,000	8,053,818	7,945,551	10,724,041	8,017,788	61,201,198
Red Cross Societies	12,399,478	9,401,000	7,133,476	8,887,944	9,532,839	8,324,616	51,479,353

From 2003 onwards, DG ECHO has developed a special FPA for ICRC and IFRC which takes into account the International Organisation status of these two institutions. The classical NGO FPA applies to the European Red Cross national societies.

The relationships between ICRC, IFRC and ECHO are managed through specific Strategic Partner Dialogues (SPDs).

For the ICRC and IFRC, country programmes and thematic programmes are supported. ICRC also accesses thematic funding more as a “programmatic support” to protection activities rather than a strictly “thematic funding” contract as defined by DG ECHO’s criteria, i.e. to support capacity building. The IFRC also uses the thematic funding facility, to improve its response capacity, with a strengthening of its early warning capacity (development of the software DMIS), its assessment capability (strengthening the Field Assessment and Coordination Team –FACT), its rapid procurement capacity (with a proactive sourcing of relief items) and its rapid deployment capacity (with an enhanced pre-stocking capacity – Dubai based – and the multiplication of the Emergency Response Units – ERU).

An evaluation of the IFRC/DG ECHO partnership took place in 2005, the evaluation of the DG ECHO/ICRC started in February 2006. A comprehensive audit by DG ECHO audit contractors has taken place of the ICRC in 2005.

Key lessons learned through the SPD and the various evaluations and audits are the following:

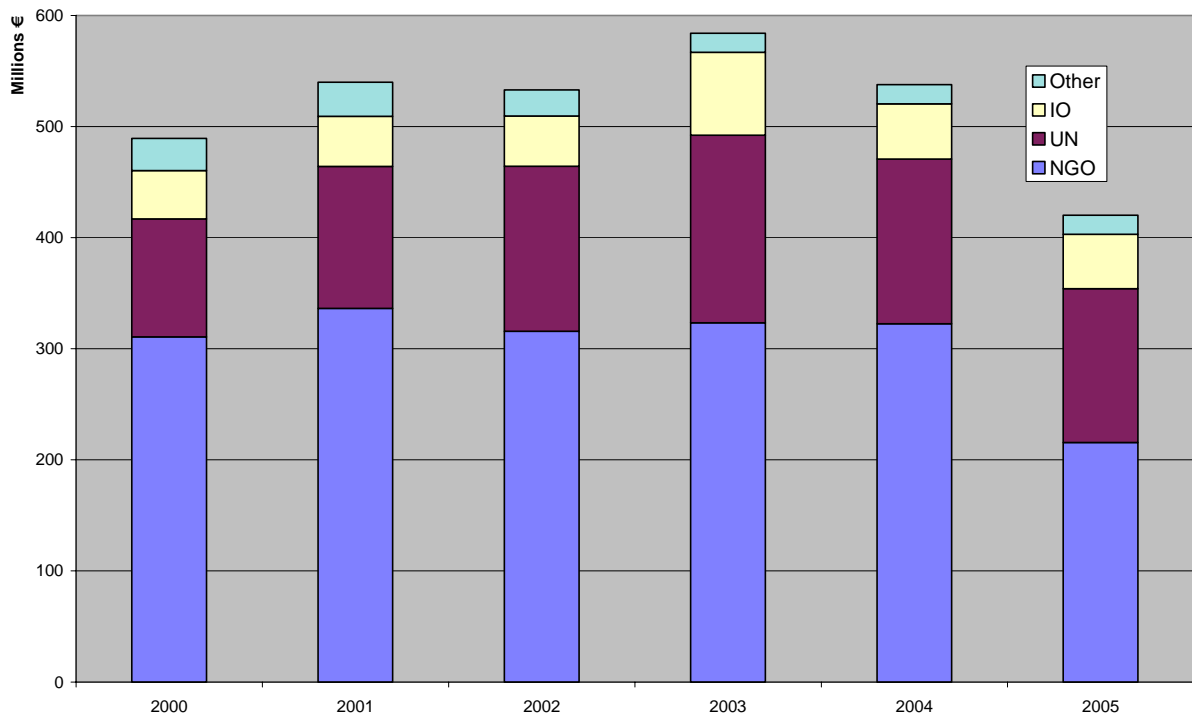
- the new FPA represents an improvement: it allows ICRC and IFRC to use their own procurement modalities, under a multi-donor funding;
- there are still difficulties between the partners, especially in relation with the visibility issues, especially for the ICRC;
- reporting processes remain a regular source of tension between DG ECHO and the Red Cross. Timeliness and poor quality of reports are a source of disagreement for DG ECHO. In particular ICRC complained very heavily about the “micro-management” attitudes of DG ECHO staff members. This creates additional work for the ICRC. ICRC is employing as many staff members for reporting to DG ECHO as for all the other donors put together.

For the national Red Cross societies, specific country projects are funded. In addition, DG ECHO supports the development of important preparedness activities: the creation of a series of Emergency Response Units (ERU) in health, camp management, and water/sanitation. These are designed to be on the shelf and ready to be deployed to the field in a matter of hours. This proved extremely useful in rapid-onset large-scale natural disasters.

3.6 DG ECHO and the NGOs

NGOs represent the largest group of partners of DG ECHO, both in number of organisations and in share of DG ECHO's funding. The share of NGOs in ECHO funding significantly increased between 1997 and 2000, in parallel to a decrease in the share of the UN. This situation has changed from 2001 onwards, with a rebalancing in favour of the UN. At present, NGOs get about 50% of DG ECHO's annual budget.

Figure 2 - Contracts by type of beneficiary



Figures for 2005 are incomplete.

DG ECHO has signed FPAs with 193 NGOs. These NGOs often have nothing in common. Some are very specialized in their technical know-how, others have specific experience in certain regions. By size, these European NGO can be classified in four groups:

- Large: e.g. ACF, MSF, OXFAM, SCF
- Medium: e.g. MDM, COSVI, ACTED,
- Small: e.g. Merlin, AMI,
- Very small: e.g. People in Aid, DÄZ

The capacities and level of professionalism of these NGOs vary widely. DG ECHO has now, through years of experience, its audits, annual assessment of partners and its evaluations, a good view of the potentials of these NGOs.

The European NGO community is now structured around a series of fora in Brussels, such as CONCORD and, for DG ECHO related matters, VOICE⁴⁴. Brussels-based VOICE acts as a federation and lobbyist. VOICE facilitates communications and exchanges with DG ECHO. Some large NGOs are not members of any of these NGO-federations, preferring to work alone. Many NGOs have an international background; some have their roots in the USA. Certain large NGOs have their background in churches, some in political parties.

DG ECHO pays a lot of attention to the process of good cooperation with NGOs. DG ECHO has invested in quality improvements for NGOs, and has invested to develop the NGOs and sees them as “Partners”. Partner meetings and an annual conference at the invitation of DG ECHO are platforms for the exchange of information and briefings about future policies. DG ECHO has a strong and healthy relationship with the NGO community. This relationship is much stronger and exerts much more influence as compared to its relationship with the international agencies.

⁴⁴ “Voluntary Organisations in Co-operation in Emergencies”

It should be understood, that the existence of some NGOs depends almost entirely on being funded by DG ECHO.

The evaluation found, that quite a number of the staff of DG ECHO, in the field, have an NGO background. This may also ease the ties between DG ECHO and the NGO world. Almost all experts working for DG ECHO in the Regional Support Offices have a professional background with NGOs.

The “educational” process of DG ECHO towards the NGOs can be an explanation of the “micro-management” attitude which has been developed by quite a number of DG ECHO staff. This may work with the NGOs, but is frustrating for the international agencies which feel as if they are being treated like NGOs.

Cooperation between DG ECHO and the NGOs is managed by the “Framework Partnership Agreement” (FPA) that every NGO wishing to access funding by DG ECHO has to accept and sign, following an approval process that examines the applicant’s financial and administrative capacities. The FPA is the only NGO certification process. NGOs can acquire or lose this certification. The NGO committee “FPA Watch” played a very important role in solving many difficulties.

In addition, DG ECHO undertakes partnership evaluations, in all three categories of partners. At this stage, a certain number of NGO partnerships have been evaluated: ACF, MSF, SCF. This exercise has not always been an easy one for the NGOs. Having seen the findings and recommendations in the evaluation reports the present evaluation is convinced of the need to continue these evaluations. This instrument helps to identify weaknesses, inefficiencies and conflicts, but also the excellent performance of NGOs in the field under most difficult situations. All evaluation reports are published on DG ECHO’s website, contributing to transparency; something that is quite often missing in bilateral-funded humanitarian aid.

The relationship between DG ECHO and some NGOs is difficult. These NGOs want to have their independence, while DG ECHO wants to get involved in a very thorough manner in orienting and influencing the NGO’s activities where DG ECHO funding is involved. DG ECHO’s technical assistants in the field are involved in project identification, design and monitoring. This level of interference is resented by some NGOs, yet DG ECHO argues this is necessary for accountability. Yet these TAs are often playing a key and positive role as a ‘facilitator’ between the NGO and the Brussels-based DG ECHO desks.

Some NGOs fear that DG ECHO could develop closer cooperation with the international agencies and could seek closer cooperation with European armed forces. For the NGOs the neutrality and impartiality of DG ECHO’s aid is much more important than for the international agencies. NGOs accept to work in critical and dangerous circumstances. Neutrality of their work without political influence by the donor is, understandably enough, for them an important and overriding issue.

NGOs collect money inside the EU from both, the EU Member States and from DG ECHO, often for the same projects or programmes. As every Member State has different bureaucratic conditions, more harmonized procedures could ease the work of the NGOs. More harmonized procedures could also produce a better transparency on national and international allocations to the NGOs.

4. DG ECHO the “Basic Act” and the “EC Financial Regulation”

4.1 Duration, scope and other issues at stake

An unsolved discussion was initiated between the evaluation team and DG ECHO on its possibility and the need to enter into longer lasting commitments, as requested by some UN agencies, in particular the UNHCR. Humanitarian Aid does not only consist of short term emergencies but also of long term assistance to vulnerable people, such as in refugee camps or LRRD activities etc. Implementing agencies involved in a more long term commitment, such as the UNHCR, would like DG ECHO to be able to commit itself on a longer-term basis. This could also increase the influence taken by DG ECHO on the strategies of some UN agencies. However, DG ECHO refers to the Commission’s “Financial Regulation” which does not allow, according to DG ECHO’s interpretation, to reserve funds for actions in future budgetary years before those years have started. Also according to DG ECHO, under the Financial and Humanitarian Regulations contracts should not exceed 12 months, with financial liquidation up to three years after the initial budgetary year. DG ECHO may only identify through its “Global Planning” that a longer period of funding will be required.

For DG ECHO this poses some problems in so far as DG ECHO’s activities are principally based in responding to emergency actions. DG ECHO does not want to compromise its flexibility, given in large part by exemptions from the Financial Regulation and its implementing rules, to quickly respond. . These exemptions are based on the fact that, DG ECHO has to respond quickly and does not have long term projects which last many years. Another purpose of keeping project durations to 12 months or shorter is that DG ECHO does not want to inadvertently overlap with development projects. If this were to be the case then DG ECHO’s exemptions in the financial regulation might be questioned or it would have to put in place a procedure which is normally used for projects having a longer duration.

Since this issue affects a number of DG ECHO partners and some types of humanitarian aid activities, the evaluation has taken a closer look into this subject.

The discussion about the duration of DG ECHO commitments revolves around the interpretation of the next Articles:

Council regulation No. 1257/96 of 20 June 1996 concerning humanitarian aid:

Article 5 states: Community financing under this Regulation shall take the form of grants. The operations covered by this Regulation shall be exempt from taxes, charges, duties and customs duties.

Council regulation No. 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities:

Article 76(3) states: “Budgetary commitments for actions extending over more than one financial year may be broken down over several years into annual instalments only where the basic act so provides and for administrative expenditure. Where the budgetary commitment is thus divided into annual instalments, the legal commitment shall stipulate this, except in the case of expenditure on staff. “

DG ECHO argues that Article 76.3 which allows for “actions extending over more than one financial year” does not apply to humanitarian aid, because the basic act, the Humanitarian Regulation, does not explicitly allow this and the Financial regulation requires the principle of annuality. The evaluation team considers that multi-annual funding should be possible under the present regulations, and without any doubt if the “Basic Act” of DG ECHO is amended accordingly.

The Basic Act itself implicitly foresees a long-term commitment. The preamble to the Humanitarian Regulation states: “Whereas humanitarian assistance may be a prerequisite for development or reconstruction work and must therefore cover the full duration of a crisis and its aftermath”. Article 2 (b) states clearly that the Commission shall: “provide the necessary assistance and relief to people affected by longer-lasting crises ...”.

Further reading of the Basic Act Article 15 invites the Commission to: “adopt implementing Regulations for this Regulation”. This article invites the Commission to define its humanitarian aid procedures. Such “implementing regulations” or implementing rules have not so far been drafted and adopted by the Commission.

Over the last ten years, the humanitarian aid activities of the Commission, and in particular of DG ECHO, have grown and are of an international importance. The evaluation suggests that DG ECHO should define implementing rules for its mandate by using Article 15 of the Basic Act and thus adapt its activities to its future needs. The following areas could be included in these “implementing regulations”:

- Multi-annual commitments
- Regional Support Offices
- European Agency for Humanitarian Aid
- Funding of projects and programmes
- Civil-military cooperation
- Thematic funding
- Funding of transitions: LRRD etc
- Cooperation with international agencies (Red Cross, UN), on the basis of agreements
- Coordination with political partners (European Parliament, Council, ...)
- Coordination of the humanitarian aid activities of the EU Member States

4.2 DG ECHO and the Good Humanitarian Donorship Initiative

DG ECHO is an active promoter of one of the most important and promising donor led initiatives in the humanitarian sector, the Good Humanitarian Donorship Initiative, launched in 2003 in Stockholm.

The GHDI aims at ensuring that donors develop their own “Code of Conduct” on the basis of a certain number of principles. The key objectives of this initiative are:

- To ensure that donors respect humanitarian principles in the way they support humanitarian action;
- To ensure a better predictability in donor funding with a more comprehensive engagement with the CAP/CHAP processes;
- To achieve better accountability with the establishment of dedicated peer review mechanisms at the OECD DAC level similar to those already existing on development assistance;
- To improve the capacity for financial tracking through a standardization of the way funds are accounted for (especially in the use of military assets, debt reduction, etc);
- To minimise the reporting burden imposed on humanitarian actors by the multiplication of reporting formats, timeframes, etc.

In October 2004, a follow-up meeting took place in Ottawa, in order to review achievements and difficulties. DG ECHO has been consistently present and supportive in the GHDI process since the beginning. DG ECHO has shown a consistent engagement in supporting the respect of humanitarian principles, in engaging positively with and supporting the concept of peer review. ECHO has also fully supported key recommendations of the GHDI:

- the use of the Oslo guidelines in the use of civil-military assets,
- support to quality processes in humanitarian action; and

- support to learning and evaluation initiatives.

Yet, the interpretation of the EC “Financial Regulation” is putting limits on what DG ECHO has been able to do in the context of this GHDI, in particular:

- The EC system of annual allocation of funds prevent or make difficult multi-annual commitments, i.e. the reservation of funds in future budgetary years;
- The regulatory requirement on DG ECHO for operations to be need based, which limits the possibility to allocate un-earmarked funds; and
- The use of non-DG ECHO compliant reporting and auditing systems, i.e. accountability for funds is obligatory for DG ECHO, which limits the possibility for un-earmarked transfer of funds to contingency trust funds.

Most other donors, including EU member states, would view very positively that DG ECHO revises its policy to facilitate the adoption of the above specific components of the Stockholm agreement.

5. Management of DG ECHO

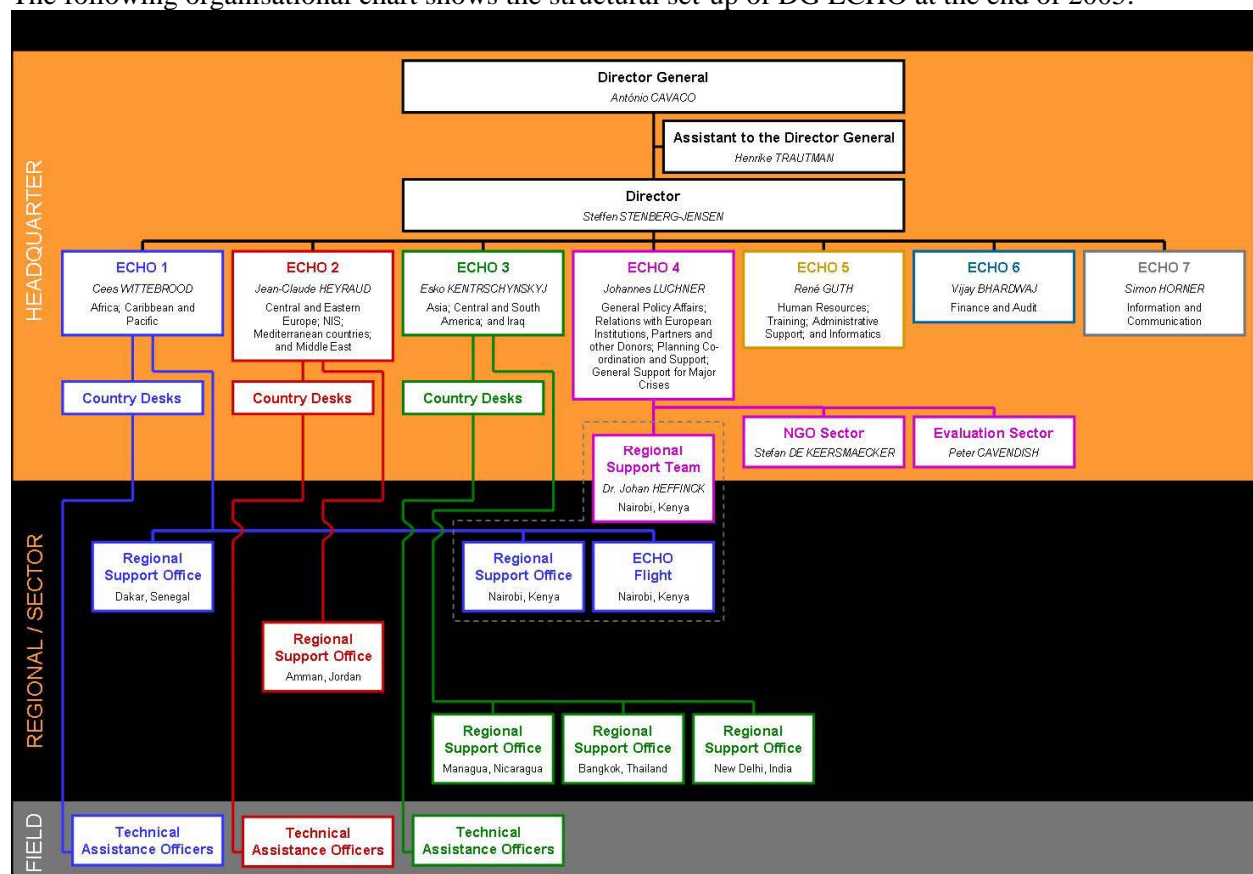
5.1 Observations

Whilst it is not explicitly part of the terms of reference to evaluate the internal and external management structures of DG ECHO, the need to evaluate the 3Cs requires the evaluation to take a closer look into the internal set-up and efficiency of DG ECHO.

DG ECHO underwent in a short period of time a fast growing and changing process. From its start only 15 years ago as a Unit within the Directorate-General for Development (DG VIII), it developed into a Directorate-General of its own with 200 staff members at HQ, up to 100 experts in the field, six Regional Support Offices outside the EU and an annual budget funding of up to euro 600m.

The internal structure of DG ECHO fulfils the Commission's requirements for a Directorate-General. In order to fulfil these requirements, DG ECHO had to set-up managerial capabilities, such as a Human Resources Unit, a Budgetary Unit, an IT-sector etc.

The following organisational chart shows the structural set-up of DG ECHO at the end of 2005:



The evaluation team makes the following observations:

- DG ECHO has a certain imbalance in staff numbers, the administrative or ‘horizontal’ units appear to benefit to the disadvantage of the operational units, although the operational units are also supported by the horizontal units.
- DG ECHO has one Unit with one task and 12 staff members: Unit 7 (information and communication). The other units account for approximately 30 staff members each.
- Due to the transfer of new functions to DG ECHO from 2007 (emergency food aid, part of the uprooted people budget line), the existing structure will have to be adjusted. New staff members will join DG ECHO and new operational functions (e.g. food aid) will become effective.
- DG ECHO does not have a “technical unit” that deals with technical issues of humanitarian aid such as health, nutrition, shelter, refugees, water and sanitation.
- DG ECHO started recently to set up “Regional Support Offices” (in Managua, Dakar, Nairobi, Delhi, Bangkok and Amman). These offices report, depending on the regions where they are, to the corresponding Heads of Operational Units 1, 2 or 3. These offices are run by temporarily contracted experts and consultants. These offices do not work “in-line”, but are organised as a “staff-unit”. They have no authority or power. They merely offer their services on demand to the HQ and to the field experts in the support of DG ECHO financed activities in the field.
- In the Nairobi Regional Support Office a newly created “Sector Support Team” (SST), reporting to DG ECHO’s Unit 4, has been set-up since September 2005. The experts of this team represent a technical capacity that does not exist at DG ECHO’s HQ, to support the implementation of operations.
- The differentiation of duties and share-out of responsibilities between the RSO and the SST are not distinct and could lead to confusion.
- All subjects that are not regional and not administrative have been put together in one unit at Brussels. The 32 staff members of this unit deal with a large variety of subjects such as: General policy, strategy, relations with DG ECHO’s partners, relation with the European Parliament, external relations, legal matters, evaluations, thematic funding, contractual issues and many more. This unit is seriously understaffed and has not enough resources to fulfil all of its assignments. A requirement analysis or a review of this unit’s mandate indicate that there are structural shortcomings, e.g. lack of appropriately skilled human resources, in this important unit.
- Some units are under the responsibility of a newly installed Director, other units are not and are working directly under the Director-General.
- Incoherence and a potential for conflict exist between some operational units and the unit dealing with financial matters. This leads also to delays in completing procedures, also to the disadvantage of the partners of DG ECHO.

Three scenarios have been developed by the evaluation team to give an input for a discussion on the future organisational development of DG ECHO. This is with the objectives of: creating more coordination, coherence, complementarity; and bringing more efficiency and effectiveness to the entire Humanitarian Aid activities of the Commission and of the European Union.

5.2 Scenarios for DG ECHO to meet its future

The following three scenarios are not mutually exclusive but rather represent different levels of ambition in the development of ECHO: scenario 3 includes scenario 2 which itself includes scenario 1. The objective is to give EU humanitarian aid policy the organisational means to meet its ambition of greater coherence, unity of action, effectiveness and efficiency in its actions on the ground as well as in the development of policy initiatives.

Scenario 1:

Scenario 1: DG ECHO would become more strategic. This scenario maintains the status quo but would involve internal re-organisation, with some on-going modification at the level of the geographical units to balance workloads as DG ECHO enters and exits countries. This might include creating a unit in charge

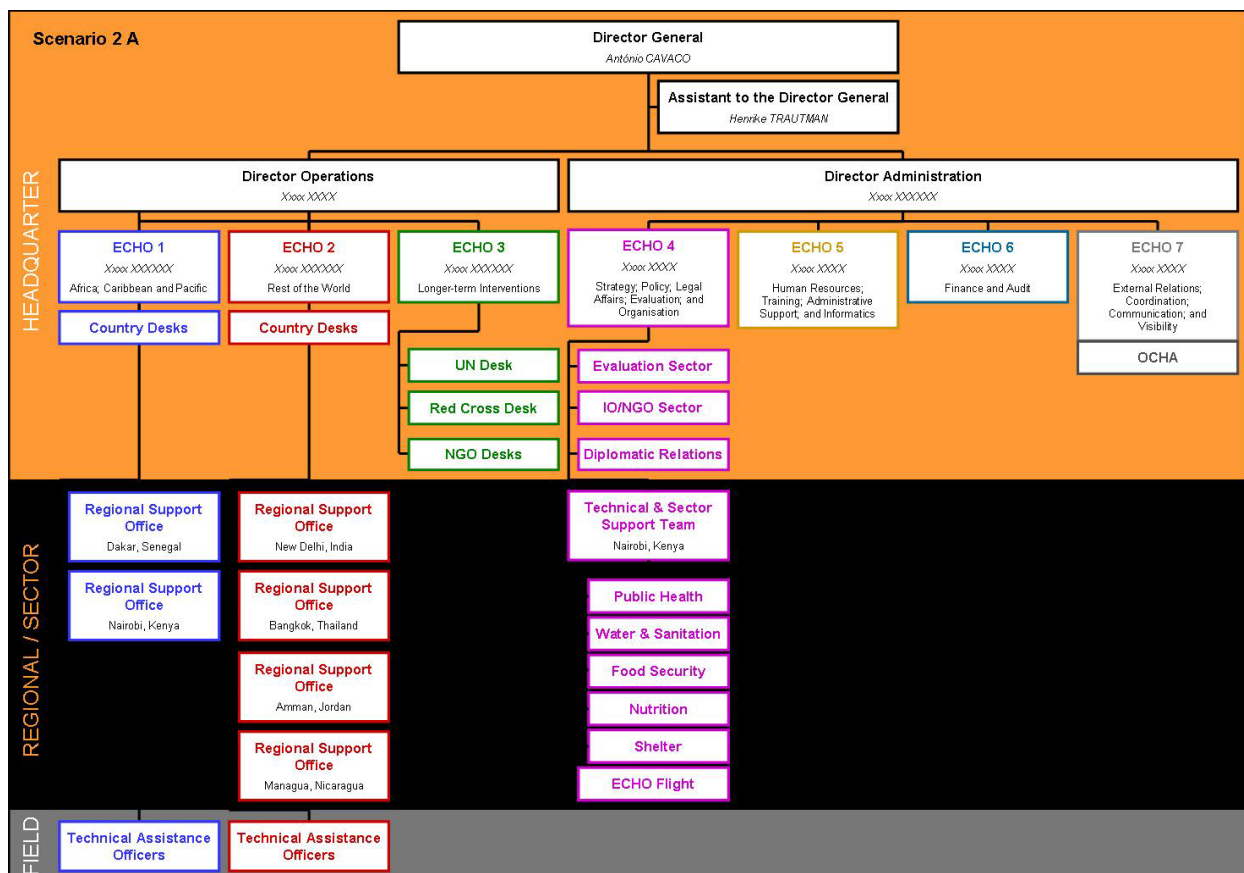
of long term commitments and of cooperation with the international humanitarian agencies and bodies. The policy unit would be enhanced to promote the coordination, coherence, and complementarity of EU humanitarian aid. DG ECHO's Information Unit for public relations (visibility) would adopt a more communication oriented approach. DG ECHO would also have to increase communication with the European Parliament and find a forum for humanitarian issues at the Council.

Scenario 2:

DG ECHO would become the European coordinator of humanitarian aid. This would include formalised cooperation with UN-OCHA. DG ECHO's Regional Support Offices would support DG ECHO in this work and get a more predominant function. (Scenario 2 includes scenario 1).

DG ECHO would consider taking the following steps, with three key elements:

1. The European Commission/DG ECHO makes use of Article 15 (1) of the Council regulation 1257/96 and formulates implementing rules to support its forward-looking mandate. This would include coordination structures for the EU Member States humanitarian aid activities; and
2. The Commission/DG ECHO signs an agreement of cooperation with UN OCHA;
3. DG ECHO integrates the RSOs in a more formal way.



Scenario 3:

Scenario 3: This would involve a major re-organisation of DG ECHO itself as per scenario 2, but also a “European Agency for Humanitarian Aid” would be created, working under direct supervision of DG ECHO. DG ECHO’s supervision will contribute to the maintenance of the European tradition of neutrality, independence and impartiality in the implementation of Humanitarian Aid.

This executive agency should inter alia provide a disaster response capacity in logistical matters, particularly transport, to avoid that DG ECHO has to rely on other agencies or structures that do not have a humanitarian mandate and which are certain to come into being or to be expanded upon over the coming years.

The agency could also manage some contractual and payment functions, especially in relation to the field staff and offices. It could maintain and operate a disaster and rapid response capacity to assist the humanitarian aid activities of the EU, possibly including Search & Rescue coordination outside the EU, Civil Protection (outside the EU), coordination of the logistics with Civil-Military Cooperation, emergency Food Aid, organisation of air operations, other means for logistics and transport, management of DG ECHO’s field staff and offices, support of DG ECHO for additional control functions (monitoring, project audits ...) etc.

DG ECHO would then concentrate on strategy and policy matters, definition of priorities, inter-institutional and inter-humanitarian agency relations, needs assessment and analysis, establishment and running of the framework relations with the partners, civil military cooperation and communication. DG ECHO has to become the leading force on humanitarian aid policy matters.

The agency scenario would overcome certain of the staffing issues, as recruitment of skilled staff could be easier and a higher percentage of non-officials can be employed. Nonetheless the use of an agency can have drawbacks too, including an additional workload for the senior management of DG ECHO, the risks that an agency may enter more into implementation than wished by DG ECHO’s partners and more into policy than wished by DG ECHO.

On balance given the high expectations of DG ECHO and the challenging environment that it is facing, the evaluation considers that scenario 3 may become desirable in a five year horizon .

Many States have transferred the implementing and operational part of their aid activities into such Agencies: GTZ in Germany, SIDA in Sweden, USAID in USA etc.

6. Specific achievements of DG ECHO since 2000

6.1 Assessment of the Art. 20 Evaluation in 1999

For the period evaluated 2000-2005 DG ECHO has demonstrated an exemplary follow-up to the previous major evaluation undertaken in accordance with article 20 of the Humanitarian Regulation of 1996. This has been managed at a time when the European Commission's services have been under going a far reaching reform process, in respect of which DG ECHO has also been fully compliant, wherever applicable. Although not every recommendation from the previous evaluation has been implemented, as DG ECHO does not have to accept all recommendations; DG ECHO has undertaken initiatives in many other areas which demonstrate that DG ECHO is not only a learning organisation but also able to adapt, innovate and lead.

When voting on Council Regulation 1257/96 to mandate the European Commission to become engaged in humanitarian aid, there was some hesitation on the implementation of this new instrument among some of the Member States. For that reason, at the end of that Humanitarian Regulation, Article 20 was added. This article envisaged an assessment of the Commission's humanitarian aid activities three years after the entry into force of that Regulation. This assessment was presented in 1999.

This evaluation has reviewed the follow-up given to the previous evaluation and the application of the OECD's Development Assistance Committee criteria of relevance, efficiency, effectiveness, impact, sustainability and connectedness.

DG ECHO had realized a "road map" that includes most of the Art. 20/1999 evaluation report. This "road map", an internal document, allows to validate volume, action taken and timing of the implementation of the recommendations. Basically, the "road map" summarizes the Art.20/1999 recommendations in form of a table. The evaluation decided to use its own table (see annex 1) that includes only the most relevant and important recommendations as can be evaluated in 2006.

Many things have changed since 1999: ECHO has become a Directorate-General. Thus all Article 20/1999 recommendations related to the creation and development of an "office" have become obsolete. Increase of staff, management of large crises, such as the tsunami and the Pakistan earthquake in 2005, the creation of the RSOs any many other issues have changed the priorities, as compared to 1999. The evaluation therefore has decided to focus less on issues that are not relevant. Emphasis has been given to issues of strong and present importance and on issues with a potential impact on the future development of DG ECHO.

In the following chapters the evaluation presents its findings. The next section summarises the comparison of targeted and actual results. In the subsequent sections the most important subjects of the 1999 Article 20 evaluation are treated.

It can be seen from both tables in annex 1, (Article 20 Evaluation 1999 and the Report of the European Parliament 2000), that a number of issues raised in 1999 and in 2000 continue to be valid in 2006. It also can be seen, that some key-remarks of the present evaluation were already issues in both former reports. The following observations and recommendations of the 'Art. 20/1999 evaluation report' maintain their relevance in 2006 and are taken up in this report:

- ECHO's visibility and communication strategy must be adapted in order to inform also the European population.
- ECHO must establish a stronger link between its structural decision making and that of other DGs.

- A planning capacity should be created in both ECHO and the Council to deal with humanitarian aid and with the Member States.
- Information links to the Member States should be vastly improved.
- ECHO should act as a coordinating platform for already existing EU emergency response instruments.
- ECHO should continue to invest in quality improvement of the NGOs (and define quality standards).
- ECHO must strengthen its presence in international humanitarian fora.
- ECHO should participate the pooling of Commission's expertise of "grey zone" rehabilitation resources.
- ECHO funded operations must have (more decisive) capacity to be managed and directed from the field. In contrary to the recommendations of the Art. 20/1999 evaluation, the evaluation proposes to continue the centralized approach DG ECHO uses. This is not in contradiction with the delegation of some power of decision to the field level.
- ECHO's overall coherence would vastly benefit from a better integrated policy and assessment unit.
- ECHO's overall objective should be to have enough skilled, knowledgeable and motivated personnel
- Desk officers and field experts should be allowed (and motivated) to rotate.
- The status of field experts requires specific attention. They should benefit from the same status and protection as officials.

It can be concluded, that most other issues of the Art. 20/1999 evaluation report are mostly implemented or are, caused by the evolution, without relevance today.

The European Parliament reported to the European Commission its observations and recommendations as a follow-up to the Art. 20/1999 evaluation report.

The European Parliament insisted on the following aspects, some of which are still relevant in 2006:

- The powers and responsibilities of Commission's departments of external affairs must be clarified and there must be an increased coordination between departments.
- More consistency and coordination is required in ECHO's management and an adequate system for monitoring the quality of results.
- Disaster preparedness and conflict prevention ... should play a more prominent role in ECHO's operations.
- Asks the Commission to submit to Parliament and the Council a clear strategy on the role that the humanitarian aid supplied by ECHO should play within external and development policies; stresses that this strategy should specifically include a general but not inflexible definition of ECHO's tasks and its framework of activities, as well as those of the Commission's development and external affairs departments, in order to ensure consistency, complementarity and coordination.
- To create a system for overall coordination of all the donors involved in humanitarian aid at an international level.
- To give ECHO the function of a coordinating platform for all the Member States emergency aid. Asks the Commission and the member States to make their humanitarian aid more complementary.
- To review the distribution of humanitarian aid funds in order to achieve a better balance in favour of developing countries.
- Make systematic use of performance indicators.
- To put a stop to the increased politicisation of humanitarian assistance.
- Calls the Commission and the Member States to back the efforts made to ensure that the European Union's presence and influence in international organisations are more representative of its political strength and the extend of its contribution to humanitarian aid.

In annex 1 a complete table of the recommendations from 1999 and the evaluations observations gives an overview as to what has been achieved from 1999 till early 2006.

6.2 Financial Management and Control

The European Commission underwent a far-reaching reform process over the period 2000-2005. Among other matters this process included changes to the European Community's 'Financial Regulation'⁴⁵ and 'Staff Regulations'. Under these regulations not only are officials required to practise sound financial management they can also be held financially accountable themselves, in the event that poor or inadequate control is identified. Whilst such requirements have always existed the reform process has ensured that all officials with financial responsibilities have explicitly understood that their personal assets could be at risk.

DG ECHO operates in a multi-layered environment of control over the activities that it manages. It is itself audited by the EC's Internal Audit service and the European Court of Auditors, the EC service DG Budget may also raise questions and it reviews the completion of an Internal Control Risk Assessment and an Annual Activity Report. DG BUDGET also produces an annual report on the Commission's services activities in the field of evaluation. DG ECHO also has an external audit function and a framework contract with external auditors to audit all of DG ECHO's partners on a cycle of more than two years. It also has an evaluation function that examines operations in the field according to standard criteria.

DG ECHO is considered to be probably one of the fastest and most 'operational' services of the Commission. This is made possible in part through a series of derogations from the Financial Regulation granted on the basis of its specific mandate and operational contexts. The speed of DG ECHO in funding new emergencies will soon be compared to the speed of funding under the expanded UN's CERF fund.

The EC Financial Regulation is designed for conventional public sector activities, not for the specificities of humanitarian aid. Although DG ECHO has obtained an impressive number of derogations from the implementing rules, they are hard to explain to new officials or third parties and certain grey areas remain. With these difficulties it is hard for DG ECHO to take the lead on matters such as, the Good Humanitarian Donorship Initiative (i.e. on standard reporting and proactive funding) or the OECD Harmonization of Aid process.

6.3 Mainstreaming of Linking Relief, Rehabilitation and Development

DG ECHO has been very active in the development of the LRRD process within the Commission. Indeed, between the intervention of the fast-reacting, quick-disbursing DG ECHO and the slow processes of other EC mechanisms, there is often a period of vacuum which DG ECHO tends to fill; this is sometimes judged as being "mission creep".

The LRRD Inter-service Group, (which brings together DG ECHO, various units of DG DEV, DG RELEX, and DG AIDCO), has been set up in order to have a surveillance on these issues and to help in the design and implementation of practical solutions when necessary and feasible. Looking for exit strategies is crucial. DG ECHO is a dynamic actor in the LRRD debate. Under the LRRD denomination, there are different issues often mixed together in an inappropriate fashion:

- The "sustainability of the results" of humanitarian aid;
- The shift to post crisis operation (the "continuum" approach of LRRD); transition issue;
- The capacity to work in only a part of a country (the "continuum" approach of LRRD); and
- The capacity to work in a protracted or recurrent crisis (the capacity to work during a long period in an area).

⁴⁵ The "Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general Budget of the European Communities

The sustainability issue:

Normally, humanitarian aid should be limited to the duration of the existence of needs. Its impact has to be sustainable, not its presence. Beneficiaries of nutrition programmes should not fall back into malnutrition when the programme stops, but the nutrition programme itself should be clearly defined with a beginning and an end.

The post crisis:

The concept of linking relief, rehabilitation and development was worked out on the basis of humanitarian response to natural disasters, in which each phase follows on from the other in a chronological progression:

Development → Disaster → Emergency aid → Rehabilitation → Development

This is the area where the LRRD Inter-service mechanisms should prove further its effectiveness and efficiency. The EC Delegations with their relatively newly decentralised responsibilities, as well as the newly established AIDCO E5 Unit are the most important partners of DG ECHO in this post crisis phase.

The continuum situation:

In these crises, conflict dynamics are characterised by a spatial dimension – a leopard-skin like pattern emerges. Certain areas of the country are calm for long periods of time, others remain in constant conflict. This type of scenario, where some parts of the country are at peace and can therefore benefit from development work, yet other regions are marked by significant instability, obviously poses a certain number of problems for international actors, especially donors.

The barriers that exist between different budget lines, financial instruments and expertise make the management of the relief-development continuum extremely complex and sometimes even dangerous. This is the case for Somalia, large swathes of Burundi and obviously DR Congo. These conditions could be better managed with various mechanisms at DG RELEX and DG AIDCO.

The protracted and recurrent crises:

Many of the situations encountered during the period under review are illustrations of the new conflict dynamics that have emerged after the end of the Cold War, including:

- Protracted crises which slowly but surely erode the benefits of development programmes and reduce population resilience.
- Repetitive crises where emergency aid and reconstruction efforts alternate on a cyclical basis. All too quickly, the conflict takes on an ethnic dimension leading to situations whereby the winner takes all without the least regard for the loser, who then retaliates to seek revenge.

In a few cases during the period under review, this worked relatively well:

- Serbia and Kosovo, with the progressive phase-out of DG ECHO and the phase-in of other Commission's tools but also the Agency for Reconstruction of the Balkans;
- The Mitch affected Central America, although DG ECHO remained in the area due to additional natural disasters; and
- Afghanistan, where the decentralisation of various Commission services and the increasing delegation of responsibility to the Delegations in the field coincides with the establishment of the Delegation in Kabul;

Yet in many other situations, the phase out by DG ECHO has been much more difficult.

6.4 Management of Information and creation of an institutional memory

DG ECHO is a relatively young organisation, which has so far failed to create a readily accessible well-defined institutional memory that would record its performance, its know-how and its knowledge. As a result of the Commission reform process the Director-General now prepares an annual report following the completion of an internal control risk assessment. DG ECHO needs to promote the provision of management information on budget and operational matters. This requires a re-grouping of key staff and upgrades to the in-house software system, 'HOPE'. Several tools have been introduced, including, from October 2001, the ADONIS⁴⁶ software for the management of all documentation (letters, documents, contracts, etc.). There is a very large body of audit and evaluation reports, which are also a part of the institutional memory.

Management of knowledge and information is not yet institutionalized. DG ECHO relies at present on the knowledge and professional approaches of its individuals, which are too often of an ad-hoc character.

DG ECHO has developed a set of methodologies and guidelines for the management of humanitarian aid activities. These include "Global Needs Assessments", "Entry and Exit Criteria", "Forgotten Crises Analysis" and other similar assessment tools. Many of these tools are now used by the Member States. Consultation with beneficiaries is a key element of any needs assessment and this needs to be promoted. However, humanitarian aid reporting is in general characterised by too great a focus on financial inputs. There is a relative paucity of good statistics on outputs and outcomes by sector of intervention, geographical region and type of beneficiary. The most recent version of DG ECHO's principal contractual tool included outputs and outcomes for the first time as standard requirements to be presented at the project proposal stage. Improving the effectiveness and efficiency of humanitarian aid requires that timely and accurate information is made available at all stages of the project cycle.

6.5 Visibility

The European Union has an interest in communicating its humanitarian aid activities to the European public, to target groups and to multipliers. Humanitarian aid expresses European solidarity to the vulnerable people in this world. European tax-payers should be aware of how and where their money is spent, and people living in countries or regions affected by crises should be aware of the EU's contribution.

Article 4 of the Council Regulation 1257/96 entitles the Commission to "*finance public awareness and information campaigns aimed at increasing understanding of humanitarian issues, especially in Europe and in third countries where the Community is funding major humanitarian actions*".

Fifteen years after the creation of ECHO by the Commission, the acronym 'ECHO' continues to be unknown to the majority of the European public. While "Red Cross" and "UNICEF" have become brand names largely known, "ECHO" has had no success in branding its name or logo inside the European Union and even less in the other OECD countries. There is now a move away from this acronym to promoting the European Commission instead.

The Article 20 evaluation in 1999 had already identified shortcomings in the visibility strategy of DG ECHO and proposed a shift towards a "communication strategy"⁴⁷. The 1999 evaluation report summarized the issue of visibility in these words:

"It should be emphasised that the very name of ECHO is still either largely ignored by both beneficiaries and the European public, or remains unconnected to the European Commission and Community. This

⁴⁶ Manuel d'utilisation d'ADONIS au sein d'ECHO, (10/07/02)

⁴⁷ The concept of 'visibility' should be replaced by that of 'communication'. A good way to start would be to launch an institutional PR campaign within the Commission and the Community to better explain the objectives and needs of humanitarian aid. The new interactive website developed by DG ECHO could prove very useful for this purpose.

shouldn't be too surprising, since this otherwise politically acceptable acronym does not immediately evoke either origin or purpose (unlike USAID, for example)."

The evaluation also found, that DG ECHO has had little stability with the visible sign of its identity, its logo. DG ECHO logo has been changed at least five times in fifteen years. Since 2000, ECHO has moved away from its distinctive logo which included the two hands. However there have been several logos since, based on the EU flag, but with adjacent markings. The current logo has been designed in 2005. DG ECHO should try to stabilise the current logo as the frequent changes create confusion vis-à-vis the outside world, and even internally.

DG ECHO has set up a specific unit with the objectives of communicating about the Commission's humanitarian aid and promoting its visibility. ECHO has published a booklet⁴⁸ that gives comprehensive information on how visibility should be carried out, what terminology should be used and gives many examples.

DG ECHO developed various types of guidelines⁴⁹ to explain and/or orient its partners to more sophisticated options for communication, rather than just visibility. Each partner is required under the various partnership agreements (covering NGOs, UN agencies and other international organisations including the ICRC and IFRC) to provide a Visibility Plan, backed by a budget. The results are varied. UN agencies are in most instances responding very positively to the visibility requirement. UNICEF, WFP and UNHCR, for instance, are promoting the support they received from DG ECHO. Most NGOs are also responding quite well. Only a few organisations, for instance MSF, are responding less positively. If there are no or few difficulties with the IFRC and National Red Cross societies in natural disasters, the situation is much more complex with ICRC and the Red Cross movement in conflict zones. Indeed, the danger of mixing the protective emblem of the Red Cross with donors' logos might create difficulties. This has been aggravated by the change of DG ECHO's logo, from a very specific "double hands" to the classical 25 stars EU emblem, which is also used by EU Military Contingents and probably by the newly created EU Police part of the EU Crisis Management system. In these situations, where issues of independence and neutrality are at stake, partners, such as the ICRC, argue that they are not in a position to fulfil this part of their legal obligations as per the FPA.

DG ECHO has produced an excellent website⁵⁰, printed articles, leaflets, posters etc.

The Commission and the European Parliament care a lot about the visibility of the Community's humanitarian aid offered through DG ECHO. 'Visibility for accountability' is repeated. Since DG ECHO is not itself implementing in the field at present, except for 'ECHO Flight', unlike the Red Cross and the UN agencies, DG ECHO has less opportunity to become visible. DG ECHO requests its partners, through the contracts, to offer specific visibility to ECHO. The Framework Partnership Agreement (FPA) used for contracting NGOs and the FAFA, used for contracts with UN agencies, allow for full DG ECHO visibility in projects implemented by DG ECHO's partners. Article 5.2 and Articles 6, 6.1 to 6.6 define how DG ECHO's visibility has to be realised in various circumstances.

The problem of "the war of the stickers" has been often mentioned to the evaluation. DG ECHO's visibility policy seems to have produced negative consequences. DG ECHO stickers everywhere, on any item, too often fail to produce a feeling of quality labelling and marketing. USAID at headquarters in Washington had observed this "ECHO stickering" and decided that USAID would need to start its own "stickering" campaign from January 2006 to counter DG ECHO's exaggerated sticker visibility in the

⁴⁸ Guidelines for DG ECHO's NGO partners on the implementation of visibility, information and communication activities

⁴⁹ "Communicating about Humanitarian Principles and Values and European Action: DG ECHO's information strategy: a new phase how to communicate more effectively through multipliers", December 2003

A Partnership for Communication: Guidelines for the Commission's NGO Partners on the implementation of the visibility, information and communication activities relating to humanitarian aid

⁵⁰ <http://europa.eu.int/comm/echo/>

field. USAID did not appreciate that in one instance equipment funded with a higher financial input by USAID than by DG ECHO, had then been labelled with DG ECHO stickers.

As concerns visibility towards the European public, there is no evidence of success in communicating who DG ECHO is or what the Commission does in the field of humanitarian aid. European society is largely uninformed about the existence and performance of DG ECHO. DG ECHO should commission a Eurobarometer survey, to will track the evolution of knowledge about and support for European humanitarian aid.

It is also noteworthy to observe how the Commission presented two different images in some of the last big emergencies in 2005 highlighting the different sets of response by DG ECHO and DG ENV.

DG ECHO should evaluate its visibility strategy as a whole. This could consider:

- Why no clear ‘corporate identity’ has been found in DG ECHO in the past 15 years. DG ECHO will in the future promote a Commission identity and therefore a visibility of EC humanitarian aid rather than of DG ECHO.
- Whether the visibility policy depends too much on using stickers of the DG ECHO logo, in any version; and
- How to better pursue communication campaigns that focus on clearly-identified target groups . (Campaigns specifically targeting young people in new member states with flanking activities aimed at the wider public have been successful, but must be expanded.)

6.6 Civil Military Cooperation and Humanitarian Aid

The tsunami has shown how necessary it is for humanitarian aid workers to have an effective logistical partnership with the military in cases of extreme disaster.

The Treaty of Maastricht initiated the European Security and Defence Policy (ESDP), which has been consolidated with the treaties of Amsterdam and Nice. The ESDP has now developed into an instrument of conflict prevention and crisis management.

The European Union can guide missions under the “*Petersberg*” agreement⁵¹. On 20th April 2005 the European Commission presented communication (2005)153 to the Council and the European Parliament. This communication proposed to integrate the following three capacities of the European Union in case of emergencies or crises in third countries: crisis management, civil protection and humanitarian aid. The Community’s objective was to find a maximum of coherence in these three areas. The non-ratified constitution⁵² stipulates, that “*the Union may use civilian and military means, shall include joint disarmament operations, humanitarian and rescue tasks, military advice and assistance tasks, conflict prevention and peace-keeping tasks, tasks of combat forces in crisis management, including peace-making and post-conflict stabilisation.*”

⁵¹ Article 17.2 “Les questions visées au présent article incluent les mission humanitaires et d’évacuation, les missions de maintien de la paix et les missions de forces de combat pour la gestion des crises, y compris les missions de rétablissement des crises ”

⁵² SECTION 2/ THE COMMON SECURITY AND DEFENCE POLICY - Article III-309

1. The tasks referred to in Article I-41(1), in the course of which the Union may use civilian and military means, shall include joint disarmament operations, humanitarian and rescue tasks, military advice and assistance tasks, conflict prevention and peace-keeping tasks, tasks of combat forces in crisis management, including peace-making and post-conflict stabilisation. All these tasks may contribute to the fight against terrorism, including by supporting third countries in combating terrorism in their territories.

C 310/138 EN Official Journal of the European Union 16.12.2004

The evaluation team was informed by a number of EU Member States⁵³ that military logistics will be increasingly merged with humanitarian aid activities. In the Dutch Ministry of Development a military bureau has been created to coordinate permanently with the humanitarian aid department. The Dutch military-humanitarian aid cooperation foresees the use of military logistics that can be airborne within six hours of a humanitarian aid emergency being declared. The Danish parliament decided last year to develop a closer cooperation between the military and humanitarian aid, including the deployment of armed military support for humanitarian activities. The evaluation team has been informed that, at NATO headquarters in Brussels, the Operations Division is working on models of rapid military-humanitarian actions run by NATO. So far NATO has been mandated twice by its member nations for humanitarian interventions: in Afghanistan and in Pakistan in 2005. These more ad-hoc mandates are not structured policy of NATO, but NATO is preparing itself for the day when it will have a permanent mandate. A senior NATO officer⁵⁴ expressed a desire to enter into a closer dialogue with the Commission, and with DG ECHO in particular, on military-humanitarian aid joint activities.

The evaluation team observed that EU Member States are increasingly using their military forces for humanitarian aid and rehabilitation measures (“state building and reconstruction”). The reasons for using the military are manifold: the military forces get a better image, they are looking for a new role after the end of the Cold War, and these involvements may ease their budget constraints and enable them to demonstrate their unique experience for responding to specific emergencies. It is also observed, that regional conflicts must first be pacified, before any humanitarian activity can start.

In 1993 UN-OCHA proposed guidelines on the use of military assets in disaster aid (Oslo Guidelines), followed in 2003 by “*Guidelines on the use of military and civil defence assets to support United Nations humanitarian activities in complex emergencies (MCDA Guidelines)*”. The ICRC rents military assets, such as air cargo, if this is the only efficient way to deliver aid. This cooperation is always operated as “civil-military” under the entire control of the Red Cross.

The European Union has no regulation on military-humanitarian coordination and cooperation. DG ECHO has reserved its position on cooperation with military forces. In particular the NGOs are opposed to military humanitarian operation. This may be because they fear competition, perhaps they fear losing their neutrality and the safety risks for their field staff. During a workshop organized by the evaluation with DG ECHO partners in Nairobi one representative of an NGO gave a view of military-humanitarian aid cooperation that was unanimously agreed by all participants, and that actually reflects UN-OCHA’s Oslo and MCDA guidelines: “If there is no other alternative to military logistics or assets in order to deliver quickly and efficiently humanitarian aid, then civil-military cooperation is appropriate”. DG ECHO needs to devote resources to leading on policies relating to this issue, in particular to ensure that any developments on civil-military cooperation within the EU do not undermine humanitarian principles and respect the MCDA and Oslo guidelines.

6.7 The Forgotten Crises

DG ECHO has systematically insisted on the importance it pays to the problem of forgotten crises. DG ECHO sponsored a conference on “Forgotten Crises, Protracted Crises: humanitarian challenges, European stakes” which took place in Paris in December 1999 during the French EU Presidency. During the period under review, the flow of resources to forgotten crises has thus been significant: a bit more than 16 % of the overall resources have been allocated to these situations. The fact that DG ECHO is not governed by the ‘CNN syndrome’ is one of its most appreciated qualities. Although the news affects the Parliament, the Commissioner in charge, and the Member States, which consequently push DG ECHO to seek for media attention, DG ECHO still managed to allocate large amounts of resources to forgotten and unattractive situations: Burmese refugees in Thailand, local epidemics in Angola, flood victims in

⁵³ Denmark, Netherlands

⁵⁴ Ambassador Maurits Jochems, dep. ass.. Secretary General Planning, NATO Headquarters Brussels

Guyana, assistance to vulnerable groups in Tajikistan, assistance to the Saharawi refugees in Algeria, and nutritional assistance in DPRK.

One of the key developments in the period under review has been the development by DG ECHO of a methodology to classify the turbulence of the world and to check if there are forgotten crises that need to be funded by DG ECHO. This process, taking place now every year, is called the Global Need Assessment (GNA). It functions using a bottom-up process based on the DG ECHO field experts and is synthesized at the headquarters by DG ECHO's policy unit and enables DG ECHO to rank more than 130 countries or territories.

Based on a series of indicators (type of crisis, population displacements, malnutrition, mortality, interest of the media, presence of other donors, etc) DG ECHO is able to justify why a certain situation receives its attention. The importance given by DG ECHO to forgotten crises is seen by many of its partners as one of the strongest points and as a complementarity to bilateral aid.

It is interesting to note that several Members States have shown an interest in this methodology and might replicate it in their own decision-making mechanisms.

6.8 Disaster Preparedness and Prevention

Many evaluations undertaken by DG ECHO during the period under review underlined:

- The importance of preparedness measures; and
- How the lessons learnt from the humanitarian operations can feed back into preparedness activities

There is therefore a good rationale to have DG ECHO involved in the development and support of the pre-crisis preparation and the capacity to maintain a high level of alertness. But the question of disaster prevention is largely a "development issue", for which DG ECHO has been lobbying with the other EC instruments. Various documents, such as the Commission Staff Working Paper "Disaster Preparedness and Prevention: state of play and strategic orientation for EC Policy", have been prepared and shared with DG RELEX, DG DEV, AIDCO, etc. Further sectors for development actors include: strengthening the resilience of rural and urban populations, promoting disaster resistant agro-ecological systems, and supporting the development of earthquake or hurricane resistant human settlements.

DIPECHO activities are mainly taking place in Asia and Latin America, with DIPECHO Action Plans covering Central Asia, South Asia, South-East Asia, Central America, The Andean Region and the Caribbean. The absence of DIPECHO in Africa raises some questions and this point should be further investigated.

The DIPECHO Programmes have been evaluated, and interesting lessons learnt have thus been identified. Among the key lessons, one can quote:

- The fact that disaster preparedness is a multi-layered activity, targeting a wide range of actors from the State apparatus to the civil society and the local communities, makes it a complex endeavour;
- The trilogy "Awareness/Prevention/Preparation" should be at the core of any Disaster Preparedness programme;
- The importance of linking DIPECHO with other development work of the Commission; and
- A programme approach, rather than a project approach should be taken

A series of guidelines have been elaborated for DG ECHO Staff and for its partners.

The budget allocated for DIPECHO activities is small, although it is supplemented by funding for DPP within humanitarian aid global plans and decisions, in what DG ECHO describes as mainstreaming of DPP.

The evaluation team supports the recommendations of the 2003 review: i.e. continuing DG ECHO’s DIPECHO activities, extending these activities into the sub-Saharan African region and the Pacific, considering the allocation of a more important budget and advocating for DPP to be integrated in the development and external aid programmes of the Commission.

6.9 Improvement of the Emergency Response Capacity

The emergency response capacity is directly linked to three pillars:

- Situation analysis and early warning;
- Triggering mechanisms and level of alertness; and
- Rapid reaction procedures and level of preparedness.

The main sources of information for DG ECHO that could trigger a response are: the network of DG ECHO regional and country based Technical Assistants, the links with the EC Delegations, the regular monitoring of the dedicated websites by the desks in Brussels, and the continuous contacts with partners.

In addition, the system of four types of decision, especially the primary emergency decision, well backed up by the conditions included in the third generation of the FPA, are enabling ECHO and its partners to be more reactive.

The four types of decisions	
Primary Emergency Decision	<p>Primary emergency decisions concern: immediate and unforeseeable humanitarian requirements generated by sudden natural or man-made disasters, such as floods, earthquakes and outbreaks of fighting or comparable situations. (article 13, Reg. 1257/96).</p> <p>The following additional criteria have to be met: the decision responds to new crises; it can be taken within 72 hours after the outbreak of the crisis; the duration of operations is max. 3 months; all partners are FPA signatories; the budget ceiling for all primary emergency decisions in a year must not exceeded 10% of ECHO’s total budget and the decision amount to max. 3m€</p>
Emergency Decision	<p>Emergency decisions concern: immediate and unforeseeable humanitarian requirements generated by sudden natural or man-made disasters, such as floods, earthquakes and outbreaks of fighting or comparable situations. (Article 13, Reg. 1257/96).</p> <p>The duration of operations under this procedure is 6 months maximum.</p> <p>The procedure may also be used as an alternative to a primary emergency decision, i.e. if a primary emergency decision is not necessary or feasible.</p>
Non- Emergency Decision	<p>Non-emergency decisions concern: the two main areas of application for the non-emergency procedure is a) to follow-up emergency decisions , b) to meet <i>foreseeable</i> humanitarian requirements (i.e. no sudden-onset crises). Usually, the humanitarian crises covered by this procedure are small-scale, not complex, and unlikely to continue. The amount covered by non-emergency decisions is usually below 10 m€</p>
Global Plans	<p>Global plans provide: a coherent framework for action in a given country or region where the scale and complexity of the humanitarian crisis is such that it seems likely to continue. The Commission and the Member States shall examine the priorities to be established in the implementation of these global plans. (art. 15/2 of Reg. 1257/96)</p> <p>Global plans are the appropriate instrument to provide an integrated and multi-sector humanitarian response to complex, large-scale, protracted and in most cases man-made humanitarian disasters. On average, global plans covered a duration of 9 months or more, involved 10 or more partners and amount €10 M or more</p>

6.10 Development and diversification of the operational tools

6.10.1 Annual Strategy Planning and Programming Cycle

Based on the recommendations of the last Article 20 evaluation, DG ECHO invested considerable energy to develop a diversified set of tools for assessment, decision-making and decision follow-up. This includes, among others:

- The Annual Strategy Planning and Programming Cycle, which is reviewed regularly to verify the degree of realisation of the Plan; and
- The different levels of decisions (primary emergency, emergency, non-emergency, and global plan).

In order to facilitate the coherence of the work done at the field and desk levels, DG ECHO puts some homogeneity and internal transparency in its procedures through:

- The elaboration of guidelines to draft decisions;
- The preparation of two extremely useful notes on entry⁵⁵ and exit⁵⁶ strategies
- The establishment of a peer review process on decisions

6.10.2 Financial modalities

DG ECHO functions using different financial instruments for humanitarian aid grants.

The country/project operation contract agreements for NGO, UN agencies and International Organisations: This represents the core of DG ECHO's funding. These agreements are based on financial decisions adopted according to the rules agreed for the different types of "Decisions" outlined above, and follow themselves the rules of the FPA and of the FAFA. It involves several levels of consultations with partners by DG ECHO's Technical Assistants in the field and geographical desks in Brussels, before being finalised and agreed at HQ. A key element in this process is the official introduction of the project proposal document (the so-called single form), which becomes the reference point for contract preparation, interim and final reporting and finally eligibility of the expenditures.

The Thematic funding contracts for UN agencies and International Organisations: In 2002 a new contractual tool called "Thematic funding" was introduced. This tool, which was allocated 25m euros, was and is used to strengthen the core capacities of DG ECHO's partners; in 2002/2003 these included the UNHCR, the ICRC and UNICEF. DG ECHO is aware that UN agencies and international organisations were/are having difficulties in writing and adapting their programmes to DG ECHO's standard forms. Thematic funding was seen as being a good way to assist these major partners to build up their core capacities and the contractual details required are relatively easier for the partners to provide. In 2004 the use of this tool was extended also to OCHA, WHO and the IFRC. This budget is highly appreciated by DG ECHO's partners and all independent consultants that have examined it.

For those UN organisations which have received thematic funding, the benefits went much beyond building internal capacity; it impacted the entire community of humanitarian actors, as it allowed each supported UN agency to respond to the expectations of DG ECHO. It can be seen as a kind of precursor of multi-annual funding support. In addition, it is a good instrument for a better understanding between the two systems (EC and UN). Examples of cooperation have been the Technical Forum between DG ECHO, WHO, UNICEF and WFP on key mortality determinants such as malaria, vaccine-preventable diseases and HIV/AIDS in April 2004.

⁵⁵ ECHO entry strategy, an ECHO Working Paper, revised May 2003

⁵⁶ General Guidelines for ECHO Exit strategies, An ECHO Working Paper, May 2003

However it would appear that thematic funding leads to a certain dependency upon ECHO's funding between DG ECHO and its partners, and that some partners start to rely on the continuation of this budget line for ongoing reinforcements of their core capacities.

So far, 72.5m euro have been spent on thematic funding. The UN agencies consider this budget line the only reliable one of DG ECHO. This funding enabled DG ECHO to enter into a much improved open dialogue with its UN partners, but concerns about the continuation of this funding remain.

The Grant Facility: The Grant Facility is the equivalent for NGOs to the Thematic Funding for UN and IO. It has enabled DG ECHO to support interesting research or methodological development. It is also an indication of the will of DG ECHO to be more than just a donor, but also an actor involved in the improvement of the humanitarian space.

On top DG ECHO also funds evaluation missions, audit missions and "visibility" activities.

From its beginning, DG ECHO has worked with different institutions that it supports through special agreements that had been in line with the Commission's "Financial Regulation". The result is the "Framework Partnership Agreement" or "FPA". For the NGOs, the most important partners of DG ECHO, the process took place in consultation with the "FPA Watch Group".

The process with the UN agencies addressed the relationship from a broader perspective. The FFA is a general agreement between the Commission and the UN system, recognising the special nature and status of the UN agencies and the requirements of the EC. It is more a political agreement than a legal one. From there, a set of rules and conditions were drafted to support the use of a single form system. This system enables UN agencies to access sizeable amounts of European Humanitarian Aid, whilst respecting their own procurement, accounting and accountability systems. The modalities for NGOs coincide to some extent with those for the UN and other international organisations, with the notable exceptions of: the selection of partners for the NGO FPA, and the possibility to grant multi-donor contributions to the UN and other international organisations, with a different sub-set of conditions.

It was also realised that international agencies such as the ICRC are very special institutions with an international mandate (the IV Geneva Conventions and their additional Protocols). A special FPA, with its own preamble and ad-hoc General Conditions has been drafted and finally signed by international organisations such as ICRC, the IOM and the International Federation of the Red Cross.

Two key principles were behind the 2003 review of the FPA: the shift from an input based management to an output and outcome oriented one and an annual appraisal of DG ECHO's partners.

This shift from inputs to outputs and outcomes is among the most important for humanitarian aid in the recent past, possibly in decades, as all significant EU NGOs have signed the FPA. The need to use benchmarks and proper result and impact indicators has been very much under promoted in the past. Despite a lot of effort by DG ECHO, the NGOs, the UN and, the Red Cross, the achievements are still premature and the existing sets of benchmarks and indicators remain very primitive, too standardized or not fully accepted by the sector.

The slow progress in the benchmark/indicator debate has unfortunately resulted in a blockage and the process has not moved forward as it should have done. Input based control remains the main management tool. DG ECHO considers that without establishment and use as standard of outputs and outcomes standard reporting as foreseen under the Good Humanitarian Donorship initiative cannot be achieved.

The second requirement for an annual appraisal has been to promote accountability and transparency. This annual appraisal took place for the first time in 2005, it is based on an appraisal of the operational and managerial capacity of the humanitarian actor concerned. This process, which is currently the closest thing to "accreditation or certification" in the humanitarian system, should enable quicker and larger

financial support on the basis of a capacity-related knowledge and trust. The 2005 exercise proved very intensive for all involved and possibly a two-yearly review, with a shorter cycle for those humanitarian actors in respect of which there are questions, would be more realistic.

DG ECHO has had to support the NGOs by training them to use the FPA. The FPA still allows room for interpretation in respect of what is eligible for funding. The FPA rules for procurement, reflecting public procurement directives and international agreements where appropriate, continue to be a source of disagreement. VOICE has argued that each version of the FPA complicated the cooperation of the NGOs with DG ECHO.

6.11 Normative activities

DG ECHO plays an important role in identifying key issues for humanitarian aid and supporting research initiatives related to them and to the issue of quality. Among them:

- HIV/AIDS research resulting in resulting in a Concept Paper and Model Guidelines;
- Research on water and sanitation issues, resulting in a Concept Paper and Model Guidelines;
- Various works on security for NGO field actors resulting, e.g. in a Generic Security Guide;
- Various works on Disaster Reduction including a major review in 2003;
- Support of DG ECHO to the Global Study on Participation of beneficiaries;
- Review of programmes and strategies related to children;
- Research on cross-cutting issues.

At dates of drafting DG ECHO also has reviews underway on: volunteerism in humanitarian aid, quality assurance of medicines; and security matters.

6.11.1 The HIV/AIDS Challenge

The general objective of the work supported was to enable aid agencies to understand better the effects of HIV/AIDS on crises, humanitarian action, food security and conflict dynamics, and to integrate these components in their development and relief programmes, so as to enhance the impact of assistance in AIDS-affected contexts.

The need for such research has arisen with the realisation by aid agencies in Southern Africa that the food crisis in the region could be largely attributed to the social and economic consequences of AIDS, (sometimes called new variant famine i.e. instead of a shortage of food killing healthy people, the ill health of productive adults meant not enough food has been produced), and that conventional aid responses were ineffective. The AIDS epidemic and conflict interact in a way that the two mutually reinforce each other. With AIDS spreading to most of the world, not taking these dynamics into account in food security and rural development programmes can undermine their impact and sustainability. AIDS is also likely to become a central issue in conflict prevention and management.

DG ECHO supported research and contributed by capitalising on existing programme experiences, documenting the effects of HIV/AIDS on food security, describing the interactions between the epidemic and conflicts in three different contexts (Southern Africa, the Great Lakes region and Asia), and sensitising aid agencies to these dynamics. The research activities included:

- Review of the literature on HIV/AIDS, food security and conflict;
- Institutional mapping of the various aid organisations, research institutions, and government institutions working on HIV/AIDS in relation to food security, notably in crisis contexts;
- Field missions confronting the state of research and policy with practice in the field, and capitalising on the field experiences of various organisations and stakeholders (community organisations, local and international NGOs, UN agencies, donors, government institutions, etc.); and finally

- Development of a Concept Paper and Model Guidelines for humanitarian aid agencies.

6.11.2 Water and Sanitation

Securing access to water and managing human waste and hygiene-related issues are known as being two key issues in humanitarian assistance, for several reasons:

- Crises destroy the existing infrastructures and people do not survive long without water;
- Lack of water and proper sanitation dramatically increase the risk of epidemics; and
- Changes in demographic patterns (location, density) dramatically change the environmental conditions.

DG ECHO has been increasingly concerned by the frequently faced problems encountered by its partners in properly managing water and sanitation programmes. DG ECHO has realised a number of studies and evaluations on this issue including:

- A position paper for DG ECHO;
- A very comprehensive policy note and Concept Paper for DG ECHO partners; and
- A non prescriptive set of Model Guidelines based on good practice.

6.11.3 Security - Humanitarian action under fire

During the period under review, the security of humanitarian aid workers has been a regular concern for the international aid community. Several international and national staff have been killed, many of them employed by DG ECHO partners, in Afghanistan (ICRC, MSF, DRC), in the Democratic Republic of Congo (Red Cross), etc. DG ECHO feels not only concern for its staff but also for those of its partners. Whilst DG ECHO has no responsibility for the security of expatriate and local staff employed by its partners, it does invest in building partners capacity for this important issue. In order that its partners can meet their responsibilities: DG ECHO has designed the FPAs so that the cost of security training and equipment are eligible costs under its operation contracts, it has launched reviews to produce guides and other tools for its partners use; and the NGOs may also use the grants facility for other security initiatives. The FPA also allows for the suspension of work where there are security risks.

The evaluation found, that NGOs are increasingly aware of the opportunity offered through the FPA to finance field security activities.

In 2002 DG ECHO recruited a high-level and experienced specialist to act as a Security co-ordinator with two aims: strengthen the security of DG ECHO and its own staff; and contribute to the security of the partners.

This was done through a multi-pronged approach:

- Creating an in house security system (with a 24 hour permanence in Brussels, staff guidelines, pre travel briefings, etc.)
- Developing administrative procedures in case of problems (evacuation plans, medical kits, etc.)
- Networking with the different partners in the field and at HQ levels (with ICRC, the UN DSS, NGO, bilateral donors)
- Developing a series of activities for the partners (training opportunities through the grant facility; Security Review, support for security coordination mechanisms such as ANSO in Afghanistan).

6.11.4 Children at war

Among the themes that have been important to DG ECHO, children at war has been one to which there has been a lot of commitment. This includes support to NGOs (Save the Children for instance) for the exploration of some of the underlying issues. Interesting policy issues have been identified, and reference documents elaborated and shared in a CD format.

6.11.5 Cross-cutting issues

Identifying and mainstreaming cross-cutting issues have been one of the most prominent debates in the humanitarian aid sector. In the terms of reference for the present evaluation DG ECHO specified the issues presented in the following table. Some may not be cross-cutting issues and others are conditions (access) or even activities (advocacy). The table shows DG ECHO’s engagement in these issues:

	Already taken into account	Often not treated	To be further explored
Access	X		
Advocacy for humanitarian space		X	
Children	X		X
Civil-Military interface		X	
Consultation with beneficiaries		X	
Effects on environment		X	
Elderly and disabled persons			X
Gender	X		
Protection		X	
Visibility	X		

In conjunction with other major humanitarian donors (DANIDA, Dutch MFA, SIDA), DG ECHO participated in a concerted effort to understand better the various aspects of the IDP issues, from protection to the practical implementation of the UN Guidelines on IDP. DG ECHO could contribute more to debates and processes around the management of IDP’s in the UN system were its policy function reinforced.

6.11.6 Protection

Protection issues are approached through two different angles:

- Renewed interest in the respect of International Humanitarian Law (IHL); and
- Protection as a cross-cutting issue.

DG ECHO attaches high importance to the respect of IHL and the Humanitarian Principles. DG ECHO has been very supportive to the key actors in the field of protection: ICRC, UNHCR, OCHA/IDP work and put the respect of these principles at the forefront of its work and its partnerships.

The UN partners would like to see a stronger commitment by DG ECHO in the protection issue.

6.11.7 The rise of the quality and accountability issues

DG ECHO, as recommended in the Article 20 evaluation in 1999, has started some initiatives to define quality criteria and quality indicators. A draft report from 2002 found little or no follow-up. The quality issue, also raised during the evaluation workshop in Nairobi in December 2005, continues to be an issue in 2006.

An important initiative to promote quality standards in humanitarian aid was the SPHERE Handbook, published in 2000; a second and revised version came into print in 2004. The Active Learning Network on Accountability and Performance became a key stakeholder in all the debates on evaluation, quality, accountability and learning. The Ombudsman Project, created to ensure the compliance of the SPHERE Standards, was dismantled and recreated with a new name Humanitarian Accountability Project, then renamed HAP-International. Also in 2004 the first “Quality assurance method” for humanitarian action, the Quality COMPAS was launched. Then, in 2004, a series of debates accompanied the review of “10 Years of the Code of Conduct”.

DG ECHO has been positively involved and supportive in most of these initiatives, not taking sides in the controversies, but requesting its partners to engage more forcefully in the search for Quality.

6.12 NOHA - Support to training institutions in Europe

One of the on-going and increasing challenges in humanitarian aid affairs is the lack of qualified experts willing and accepting to work in remote, dangerous and non-family regions. One strategy to meet this shortage is to invest in education and training of junior-experts. DG ECHO is engaged in the development and strengthening of this training sector. One of the most appreciated approaches is the establishment of the NOHA network. DG ECHO-funded NOHA works with eight universities (Belgium, France, Germany, Ireland, Italy, the Netherlands, Spain, and Sweden). More than 200 students finish every year with a master's degree. The budget allocated by DG ECHO is around 50,000 euro per year and is relatively very small compared to the growing importance of education for future experts in humanitarian aid.

DG ECHO's "Human Resources Unit" is involved in all kinds of training operations and events both for the sector at large and for its own capacity. It should be mentioned that the Grant facility on training has been a subject of many debates. Given the importance of this issue, the budget allocated is far too small.

DG ECHO supported the creation of various networks, such as the "Active Learning Network on Accountability and Performance (ALNAP)". DG ECHO is a full member of ALNAP, has been a regular participant in all these collective efforts and has supported, to a limited degree, financially its initiatives, in 2005 it hosted an ALNAP biannual meeting of circa 96 persons in Brussels.

6.13 'ECHO Flight' and general logistics support

DG ECHO's support for regional air transport "ECHO Flight" has, during the period under review, not been evaluated since 2000. Over this period DG ECHO has supported air operations either directly itself or on the part of certain partners. DG ECHO has operated 'ECHO Flight' from Kenya, into Sudan, the DRC and Somalia, it has provided funding support, little known, to various air operations in favour of humanitarian personal, such as the support to PACTEC in Afghanistan to a regular support of UN air transport through UNHAS/WFP in Afghanistan, in Banda Aceh, etc.

In crisis situations, access to remote areas is indeed crucial, and most agencies do not have the resources to rent aircraft. By making aircraft available to aid personnel, DG ECHO has played an important role in ensuring the availability of transport on a reliable basis. 'ECHO Flight' has however suffered from finding contractors with sufficient capacity.

The evaluation team considers there is a need for DG ECHO to have a professionally-managed general logistics support in emergency regions. This includes not only air-transport, but also general procurement, road transport, administrative handling, customs regulations, warehouses and many more elements.

The evaluation team found, that NGOs and other organisations involved in identical regions tend to organise and manage everything from procurement to transport to storage to administration on their own. This is not the most efficient way and often continues to have an amateurish character. General logistical support, managed in a professional way, is almost absent. There are a few initiatives, such as Dutch TNT logistics in favour of the WFP, which have shown how much efficiency is still lacking in the ongoing system of individual and segregated help initiatives.

DG ECHO should consider creating a highly efficient system of logistics to support humanitarian aid projects. This would require that DG ECHO has an agency structure in order to recruit and manage the technical staff needed. This support should not be cost-free to its users. A professional management of logistics would create such efficiency, that its costs would be more than recovered from savings compared to the present ongoing uncoordinated individual logistical management.

6.14 Evaluations and audits

Evaluations, verifications and audits are part of the Commission's regulations and have been important components of DG ECHO activities almost since its creation. During the period under review DG ECHO has made impressive progress in the fields of evaluation and audit.

DG ECHO's Policy Unit has commissioned a number of evaluations around two axes:

- Country evaluations: e.g. Afghanistan, Tajikistan, Western Sarah, Palestinian territories, Sudan, Angola, Cuba, Burundi, North Korea;
- Partner evaluations: during the period under review, several major signatories of the new FPA have been evaluated: ACF, IFRC, UNHCR, MSF, UNICEF.

DG ECHO's policy in favour of sharing information resulting from the evaluation reports is to be commended.

The partner evaluations are specific exercises which comprise various aspects, including in-depth reviews of partners' operational and managerial performance. Most of DG ECHO's partners contacted welcomed these evaluation efforts, especially because of the lessons learned perspective.

DG ECHO has been increasingly involved in evaluation networks, such as the Active Learning Network on Accountability and Performance (ALNAP) hosted by the British Overseas Development Institute (ODI).

DG ECHO has in addition to an Internal Audit Capability an external audit sector. This sector has been built up over the period under review. In addition to several audit officials it has had the support of a framework contract with an independent network of auditors. VOICE and certain partners have expressed themselves as to the extent of DG ECHO's control culture. Nonetheless for financial accountability and transparency DG ECHO is now possibly in the unique position of having audited probably all significant EU based humanitarian actors.

ANNEXES

Annex 1: Assessment of the Article 20 Evaluation of 1999

In the following table the evaluation presents its observations concerning the principle recommendations of the 1999 Article 20 evaluation.

RESULTS-TARGET PERFORMANCE COMPARISON	
EVALUATION RECOMMENDATION IN 1999	OBSERVATION and RECOMMENDATION in 2006
GENERAL PLANNING	
ECHO should keep its present designation of 'Office'	No longer relevant because ECHO has become a Directorate-General in 2003. DG ECHO continues to have issues with its identity.
ECHO's first criterion for every procedure must be whether it fits the standards of timeliness and effectiveness required in humanitarian emergencies	The procedures that have been elaborated (primary emergency, emergency, humanitarian and global plan) and the increased financial delegation are a response to the recommendation. Further improvements are possible.
Visibility needs to be oriented more clearly to support ECHO's role. It should be emphasised that the very name of ECHO is still either largely ignored by both beneficiaries and the European public.	Visibility continues to be an unresolved issue for DG ECHO. DG ECHO is largely unknown to the European public. Although media coverage is difficult to monitor on a permanent basis, indications are that around major crises, DG ECHO's efforts to communicate to the media are yielding results.
The concept of 'visibility' should be replaced by that of 'communication'.	DG ECHO has adopted a communication approach, both in the field and in Europe. This approach should be further developed.
A strategy of communication must be largely 'field-driven' and make optimum use of local offices and partners.	This has been largely achieved, with the recruitment of information and communication experts who are working in the RSOs.
One of the main tasks of the communication strategy would be to clarify the relations between ECHO and its partners,	The relation between DG ECHO and the NGOs are quite well defined. The relations between DG ECHO and the ICRC and the UN partners have room for improvement.
For the sake of clarity and coherence, the ECHO logo should be abandoned in favour of the standard Commission flag.	DG ECHO has used five different logos in the last fifteen years. In 2000, DG ECHO abandoned the "old" ECHO logo with the joining hands in favour of a simple Commission flag. Since then, several different versions (with different references to ECHO / Humanitarian aid etc) have been used. The last one has been introduced in 2005. DG ECHO should stabilise its logo.
POLITICAL COORDINATION WITHIN THE EU	
ECHO must establish a stronger link between its structural decision-making and that of other DGs (RElations EXterieures – external relations- Directions Générales).	This remark remains valid in 2006, despite the fact that stronger links with the RELEX family has been achieved.. A new issue has arisen: The link between DG ENV and DG ECHO does not work properly.
A planning capacity should be created in both ECHO and the Council to deal with the «foreign-policy to humanitarian aid» continuum with Member States.	This remark remains valid in 2006.
Information links to the Member States should be vastly improved.	In spite of improved exchange of information through the HAC mechanism, the 14 point system and the web-based CIRCA, this remark remains valid in 2006.
An issue for future examination is whether, in the event of sudden, large-scale disasters, ECHO should act as a coordinating platform for already existing EU emergency response instruments.	This remark remains valid in 2006. DG ECHO should become the coordinator of humanitarian aid at the EU level. The Member States have to take appropriate decisions, initiative should be launched by DG ECHO.

RESULTS-TARGET PERFORMANCE COMPARISON	
EVALUATION RECOMMENDATION IN 1999	OBSERVATION and RECOMMENDATION in 2006
ECHO therefore has a particular responsibility towards ... NGOs, both in terms of their survival and their level of professionalism.. NGOs should obtain funding because of competence and accountability, not nationality.	DG ECHO has invested and continues to invest in quality improvement of the NGOs. There is a certain political necessity to accept NGOs from all EU Member States which cannot be neglected.
POLITICAL COORDINATION WITH INTERNATIONAL AGENCIES AND DONORS	
ECHO must strengthen its presence in international humanitarian fora	This remark remains valid in 2006, although important efforts have been made during the period under review.
A more structurally oriented ECHO must also carefully assess the current efforts of leading international donors such as the World Bank and the Asian Development Bank to set up Post-Conflict Units..	This remark remains valid in 2006. The presence and the influence of the Commission's humanitarian aid towards international donors could be largely improved. The invitation of UN OCHA to enter into an agreement with DG ECHO would be a good step in that direction.
PROTECTION AND HUMAN RIGHTS	
ECHO could be forced to make exceptions in its defence of human rights.	It is not DG ECHO's primary responsibility to look into the issue of Human Rights.
ECHO does not have the administrative capacity to handle the associated issues which come with human rights advocacy.	DG ECHO is not engaged in the Human Rights issues.
Develop within ECHO a strong Quality Control	DG ECHO has started to work on quality indicators in 2002, but no final quality instrument has been developed.
Preserve the multiplicity of actors in humanitarian assistance.	DG ECHO is the only donor in Europe dealing with such a large number of partners.
Reduce the incentive for budgets to be spent, either at the level of the ECHO partners or within ECHO. The fact that money not spent must be returned at the end of the project phase or of the budgetary year creates that incentive and leads to funds being spent on the wrong activities	This remains valid in 2006 and seems to be justified by the "Financial Regulation" of the European Commission. The new FPA has removed the contingency reserves in the contracts and which allows for budgets to be revised downwards or upwards. The evaluation proposes that DG ECHO accepts to agree for mid- and longer term contracts and uses a less restrictive interpretation of Articles 75 and 76 of the Financial Regulations". Article 76 allows for multi-annual contracts.
MITIGATION, PREVENTION, AND PREPAREDNESS	
ECHO should participate in the pooling of Commission expertise of « grey zone » rehabilitation resources	This remark remains valid in 2006. Such complementarity is not yet realized within the European Commission or in coordination with the EU Member States. DG ECHO will be involved in post-emergency ('grey zone') interventions of a longer duration; whereas, without a restructuring and clarification of the duties of the departments involved, this type of intervention is likely to prove increasingly unsustainable for DG ECHO.
The DGVIII (DEV) Food Aid unit has in some cases taken over the functions of ECHO emergency food aid .The Team recommends a clear distribution of responsibilities, a possible solution being for ECHO to handle all actual emergency food aid deliveries while DGVIII could focus on food security budgetary assistance.	This issue will be changed with the new EC budget 2007/2013. DG ECHO will be in charge of emergency food aid also the uprooted people budget line.
ECHO should expand on its current work on the mitigation of risks, be they natural ones, such as hurricanes, earthquakes, droughts and floods, or man-made ones, such as technological disasters.	DG ECHO is following this important issue through its DIPECHO programmes. Disaster prevention and preparedness should be more strongly anchored in the development agenda with DG RELEX and DG DEV.
ECHO's funding restrictions with respect to administrative costs must be relaxed for disaster prevention, preparedness, and humanitarian legal protection.	Prevention is more the domain of developmental activities. Apart from preparedness DG ECHO should concentrate on mitigation and advocacy.
MANAGEMENT IN ECHO – INTERNAL REFORMS	
The single most pressing need is for more co-ordination, information-sharing and internal direction	In 2006 DG ECHO will get a new organigramme. In 2005 one Director of operations was created and installed. The evaluation team recommends creating a second post of Director for the administrative or horizontal units.

RESULTS-TARGET PERFORMANCE COMPARISON	
EVALUATION RECOMMENDATION IN 1999	OBSERVATION and RECOMMENDATION in 2006
Among these are Quality Control (QC) – which must be able to detect inappropriate procedures and other internal problems and refer directly to the Director - and any practical form of technical support or advice in specialist areas. Finally, in the case of a large sudden humanitarian crisis, it would be advisable to set up a 'crisis committee' to ensure an integrated management process from Cabinet to field levels.	A lot of progress has been made with the introduction of various guidelines and procedures: the project management file process, the introduction of ADONIS archive management system, and the peer review group to check on the quality of arguments for each decision. DG ECHO has an Internal Audit Capability that takes care of internal quality issues, i.e. improving administrative procedures, internal controlling etc. With regard to sudden crises, ECHO has adopted a task force approach in response to major crises (such as Iraq, Tsunami etc).
ECHO-funded operations must have the capacity to be managed and directed from the field, with full authority, in the case of specific crises	This remark remains valid in 2006. Large improvements have been achieved with the creation of six Regional Support Offices. A certain power of decision should be delegated to the field experts and the RSO's. This will ease and smoothen activities and coordination with the partners in the field. From interviews the evaluation got the impression, some decision are taken in the field, also without knowledge by the desk officers at head quarter. Nevertheless the evaluation supports the policy of DG ECHO of a centralized management and decision system.
When taking decisions, ECHO must be guided by the field and refrain from adopting a top-to-bottom attitude.	DG ECHO should continue its centralised approach. The field experts and the RSOs could benefit from better institutional integration, i.e. under an agency structure.
ECHO 4 must become more than a 'primus inter pares'. ECHO's overall coherence would vastly benefit from a better integrated Policy and Assessment unit. The papers and policies produced by the unit, once they have been discussed and found acceptable, must be enforced by the director .	This remark remains valid in 2006. The absence of an accessible institutional memory for DG ECHO, the lack of technical expertise at HQ, the understaffed "Policy making and lobbying" capacity etc. constrain the growth and the importance of DG ECHO. ECHO 4 is understaffed given the extent of its mandate.
To avoid potential conflicts of interests and distortions in the conclusions and recommendations, external evaluations must be coordinated through, and depend on, a mechanism which is separate (as they are now) from the unit being evaluated.	DG ECHO has demonstrated a remarkable effort in evaluation and audit. From eight to ten ex-post evaluation reports are realized each year: at country level, at partner level and of thematic issues. All partners are audited on cycle of circa 2.5 years. Nevertheless these two functions should work closer together.
ECHO 6 (Finance) has made some unusually effective improvements in payment delays, monitoring and audits - achievements which need to be capitalised on. For whatever reasons, there is still a gap (of perception?) between finance and the geographical units.	.A number of derogations have been granted to the EC new Financial Regulation and its implementing rules. The gap between finance and operational units continues to exist. Whilst contracts are agreed speedily and initial payments are often made quickly, interim and final payments are often seriously delayed. Excessive control and a tendency to "micro-management" are reasons for these delays.
The present FPA (Framework Partnership Agreement) is far too restrictive.	During the period under review, there has been a lot of work to diversify the type of contracting arrangements: At the EC level, FAFA has been drafted and agreed upon for the UN system and serves as the preamble for the UN contracts. The FPA has been rewritten in cooperation with the NGOs several times. It is not yet fully satisfactory and will need further modification, in particular the procurement procedures. Although it must be praised for the introduction of outputs and outcomes.
Maximum use must be made of available and competitive local resources, both in staff and equipment.	This remark may remain valid in 2006 as some partners pointed this out as a problem. Nevertheless the new FPA rules allow for local procurement. The predetermination of maximum staff salaries for local staff have been removed.
The IT department is clearly very keen and enthusiastic, and, by commercial standards, very well staffed, - most of the budget appears to go on staff costs. The Evaluation recommends to focus in due term on the use of commercially available software	DG ECHO's IT services have noticeably improved as can be seen from its website. DG ECHO has its own IT team and continues to work on improving data banks and interactive internet cooperation.

RESULTS-TARGET PERFORMANCE COMPARISON	
EVALUATION RECOMMENDATION IN 1999	OBSERVATION and RECOMMENDATION in 2006
ECHO must confirm quite clearly that it is a donor organisation, not an operational agency.	Contrary to the 1994-1998 period, the Commission is no longer involved in direct implementation. However, DG ECHO does not act as a sole donor, but defines himself as an "active" or "operational" donor. Most partners are confused about DG ECHO's operational role. A clear understanding of DG ECHO's role as an active or operational donor would help mutual understanding and acceptance, especially at the partner level. To this end, clearer communication of the existing mandate must be communicated. The evaluation is in favour of this operational engagement by DG ECHO as it serves to increase quality and efficiency of its aid.
HUMAN RESOURCES – GENERAL	
A full-fledged Human Resources unit ought to be established.	Since the last evaluation a Unit, ECHO 5 has been created to manage human resources.
ECHO's overall objective should be to have enough skilled, knowledgeable and motivated personnel	This remark remains valid in 2006. The personnel of DG ECHO is, in our opinion, highly motivated and contribute with a dedication above average to a high output, often with a lot of overtime. The evaluation recommends that desk officers should have experience of working in developing countries.
A reinforcement of other key human resources management functions, such as recruitment, performance evaluation, placement and termination of contract.	DG ECHO is compliant with HR management practices required under the EC reform process. The creation of ECHO 5, the unit dedicated to Human resource management, has opened many new avenues for further improving DG ECHO HR policies and management.
HUMAN RESOURCES – IDENTIFICATION OF NEEDS, RECRUITMENT AND PLACEMENT	
A process of review of Brussels units and functions, including the systematisation of much of the routine administrative functions of ECHO in the field and in Brussels. This should include, as a priority, a review of the whole 'financial decision' and project management cycle	A review of the financial decision making has been made (a manual has been produced), financial and non financial circuits exist, with double checking for financial operations!
A systematic review of ECHO field staff, offices, and overall capacities, location by location, post by post, including locally recruited staff, in accordance with the concept of 'field first, fast and foremost'.	This work needs to become an on-going process undertaken by ECHO 5.
More consideration needs to be given to the selection and management of Field Correspondents/ECHO experts, and locally recruited field staff.	Could be accomplished with use and integration of the manpower capacity installed with the creation of six Regional Support Offices.
Of particular importance, is ECHO's role as an emergency aid office. To fulfil this role, it needs to develop an emergency staffing capacity	This remark is even more valid in 2006. Cooperation with the Council's Emergency room has been proposed by the Council to the Commission. DG ECHO will have to develop an emergency response capacity, particularly in logistical transport matters. One should consider, that DG ECHO suffers from budget and human resources constraints and therefore can not implement all what is wished and is useful.
HUMAN RESOURCES – STAFF SUPPORT AND DEVELOPMENT	
All staff must have comprehensive development activities, including induction, training and awareness	DG ECHO Unit 5 has developed training tools and is offering a large number of training possibilities.
ECHO field offices ought to be provided with the means, authority and flexibility to get access to appropriate technical expertise on specific aspects of programmes, as and when required.	Completed with the creation of six Regional Support Offices
Desk officers and field experts should be allowed to rotate	Remark remains valid in 2006. The evaluation strongly supports this recommendation, for rotation with the DG ECHO structure.

RESULTS-TARGET PERFORMANCE COMPARISON	
EVALUATION RECOMMENDATION IN 1999	OBSERVATION and RECOMMENDATION in 2006
The status of ECHO field experts requires specific attention, again within the context of a much enhanced field role and authority within ECHO. Field experts should benefit from the same status and protection as officials.	Field experts continue in 2006 to have a status as contracted experts with short term contracts. The budget and internal constraints of the European Commission will certainly not allow for a longer period to change the status of these experts. With the creation of a European Agency for Humanitarian Aid, this situation could be improved, as the restrictions that the Commission has with recruiting outside personnel, would not apply to an Agency.
Security procedures should be set up to address potential hostage taking and deaths (plane crash and others) and evacuation plans should be drawn up.	DG ECHO has developed fully-fledged security plans including evacuation plans. There is now a DG ECHO Security Co-ordinator at HQ. DG ECHO has a policy of supporting its partners in meeting their responsibilities. DG ECHO helps and motivates its partners to develop their own security policies by producing generic guidelines and funding equipment and training.

Assessment of the Report of the European Parliament⁵⁷

In the year 2000 the European Parliament has given its recommendations to the European Commission as a response to the Article 20 Evaluation from 1999. The evaluation has reviewed these recommendations of the European Parliament and gives its observations in the following table:

Remarks made by the European Parliament in 2000	Observations and recommendations by the evaluation in 2006
Whereas, in the absence of sufficiently flexible alternative instruments within the Commission, in recent years ECHO has become more and more involved in post-emergency ('grey zone') interventions of a longer duration; whereas, without a restructuring and clarification of the duties of the departments involved, this type of intervention is likely to prove increasingly unsustainable for the Office	Remains valid in 2006. The issue of post-emergency interventions is still not resolved. There needs to be improved coordination among concerned DGs, including DG ECHO, DG DEV, DG RELEX and DG AIDCO. The evaluation recommends nominating one of these DGs as a lead DG in charge of post emergency interventions. LRRD, transition and other issues must be integrated into that coordination.
Whereas, more generally, the powers and responsibilities of Commission departments for external affairs (including development and humanitarian aid) must be clarified as a matter of urgency, and there must be increased coordination between departments	Remains valid in 2006
Whereas more consistency and coordination is required in ECHO's management and an adequate system for monitoring the quality of results is needed, specifically one that makes use of performance indicators	Remains valid in 2006. An attempt to define quality indicators had been made by ECHO in 2002, but has never been finalized. The new FPA requires DG ECHO partners to respect standards and benchmarks wherever existing, (and requires the use of outputs and outcomes). DG ECHO has established indicators for HIV/Aids and WATSAN in interventions, these need to be applied.
Whereas ECHO has proportionately smaller staff numbers than other Commission departments and Member States, inadequate for the scale of the tasks it has to accomplish	The staffing situation has improved. DG ECHO now has 200 staff members at HQ plus 100 at field level. Nevertheless some units of DG ECHO suffer from being understaffed (e.g. unit 4)

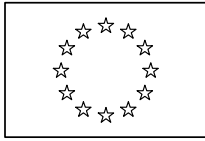
⁵⁷ REPORT on the communication from the Commission to the Council and the European Parliament: Assessment and future of Community humanitarian activities (Article 20 of Regulation (EC) 1257/1996) (COM(1999) 468 – C5-0044/2000 - 2000/2016(COS)) - Committee on Development and Cooperation - Rapporteur: Renzo Imbeni

Remarks made by the European Parliament in 2000	Observations and recommendations by the evaluation in 2006
Whereas disaster preparedness and conflict prevention, indispensable elements of humanitarian policy, should play a more prominent role in ECHO's operations	DG ECHO recognises the importance of these issues and progress has been observed in respect of disaster preparedness. In addition, the Commission as a whole is now looking at DP to be part of its country strategy papers. Nevertheless conflict prevention does not yet play a prominent role under DG ECHO, who does not consider it as part of its mandate.
Whereas the humanitarian aid provided by ECHO is almost unknown among the general public in Europe and is not associated with the European Union by beneficiaries, particularly when used to fund programmes implemented via United Nations agencies	Only partially valid in 2006.
Calls on the Commission to overcome confusion and uncertainty by unambiguously opting for a strategy for the future of stepping up the humanitarian aid policy entrusted to ECHO	This is in line with the recommendation for the concentration of the EC's humanitarian activities at DG ECHO
Asks the Commission to submit to Parliament and the Council a clear strategy on the role that the humanitarian aid supplied by ECHO should play within external and development policies; stresses that this strategy should specifically include a general but not inflexible definition of ECHO's tasks and its framework of activities, as well as those of the Commission's development and external affairs departments, in order to ensure consistency, complementarity and coordination in the field of foreign policy and its implementation and to avoid duplication of effort and parallel structures	Remains valid in 2006 and is in line with the observations of the evaluation team.
Requests in particular an increase in the administrative and financial capacities necessary for carrying out reorganisation and rehabilitation tasks in post-emergency situations, and immediate clarification of ECHO's responsibilities, bearing in mind the need both for flexible rapid reaction instruments and also long-term planning;	Remains valid in 2006 and is in line with the observations of the evaluation team. DG ECHO is not entering into long-term strategies and commitments.
Calls on the Commission and the Council to create a system for overall coordination of all the donors involved in humanitarian aid at an international level	Remains valid in 2006 and is in line with the observations of the evaluation. This is one of the key recommendations of the evaluation team.
Asks the Commission and the Council to give ECHO the function of a coordinating platform for all the Member States' emergency aid services at times of major natural disasters or other serious crises; similarly, asks the Commission and the Member States to endeavour to make their humanitarian aid more complementary	Remains valid in 2006 and is in line with the observations of the evaluation. This is one of the key recommendations of the evaluation team.
Considers that disaster preparedness is a horizontal element which must be integrated into all European development and technical cooperation programmes; takes the view in this context that the Commission should give increased priority to encouraging capacity building in vulnerable countries	Remains partially valid in 2006. Progress is observed but activities should be increased, the 2003 independent review was complimentary about DG ECHO's actions. Greater awareness has been achieved worldwide with the adoption of the Hyogo programme in Kobe (January 2005) and as a result the Commission has endeavoured to integrate risk reduction considerations in its country programmes.
Notes that the funds available for conflict prevention and disaster preparedness (DIPECHO) are inadequate to achieve their aim;	Remains partially valid in 2006. Budget for DIPECHO continues to be very low in 2006, when taken as a proportion of DG ECHO's budget, but mainstreaming of disaster preparedness in the regular humanitarian aid programme is now a common practice. Conflict prevention was never part of the DIPECHO programme.
Asks the Commission and the Council to review the distribution of humanitarian aid funds in order to achieve a better balance in favour of developing countries;	Has been largely taken into account., especially if compared to the 1999 situation where a large part of ECHO's budget went to the Balkans. Further, DG ECHO has developed a Global Index for Needs Assessments which allows to inform decision-making on the basis of needs and of vulnerability. ECHO has also a deliberate strategy to target forgotten crises. take decisions on an informed basis

Remarks made by the European Parliament in 2000	Observations and recommendations by the evaluation in 2006
<p>Asks the Commission, with regard to the management of ECHO, to take the following specific steps:</p> <ul style="list-style-type: none"> – increase internal coordination and coordination with the other Commission departments involved in crisis situations, – set clear and measurable objectives for all operations, – make systematic use of performance indicators in programming, planning and managing projects, and also in internal administration, – set up a systematic procedure for monitoring the quality of results, – carry out a restructuring of personnel using more flexible, ad hoc recruitment rules, enabling experienced staff to be taken on and more responsibility to be given to non-statutory staff, – introduce a training programme in humanitarian assistance and rehabilitation, making use of the lessons learnt to improve staff skills and enhance institutional memory, – decentralise responsibility towards staff located in the field; 	<p>Remains partially valid in 2006.</p> <p>Objectives and indicators are included in the proposals for operations undertaken by ECHO partners and are checked in interim and final reports.</p> <p>Has been partially introduced.</p> <p>Remains valid in 2006. Nevertheless very good progress with evaluation missions and audit missions.</p> <p>Remains valid in 2006. This issue is partly resolved with the creation of Regional Support Offices. But this does not solve the issue at HQ.</p> <p>Has been introduced.</p> <p>DG ECHO maintains a centralised approach. The evaluation supports this centralised approach, nevertheless responsibility should be delegated, in particular to the Regional Support Offices, this would also require that officials are located in the RSOs.</p>
<p>calls on the Commission, in this context, to take account of gender-related factors, particularly in relation to the use of performance indicators, the assessment of project results and the knowledge required at recruitment and in professional training</p>	<p>DG ECHO requires its partners to respect the mandates of international organisations, several of whom have gender policies. At HQ gender is not an issue, as most staff members are women. In the field it is difficult to find as many female experts as needed due to the difficult environment. DG ECHO needs to create papers on gender among other issues, e.g. children.</p>
<p>Considers that preference should be given to the NGO system and the associations of civil society which promote human rights and efforts towards a lasting peace when partners are chosen to carry out humanitarian intervention tasks, since these organisations have proved to be efficient and effective</p>	<p>NGOs collect more than 50% of the annual allocations and grants given by DG ECHO. The very special missions and mandates of the ICRC and some UN agencies such as UNHCR, WFP, OCHA could not be undertaken by the NGO system.</p>
<p>Considers that, with regard to cooperation with partners, ECHO must maintain a flexible approach, taking into account the relevant capacities of the organisations involved and avoiding encouraging cooperation with a limited number of major partners; supports the incorporation of international humanitarian law and human rights into the conception and implementation of humanitarian aid, placing particular emphasis on the fundamental rights of women and children; stresses, however, that incorporating this dimension by no means amounts to introducing any conditionality on humanitarian aid; asks the Commission to coordinate the activities of the humanitarian aid and human rights departments and to promote cooperation with NGOs in this field;</p>	<p>DG ECHO has concluded Framework Agreements with 193 NGOs in 2005. DG ECHO is the donor with the largest number of NGOs partners.</p> <p>The evaluation team is in agreement with the remark on coordination and cooperation and the promotion of key policy areas.</p>
<p>Urges the Commission to take the appropriate steps to put a stop to the increased politicisation of humanitarian assistance and the way this is taking the place of European Union foreign policy, because humanitarian assistance should essentially address the effects of crisis, be they the result of a natural disaster or a conflict, and not its causes</p>	<p>This issue should also be addressed to the Governments of the EU Member States and to the Council. DG ECHO continues to defend its position of impartiality and non-discrimination and its needs based approach.</p>
<p>Considers it necessary to carry out research on the interdependence between mankind's interference in the ecological system, military and civil conflicts, economic and social inequity on the one hand and the frequency, intensity and regional distribution of natural disasters, civil wars and military conflicts on the other hand</p>	<p>Remains valid in 2006. The evaluation team notes that the 2005 DG ECHO Water and Sanitation review did consider environmental issues, and the 2003 Disaster Reduction review sought to identify high risk areas. (There has also been at least one evaluation of environmental issues in development financed by DG AIDCO.) However it did not find any report on conflict prevention funded by DG ECHO.</p>

Remarks made by the European Parliament in 2000	Observations and recommendations by the evaluation in 2006
<p>Requests a review of ECHO's strategy for communicating with the outside; suggests that the Commission carry out an information campaign to ensure that the humanitarian aid supplied by ECHO is recognised by the general public as one of the European Union's strengths; urges that this campaign should not be financed by humanitarian aid funds</p>	<p>DG ECHO is not sufficiently known by the European public.</p>
<p>Calls on the Commission and the Member States to back the efforts made to ensure that the European Union's presence and influence in international organisations are more representative of its political strength and the extent of its contribution to humanitarian aid;</p>	<p>The evaluation recommends that DG ECHO enters into an agreement of cooperation and for exchange of personnel with UN OCHA.</p>

Annex 2: Terms of Reference



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR HUMANITARIAN AID – ECHO

ECHO 4 – Evaluation Sector

Annex I

Terms of Reference for the Evaluation of the Directorate-General for Humanitarian Aid (DG ECHO).

Contract n°: ECHO/ADM/BUD/2005/01208

Name of consultant(s): Dr. Ulrich DALDRUP (D), Mr. François GRÜNEWALD (F), Mr. Graham WHITE (UK), Ms. Hanja MAIJ-WEGGEN (NL)

Firm: GFE Consulting Worldwide

Introduction

From its creation in 1992 the Directorate-General for Humanitarian Aid (DG ECHO) has been one of the world's main humanitarian donors. DG ECHO has an established place in the humanitarian community because: it acts within a defined mandate; it is effective; and as it operates without a national political alignment, it is considered to add value both at EU and at international levels.
http://europa.eu.int/comm/echo/presentation/index_en.htm

Since 2000 the Commission and most particularly DG ECHO's management have undertaken many steps to transform DG ECHO. This has been as a result of: the evaluation of DG ECHO in 1998/99 - in accordance with article 20 of Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid, DG ECHO's Legal Basis; the implementation of the Commission reform process; and the changes and new challenges affecting humanitarian activities. Among the matters addressed have been, in particular: the return to DG ECHO's core mandate in the activities that DG ECHO finances; the introduction of the logical framework tool; the strengthening of strategic programming dialogues with key humanitarian partners; the reinforcement of internal systems and controls; the revision of DG ECHO's principal contractual tool, the Framework Partnership Agreement (FPA); the introduction of 'primary emergency decisions' for fast track financing; the introduction of entry and exit strategies; the introduction of Global Needs Assessment and Forgotten Crisis Assessment tools; the introduction of thematic funding; the introduction of more formal policy and/or thematic papers on inter-alia, Disaster Reduction, LRRD, Children, HIV/AIDS; the augmentation of staff numbers, both at headquarters and in the field; etc.

Issues and recent trends

For DG ECHO, as for other EC External services, the proposed Constitution had also identified several areas where changes will have to be managed in the near future, including: the role of the Council in European Security and Defence Policy (ESDP) and the new instruments to be created in the external relations area. It is largely recognized that at EU level humanitarian aid cannot be subsumed to the political logic of EU crisis management, it is to deliver aid solely on the basis of needs of the populations that are victims of the humanitarian crises. In contrast, EU crisis management will follow EU political logic and use the full range of political instruments at the disposal of the Union. Civil-military cooperation is also increasingly a focus of debate.

Other issues have arisen from the reorganisation of the Commission's services. In particular: as proposed under the EC Financial Perspectives 2007 to 2013, 'Emergency Food Aid' and the 'Uprooted people budget line' should be integrated in part at least within DG ECHO. <http://www.cc.cec/budg/future/introduction.htm>

The humanitarian sector is facing the related challenges of a perceived deterioration in the security of humanitarian personnel, with humanitarians being actively targeted for their work, and increased difficulties in humanitarian access.

The Good Humanitarian Donorship Initiative (GHDI), most particularly following the Stockholm conference of June 2003 under which the donors endorsed a set of commonly agreed objectives for humanitarian action as well as a set of generally agreed principles, reflects the ongoing mainstreaming of quality and accountability issues in humanitarian actions.

The relief-development continuum, specifically the linking of the stages of emergency assistance (relief), rehabilitation assistance and development assistance, persists as an important objective in certain relief actions. However, the debate now speaks of contiguum rather than continuum and recognises that LRRD may not in every case be relevant and even where it is relevant it may not always be achievable.

The management of cooperation with civil protection activities, where common challenges are faced.

Objectives of the evaluation and tasks to be accomplished

Objectives of the evaluation

Under this ToR DG ECHO intends to have independent consultants complete an evaluation of DG ECHO's work over the period 2000 to 2005 on: the implementation of the findings, conclusions and recommendations of the article 20 evaluation of ECHO; and the implementation of the requirements of the Commission's reform programme. DG ECHO has mapped these out in the 'ECHO Reform Action Plan'. In their work the consultants are required to consider and present the human and financial resources constraints facing DG ECHO in meeting these challenges, and the fact that the various past recommendations, requirements and initiative reflected a position relevant to a certain point in time, that may have since changed, or otherwise developed, or have been overtaken by events.

Further they shall consider DG ECHO's implementation of the so-called 3 C's requirements. Under the Maastricht Treaty European Union development cooperation is required to respect Coordination, Complementarity and Coherence in its work (the 3 C's). Although there is no explicit reference to humanitarian aid in the Maastricht Treaty it is considered implicit that DG ECHO is obliged to respect the 3 C's. Further, the OECD DAC criteria as applied for evaluating humanitarian action also include coherence as a standard criteria and consider that coordination, although not a formal DAC criteria, requires close attention. In respect of complementarity, the EC is meant to complete not replace the policies pursued by the Member States, this is as pertinent for relief as for developmental actions. Therefore late in 2002 the standard ToRs used by DG ECHO for the evaluation of geographical actions started to include references to the 3 C's for evaluators to consider as a part of their analysis, including progress towards the objective of LRRD. The consultants shall also consider DG ECHO's implementation with regard to the Member States' implementation.

The consultants shall also consider DG ECHO's implementation of the Good Humanitarian Donorship initiative, see annex III below.

Following their analysis the consultants shall: give their opinion as to DG ECHO's implementation of the matters set out above; and revise the priority issues identified under the article 20 evaluation and Commission Reform set out in the 'ECHO Reform Action Plan' according to the steps of findings, conclusions and recommendations. The evaluation team is to base the revision on: the achievements already identified; and the challenges facing DG ECHO, most particularly under the Commission's proposed Financial Perspectives 2007-2013; the issues in the external relations area (CFSP/ESDP); and the trends confronting the humanitarian aid sector, concerning inter-alia, security, civil protection, quality and accountability. The consultants are to be as realistic, operational and pragmatic as possible in their approach, taking into consideration existing circumstances.

In their revision of the priority issues with recommendations the consultants shall bear in mind the administrative, financial, legal and human resources constraints facing DG ECHO in order that the revised list of priority issues is as soundly based, operational and realistic as is possible.

Matters for consideration.

Among the key events, initiatives, publications and matters for the consultants to consider are:

- The article 20 evaluation under the humanitarian regulation and the follow-up given to it since 2000, set out in the 'ECHO Reform Action Plan';
- the implementation of the Commission's reform process at DG ECHO, see also the 'ECHO Reform Action Plan';
- the application of the Maastricht Treaty's 3 C's, Coordination, Complementarity and Coherence as is required of EC External services under the Maastricht Treaty, please see annex II and <http://www.ecdpm.org> ;
- the implications contained in the proposed European constitution. In particular the role of the Council in European Security and Defence Policy (ESDP) and the Common Foreign and Security Policy (CFSP);
- the Principles and Good Practice of Humanitarian Donorship, endorsed in Stockholm in June 2003, see annex III below;
- the proposals contained in the European Commission's Financial Perspectives 2007-2013, under which, 'Emergency Food Aid' and the 'Uprooted people budget line' should be integrated in part at DG ECHO;
- the European Court of Auditor's annual reports, wherein a section is devoted to ECHO, among the other parts of the EC's External services;
- the audits of ECHO by - the Internal Audit Capability (concerning workload) and the Internal Audit Service (concerning the DG ECHO sector 'Relations with the European Parliament and Civil Society sector' - including NGO relations);
- the Commission's Guidelines on Financial Circuits and Segregation of Duties;
- consultation with the three key groups of ECHO partners, UN, Red Cross and INGOs, in particular consultation with VOICE, the platform for humanitarian INGOs;
- the meta-evaluations of DG ECHO's evaluation work carried out by the 'Active Learning Network for Accountability and Performance in Humanitarian Action' ALNAP <http://www.alnap.org/> ;
- minutes of annual Strategic Programming Dialogues, OCHA Donor Support Group meetings, and Montreaux retreats;
- DG ECHO's work on the issue of Linking Relief, Rehabilitation and Development and the work of other EC services;

- the library of DG ECHO Evaluation reports covering operations, thematic issues and partnerships. The reports on operations seek to consider ECHO's work in terms of **relevance/appropriateness**⁵⁸, **coverage**, **efficiency**, **effectiveness**, **impact**, **sustainability**⁵⁹ and **results achieved (accountability)** – and of the way these results have been achieved (**lessons learned**), and the relevance of the 3 C's;
- studies such as: “The Impact of the EU Financial regulation on the relationship between the European Commission and NGOs”;
- evaluations such as, ‘the Evaluation of Food Aid and Food Security’ and ‘the Uprooted Population Budget line’;
- the Millennium Development Goals, under which UN General Assembly has resolved inter-alia, “To expand and strengthen the protection of civilians in complex emergencies, in conformity with international humanitarian law.” “To strengthen international cooperation, including... the coordination of humanitarian assistance...” “To encourage the ratification and full implementation of the Convention on the Rights of the Child...” <http://www.un.org/millennium/declaration/ares552e.pdf>
- the UN Inter-Agency Standing Committee Guidelines and Standards, SPHERE standards, Red Cross Code of Conduct, People in Aid Code, Humanitarian Accountability Partnership publications, DG ECHO Thematic Reviews, and recent work by the ODI's Humanitarian Policy Group.

Tasks to be accomplished

To satisfy the objectives set out above by:

Phase I – Preparatory: analyses of reports, key policy documents, evaluation reports, consideration of the Humanitarian Regulation, Constitution, EC Financial Perspectives and other publications referred to above; work planning, drafting of questionnaires, establishing a timetable...

Phase II – Consultation: completing interviews with appropriately qualified persons internal and external to DG ECHO, within and outside of the EU, use of assessment tools, i.e. the use of the questionnaires, (possibly using an EC Interactive Policy Management IT tool for circulating questionnaires) with follow-up interviews on responses, a field trip to a location, probably Nairobi, where both UN and INGO partners of DG ECHO may be interviewed by the independent consultants.

Phase III – Assessment and completion: following phases I and II the consultants must produce a draft outlining revised key priority issues with findings, conclusions and recommendations. The consultants must then manage the feedback from a reference panel within DG ECHO, consisting of experienced staff members located at Brussels and in the field, to arrive at agreement on the final report.

The basis for the consultants' opinions shall be:

- the analysis of relevant documents, reports and materials outlined above;
- interviews with officials of EU Member State civil services, possibly the Netherlands and the UK;
- interviews with officials of UN, Red Cross and International NGO organisations (via VOICE) based in Brussels, Geneva, New York and elsewhere;
- interviews with reference panel members e.g. key DG ECHO staff, both personnel at ECHO headquarters and technical assistants (TAs) based in the field;
- interviews with officials in other EC External Services, DG DEV, RELEX and AIDCO, the Internal Audit Service; and
- their own professional qualifications and experience.

Please note that as face-to-face interviews may not be possible in every case, the consulting teams shall have to use telephone interviews, telephone, or video conferencing, circulation of questionnaires by electronic means, etc.

Work Plan

Initial briefing and work in Brussels (*maximum 20 days including all travel*): An initial briefing at ECHO with the responsible staff during which all the documents available for the evaluation and necessary clarifications will be provided by the requesting service and other services of the Commission. During this period preparatory work of analysis, additional planning and fieldwork can be organised and consultation started, including meetings with the management of DG ECHO, other EC services and the humanitarian NGO platform VOICE www.ngovoice.org.

Missions to three Member States for further consultation, to visit their administrations and major INGOs in those states, plus Switzerland for consultation with the UN and Red Cross partners (*maximum 10 days including all travel, please note that the team can divide for this work, perhaps into two teams of two, and that not all team consultants need to visit the same locations*).

Fieldwork (*maximum 5 days including all travel*): The senior experts shall undertake a field visit to one ECHO regional office in order to be familiar with ECHO's working practices and to consult with certain of ECHO's technical assistants and officials of key international partners and NGOs. The regional office will probably be Nairobi. An outline draft report shall be submitted to DG ECHO after this stage by the team.

Drafting of report required by the review (*maximum 10 days for each of the three senior experts. The team leader is allowed an additional 5 days for editing*): These days are to cover both the initial and final drafting after the presentation to ECHO management (see below).

⁵⁸ ‘**Relevance** is concerned with assessing whether the project is in line with local needs and priorities (as well as donor policy).’ ‘**Appropriateness** is the tailoring of humanitarian activities to local needs, increasing ownership, accountability, and cost-effectiveness accordingly.’

⁵⁹ Also ‘Connectedness refers to the need to assure that activities of a short-term emergency nature are carried out in a context that takes longer term and interconnected problems into account.’

Presentation of the documents required by the review at ECHO (*maximum of 1 day for each of the four senior experts including all travel*): The four senior experts will make a presentation to ECHO management and key staff in 'PowerPoint' of the draft report.

Submission of the final version of documents requested: the four experts are allowed a delay of 15 days to finalise and submit their work following the 'PowerPoint' presentation, based on the feedback received.

Evaluation Report

The evaluation will result in the drawing up of a **single** report written in a straightforward manner, in English and French, with an Executive Summary of maximum 7 pages at the beginning, of a total maximum length of 50 pages, plus annexes. The length of the report may be exceeded only with justification. The report shall be in the font Times Roman 12, have single line spacing and be fully justified (i.e. text should be fully aligned to the left and right margins). Paragraphs must be sequentially numbered. While correcting the report and the annexes, the consultants will always highlight changes and modifications introduced as resulting from the debriefing and the comments received by DG ECHO.

The report should have separate sections for the evaluation work required. The main body of the report shall elaborate the points listed in the Executive Summary. It should include references to the methodology used for the evaluation and the context of DG ECHO's work. The evaluation methods should be clearly outlined in the report and their appropriateness, focus and users should be explained pointing out strengths and weaknesses of the methods. The report should briefly outline the nature (e.g. external or mixed) and make up of the team (e.g. sectoral expertise, local knowledge, gender balance) and its appropriateness for the evaluation. It should also briefly outline the evaluators' biases that might have affected the evaluation and how these have been counteracted (past experiences, background, etc.). In particular, for each key conclusion there should be a corresponding recommendation. Conclusions should be fully substantiated with findings from the evaluation. Recommendations should be prioritised, directed at specific users and where appropriate include an indicative timeframe. Recommendations should be as realistic, operational and pragmatic as possible; that is, they should take careful account of the existing circumstances.

The document format appearing below must be adhered to. The intended end users include EU Member States (through the Humanitarian Aid Committee), other Commission services and DG ECHO management; implementing partners; and the public.

- *Cover page*
 - Title: "The Evaluation of DG ECHO";
 - Date of the review;
 - Names of the consultants;
 - Indication that "the report has been financed by and produced at the request of the European Commission. The comments contained herein reflect the opinions of the consultants only".
- Table of contents: The contents shall set out the text in accordance with the tasks described under 2.2.
- Executive Summary with findings conclusions and recommendations of the review, all paragraphs to be numbered, references to main text or annexes to specify paragraph or annex numbers.
- Main text, all paragraphs to be numbered.
- Annexes, including more details on priority issues, timetable of work, bibliography and list of organisations consulted, etc.

An electronic version of the final report shall be submitted to DG ECHO's Evaluation Sector in Microsoft word on a CD, together with any research material considered to be of interest to ECHO. The review report shall be drawn up in 20 paper copies and transmitted to ECHO with the CD.

Required skills for the consultants

ECHO envisages that **four** senior experts shall carry out the work. ECHO considers that the global composition of the teams' skills should include: work experience in evaluating humanitarian policies, strategy and planning; experience of conducting organisation appraisals with regard to human resources, legal and contractual issues, finance, information technology, logistics and security (e.g. experience of management audits); and of implementing humanitarian aid emergency or relief operations at field level. (In respect of the legal and financial work, ECHO considers that the consultants should have both qualifications and relevant experience.)

The experts shall also have a good knowledge of the working methods and procedures of the Commission (budgetary instruments, projects cycle management, some awareness of the devolution process towards EC Delegations...).

The consultants are required to carry out their work in accordance with international standards of good practice in approach and method. All conclusions must be substantiated with adequate data. The methodology section of the report should clearly outline the method being used. The consulting team is also required to respect the use and application of international standards for humanitarian actions, such as: relevant professional standards, the Red Cross/NGO Code of Conduct; the SPHERE standards; the 'Principles and Good Practice of Humanitarian Donorship' endorsed by the Stockholm Conference. In the conduct of their work, the consultants should use a multi-method approach and triangulate between different sources of information.

The team in its composition should be able to manage researching, interviewing, drafting, etc in English and French. DG ECHO requires that the draft and final report versions be produced in both languages in the same period of time. The stronger the linguistic skills of the team the lower the costs of translation should be.

The team must have at least one man, at least one woman in its composition.

ECHO will make available office space at its HQ and at one field office to facilitate the consultants' work. Telephone conferencing to other entities and organisations may also be used where necessary.

Assignment of tasks

Each team member is jointly responsible for the final accomplishment of the tasks, however, the separate elements of work necessary for the accomplishment of the tasks may be allocated between the consultants. The members of the team must work in close co-ordination.

A team leader shall be named who shall have the added responsibility of the overall co-ordination of the tasks to be completed, of the elaboration of the Executive Summary and of the final coherence of the report and other works both in terms of content and presentation. The team leader shall have experience of leading evaluation teams.

Timetable

The tasks under this evaluation will be undertaken in a maximum period of 51 days for the team leader and 46 working days for the three other senior experts (four in total) and will be completed between early September 2005 and December 2005.

The Maastricht Treaty's 3 C's

Co-ordination

Given the multiplicity of actors involved in an emergency/humanitarian response, it is important that co-ordination be explicitly considered. Consequently, the following question will have to be answered:

How effective has co-ordination at policy, strategic and implementation levels been?

The following issues will be addressed:

- Involvement of DG ECHO in co-ordination mechanisms and processes;
- Encouragement of operational partners to engage with co-ordination mechanisms and processes;
- Possible trade-offs between co-ordination and humanitarian principles (humanity, neutrality, impartiality, independence).

Complementarity

Complementarity is intended to ensure that Community development policy 'shall be complementary to the policies pursued by the Member States'. This indicates that development co-operation is a shared competence between the Community and the Member States, which can be jointly exercised. It is confirmed that the Community has a specific, but not exclusive competence in the field of development co-operation. In this sense, complementarity differs from the concept of 'subsidiarity', which refers to a distribution of competence and decision-making at the most appropriate level. In the case of complementarity, both the Commission and the Member States can have competences and tasks at the same level.

Has DG ECHO effectively addressed the requirement of complementarity in the pursuit of humanitarian policy?

(The notion of complementarity poses the question of its direction, in other words, is it up to the Community to complement the activities of Member States, or the other way around? Another issue is the equal partnership between the Commission and Member States, and reciprocal participation in the elaboration of their respective policies.)

Coherence

Besides the above-mentioned evaluation questions, the evaluation will pay attention to coherence. Assessment of coherence should focus on the extent to which policies of different actors were complementary or contradictory. In the context of this evaluation, coherence will be analysed solely in the humanitarian sphere. The following question will have to be answered:

Are humanitarian policy and programming at field level coherent with those of other actors?

Issues to be addressed:

- Coherence with policies and interventions other than humanitarian support;
- Possible effects of diverging interests;
- Relation between basic principles of humanitarian assistance and coherence; and
- Relations between Humanitarian Assistance, Human Rights, CFSP.

Annex

The Principles and Good Practice of Humanitarian Donorship endorsed in Stockholm, 17 June 2003

Objectives and definition of humanitarian action

The objectives of humanitarian action are to save lives, alleviate suffering and maintain human dignity during and in the aftermath of man-made crises and natural disasters, as well as to prevent and strengthen preparedness for the occurrence of such situations.

Humanitarian action should be guided by the humanitarian principles of *humanity*, meaning the centrality of saving human lives and alleviating suffering wherever it is found; *impartiality*, meaning the implementation of actions solely on the basis of need, without discrimination between or within affected populations; *neutrality*, meaning that humanitarian action must not favour any side in an armed conflict or other dispute where such action is carried out; and *independence*, meaning the autonomy of humanitarian objectives from the political, economic, military or other objectives that any actor may hold with regard to areas where humanitarian action is being implemented.

Humanitarian action includes the protection of civilians and those no longer taking part in hostilities, and the provision of food, water and sanitation, shelter, health services and other items of assistance, undertaken for the benefit of affected people and to facilitate the return to normal lives and livelihoods.

General principles

Respect and promote the implementation of international humanitarian law, refugee law and human rights.

While reaffirming the primary responsibility of states for the victims of humanitarian emergencies within their own borders, strive to ensure flexible and timely funding, on the basis of the collective obligation of striving to meet humanitarian needs.

Allocate humanitarian funding in proportion to needs and on the basis of needs assessments.

Request implementing humanitarian organisations to ensure, to the greatest possible extent, adequate involvement of beneficiaries in the design, implementation, monitoring and evaluation of humanitarian response.

Strengthen the capacity of affected countries and local communities to prevent, prepare for, mitigate and respond to humanitarian crises, with the goal of ensuring that governments and local communities are better able to meet their responsibilities and co-ordinate effectively with humanitarian partners.

Provide humanitarian assistance in ways that are supportive of recovery and long-term development, striving to ensure support, where appropriate, to the maintenance and return of sustainable livelihoods and transitions from humanitarian relief to recovery and development activities.

Support and promote the central and unique role of the United Nations in providing leadership and co-ordination of international humanitarian action, the special role of the International Committee of the Red Cross, and the vital role of the United Nations, the International Red Cross and Red Crescent Movement and non-governmental organisations in implementing humanitarian action.

Good practices in donor financing, management and accountability

(a) Funding

Strive to ensure that funding of humanitarian action in new crises does not adversely affect the meeting of needs in ongoing crises.

Recognising the necessity of dynamic and flexible response to changing needs in humanitarian crises, strive to ensure predictability and flexibility in funding to United Nations agencies, funds and programmes and to other key humanitarian organisations.

While stressing the importance of transparent and strategic priority-setting and financial planning by implementing organisations, explore the possibility of reducing, or enhancing the flexibility of, earmarking, and of introducing longer-term funding arrangements.

Contribute responsibly, and on the basis of burden-sharing, to United Nations Consolidated Inter-Agency Appeals and to International Red Cross and Red Crescent Movement appeals, and actively support the formulation of Common Humanitarian Action Plans (CHAP) as the primary instrument for strategic planning, prioritisation and co-ordination in complex emergencies.

(b) Promoting standards and enhancing implementation

Request that implementing humanitarian organisations fully adhere to good practice and are committed to promoting accountability, efficiency and effectiveness in implementing humanitarian action.

Promote the use of Inter-Agency Standing Committee guidelines and principles on humanitarian activities, the Guiding Principles on Internal Displacement and the 1994 Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organisations (NGOs) in Disaster Relief.

Maintain readiness to offer support to the implementation of humanitarian action, including the facilitation of safe humanitarian access.

Support mechanisms for contingency planning by humanitarian organisations, including, as appropriate, allocation of funding, to strengthen capacities for response.

Affirm the primary position of civilian organisations in implementing humanitarian action, particularly in areas affected by armed conflict. In situations where military capacity and assets are used to support the implementation of humanitarian action, ensure that such use is in conformity with international humanitarian law and humanitarian principles, and recognises the leading role of humanitarian organisations.

Support the implementation of the 1994 Guidelines on the Use of Military and Civil Defence Assets in Disaster Relief and the 2003 Guidelines on the Use of Military and Civil Defence Assets to Support United Nations Humanitarian Activities in Complex Emergencies.

(c) Learning and accountability

Support learning and accountability initiatives for the effective and efficient implementation of humanitarian action.

Encourage regular evaluations of international responses to humanitarian crises, including assessments of donor performance.

Ensure a high degree of accuracy, timeliness, and transparency in donor reporting on official humanitarian assistance spending, and encourage the development of standardised formats for such reporting.