

Forum 2

Partnership, agreements and framework of Humanitarian Aid

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Partnership is the term we use to describe the relationship between NGOs and donors. It is called like this in the name of the noble principles that should rule humanitarian aid and that shouldn't be defined in commercial or financial terms only. The term partnership involves a sense of mutual respect, recognises the non-profit profile of NGOs, acknowledges their role as an expression of civil society, implies the absence of conditionality and vested interests on the donor's side.

Of course this is primarily the expression of good intentions while –as usual – the reality is not always like that.

The experience of EC-NGO partnership is an ongoing process that has had interesting developments during the past two years.

The FPA

The contractual partnership is set by the Framework Partnership Agreement (FPA), which rules the relations of ECHO with some 180 NGOs working in humanitarian and emergency aid. This device is based on a prior assessment of an NGO's accountability both in administrative as in operational and management issues. The assessment (Audit) is normally carried out by ECHO functionaries or sub-contracted to specialised agencies. Such assessment may be repeated and sometimes produces recommendations for improvements in specific work areas.

Once the audit has been done and the FPA signed by both parties, project-financing procedures are relatively fast and allow a quick response to critical events like catastrophes and conflicts. At the end of a project, NGOs present to ECHO the accounting and final report, and retain all the paperwork (invoices, receipts, contracts, etc) in their headquarter for a period of five years. Documents must be made available to ECHO's audit at any time.

The ex-post administrative audit is also normally carried out within two to three years in the NGOs headquarter and concerns all the projects financed in the previous period.

The FPA also sets a number of general principles, dealing with ethics and standards for humanitarian actions.

The last version of the FPA has been negotiated during 1997-98 with a representation of ECHO partners and is in force since the 1st of January 1999.

The implementation of the new FPA will highlight a number of problems deriving from the interpretation of norms that have not been sufficiently discussed or clarified during the negotiations. In order to address such problems, a yearly review is provided by the

same contract, concerning some of the clauses and the annexes to the FPA. ECHO's partners NGOs have set up a working group to monitor the FPA implementation and discuss emerging problems with ECHO.

The FPA represents an advanced device in the relationship between EC and NGOs. This is an agreement based on a well weighed confidence, a steady relationship and a straightforward cooperation, which ensure more flexibility and shorter timing in procedures: a dramatic need in emergency aid.

Nonetheless, this is still not sufficient to cover a number of “grey areas”, where the border between emergency, reconstruction and development is blurred and subject to change suddenly. This is the case of a number of countries in a war or post-war situation, where much more flexibility is needed to face rapidly changing contingencies.

Upgrade the partnership

A main issue is how to **upgrade the partnership**, going beyond the financial issues towards more qualitative ones. After an initial – very difficult – period, ECHO and NGOs are cautiously trying to move to a higher level of partnership, based on joint strategic planning on specific contexts and joint discussion on the main issues of general interest for the humanitarian community.

This would represent a real quantum leap in the concept of partnership and we believe that there is a serious commitment on both parties in this sense. But this is not happening without difficulties also because – despite the top management commitment - not all the EC staff is equally available to recognise the essential contribution that NGOs may give to the definition of strategies and the evaluation of policies. Some officials still think that NGOs are undisciplined and unreliable actors in need of a firm authority, rather than serious and motivated organisations with a deep knowledge of techniques and problems.

The problem of partnership is that when it is not advanced and consolidated, it crashes under the pressure of most acute crisis. This is the case of Kosovo crisis. ***

Of course, the concept of partnership should be thoroughly developed also among NGOs. This seldom happens, as small NGOs live an acute concern for their identity, while the biggest ones developed a hegemonic temptation. At the same time a certain level of competition is induced by donors policies, whereas they favour a partnership with few organisations instead of carefully preserving the diversity and pluralism of the NGOs movement.

The first element of a new partnership should be a systematic consultation with NGOs in the strategic design of global plans and policies. A permanent forum for dialogue with the NGOs needs to be created, at the strategic level. An important step in this direction has been made lately, in occasion of the Mitch Hurricane crisis. ***

ECHO should rely on a limited but adequate number of highly qualified staff, and a jointly agreed planning process in which ECHO sets a broad policy framework, and the operational partners have latitude of interpretation and decision-making;

Transparency is a basic element of a partnership based on confidence and respect. Provision of information about budget availability, procedures for accessing funds, deadlines, decision-making criteria, and the role and status of delegations with regard to procedures and decision-making, is vital. The EC needs to be consistent with the information it provides in its different offices. This information needs to be timely.

There is a need for prior strategic planning and definition of NGOs' priorities, in order for them to play a more relevant role in the design of strategies and policies. NGOs should also organise their information and make it available for the donors.

The methodological framework of the NGOs should be considered as a conditioning element of a sustainable approach to humanitarian crisis. Emphasis should be put on the need for working in long-term chronic crises or chronic instability, ensuring the conditions for a medium-term approach in a perspective of local capacity building.

By matter of facts, the long claimed “**Continuum emergency-rehabilitation-development**” remains a theoretical assumption without coherent implementation policies in the Commission. There are many countries where the responsibility of ECHO, the DGI and the DGVIII are overlapped, without a clear definition of respective tasks and/or an effective coordination of strategies.

Funding and procedures

Voice is currently working on a review of the EC humanitarian aid, which includes a consistent proposal for restructuring the funding mechanism.

1. Humanitarian aid should be supported by an Emergency Fund, a Humanitarian Aid Budget and a Reserve.
2. The Emergency Fund should be used according to emerging needs, to respond to unforeseen crisis. This Fund should be usable by autonomous decision of ECHO, independently from the HAC. Procedures for the use of this budget should allow the quickest response capability, maximum flexibility and minimal prior administrative procedures.
3. The Humanitarian Aid Budget is aimed at addressing chronic crisis, rehabilitation, disaster preparedness, transitional periods and local capacity building. It should ensure continuity between emergency and development and allow sufficient flexibility to face unforeseen changes in situations. In this framework, the Office should be accountable for ensuring sufficient conditions for continuity of actions. Projects should cover a longer implementation period (12 months). Each project financed within the Humanitarian Aid Budget should include a Core Budget for the implementation of planned activities and a Contingency Budget for addressing needs arising from recurrence of emergencies. The Contingency Budget should be replenished in case of need. Funds must be released from the Contingency Budget within a maximum delay of

two weeks from the date of request. Lack of response from ECHO implies automatic approval.

4. The Reserve should be managed according to existing procedures.

The political framework

The main problem remains the lack of a clear and coherent political framework for humanitarian aid. We strongly believe this is an essential part of the building process of the European Union. Humanitarian policy is the domain where the European society can express its best values.

Surely, Europe needs its own strong and independent Foreign and Security policy. Latest events confirm the urgency of this framework, and the European civil society's expectation in this sense is enormous.

Nevertheless, this is not the sole solution, as far as HA is concerned. A CFSP will inevitably be based also on opportunities, economic interests, political balances and strategic relationships.

On the contrary, humanitarian policy may not be conditioned and has to remain impartial. Humanitarian assistance will have to be independent from foreign policy, although we believe the CFSP has to support it. In this sense CFSP has to be ethical, principled and committed to humanitarian assistance. It has to be the vehicle for peace, equity and human rights.

We are going through a transitional period, when this political process may finally begin. It is in our responsibility to lead it in the right direction.

Let us use this opportunity to design a humanitarian policy really based on principles. If there is a field of social life, which should remain free from economic, political, strategic and particular interests, this is humanitarian aid.

Give us an ethic, clear, transparent and coherent humanitarian policy. Give us something based on principles, on moral duties, on rights. Give us something disinterested and centred on people, something reflecting the values that Europe has brought to the world, something we may believe in and be proud of.