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AFFAIRS REVIEW

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# Politicization of Humanitarian Aid in the European Union

Charlotte DANY<sup>\*</sup>

*Against a background of a generally perceived trend towards the politicization of humanitarian aid, this article reviews recent policies by the European Commission as one of the biggest donors of humanitarian aid worldwide. It aims to show how the European Union's (EU's) Comprehensive Approach and the Resilience Strategy, in particular, contribute to the politicization of humanitarian aid. Thereby the article focuses on contestation in policy-making about fundamental humanitarian principles: neutrality, impartiality and independence—. It challenges the common wisdom that the EU's humanitarian aid is void of any political or security interest. Contestation between different stakeholders reveals that humanitarian aid is being politicized, despite the EU's strong commitment to humanitarian principles, as its policies blur the lines between humanitarian aid, security and development cooperation. The article also highlights the role of Non-governmental Organizations (NGO) in challenging and influencing this particular part of EU foreign policy.*

## 1 INTRODUCTION

With humanitarian aid the European Union (EU) seeks 'to provide ad hoc assistance and relief and protection for people in third countries who are victims of natural or manmade disasters, in order to meet the humanitarian needs resulting from these different situations', as is stated in Article 143 TFEU. The EU is the biggest contributor of humanitarian aid worldwide, taking its own as well as bilateral aid by the Member States into account. The European Commission (hereinafter 'Commission') itself spends more than EUR 1 billion annually on this. In 2014, it not only assisted in all four major emergencies in Syria, South Sudan, Central African Republic, and Iraq. It also kept up its aid in other places throughout the world and, moreover, focuses on so-called forgotten crises.<sup>1</sup> While not operating in the field, it finances and coordinates projects implemented by partners, mostly Non-governmental Organizations (NGOs). It also formulates the

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<sup>1</sup> European Commission, *The European Union Explained: Humanitarian Aid and Civil Protection*, (Nov. 2014), at: [www.europa.eu/pol/pdf/flipbook/en/humanitarian-aid\\_en.pdf](http://www.europa.eu/pol/pdf/flipbook/en/humanitarian-aid_en.pdf).

main tenets of international humanitarian aid policy and acts as norm entrepreneur, spreading its particular normative view on humanitarian aid.<sup>2</sup>

There is rising awareness of the EU's role as global humanitarian actor and a strong sense among EU citizens that this is an important field of activity. But still, one-third of the respondents in a recent Eurobarometer survey were not aware of the EU's activities in this field at all, and more than half of them did not feel well informed.<sup>3</sup> Also in the academic discussion humanitarian aid is an often overlooked field of EU foreign policy.<sup>4</sup> This is usually equated with Common Foreign and Security Policy (CFSP) or Common Security and Defence Policy (CSDP). This ignorance contravenes the centrality of humanitarianism for the EU, as a distinct identity-marker for its role as civilian or normative power.<sup>5</sup> It is also at odds with the rising need for humanitarian aid, in light of an increasing number and intensity of natural disasters as well as a rise in armed conflicts and wars. In many places around the world humanitarian aid is currently the last thread of hope for countless people.

To reach these people, to save lives and to alleviate suffering, humanitarian aid is not supposed to be used as a common foreign policy tool. It must adhere to certain fundamental principles, in particular neutrality, impartiality and independence, which were formulated by the Red Cross and Red Crescent Movement in 1965. Neutrality is retained by not taking sides in hostilities and not engaging in controversies of a political, radical, religious or ideological nature. Impartiality is ensured by focusing on saving lives and reducing suffering for everybody, regardless of nationality, race, religious beliefs, class or political opinion. Independence is guarded by acting autonomously from governments or other authorities.<sup>6</sup> Humanitarian aid should thus be provided on a strict needs basis and it should focus on the short-term. These principles distinguish humanitarian from other kinds of aid – for example, development aid. They also guarantee best access to the victims, even in complex conflict-ridden circumstances.

In 2008, the EU has strongly emphasized these principles with the European Consensus on Humanitarian Aid (hereinafter 'Consensus'). But it also currently revisits its strategies to meet humanitarian needs in the light of the increasing number of disasters, wars and displaced persons, which demands that humanitarian aid becomes more effective. This article asks whether the EU contributes to a politicization of humanitarian aid with these policy-making processes.

<sup>2</sup> S. Keukeleire & T. Delreux, *The Foreign Policy of the European Union* 28 (2d ed., Palgrave 2014).

<sup>3</sup> European Commission, *Report on Special Eurobarometer 384 'Humanitarian Aid'*, 5 (June 2012).

<sup>4</sup> Keukeleire & Delreux, *supra* n. 2, at 12–13.

<sup>5</sup> J. Orbie (ed.), *Europe's Global Role. External Policies of the European Union* 1–34 (Ashgate 2008).

<sup>6</sup> International Committee of the Red Cross, *The Fundamental Principles of the Red Cross: Commentary*, (1 Jan. 1979), at: [www.icrc.org/eng/resources/documents/misc/fundamental-principles-commentary-010179.htm](http://www.icrc.org/eng/resources/documents/misc/fundamental-principles-commentary-010179.htm).

This question follows up on an existing discussion on the politicization of humanitarian aid, which has basically diagnosed a trend towards a more political approach to humanitarian aid at the cost of fundamental humanitarian principles. Yet this discussion suffers from an ambiguous use of politicization as a buzzword for quite different developments. Also, the EU's activities in this field are hardly reflected; when politicization is confined to 'policy decisions that aid agencies make when faced with hard ethical choices' (Duffield 2001: 96), it is not applicable to the EU, as it does not operate directly in the field. The EU also does not obviously instrumentalize humanitarian aid to pursue foreign policy goals, in the sense that governments, in particular when they are a party to a conflict, would do. If at all, the EU Member States are accused of 'attuning their national humanitarian aid policies to foreign policy objectives'.<sup>7</sup>

This article differentiates between three forms of politicization – instrumentalization, militarization and developmentalization – and analyses controversial discussions among stakeholders in recent policy-making processes on humanitarian aid. This reveals that the EU, indeed, contributes to a politicization of humanitarian aid. It sheds light on some problematic aspects of policies such as the Comprehensive Approach or Resilience, which are often overlooked. These policies challenge fundamental principles of humanitarian action, which are being contested and thus prone to change. While contestation does not necessarily reinforce a politicization of humanitarian aid, it opens up space for these developments. It also reveals a major tension between the EU's roles as security actor and humanitarian actor.

The article is structured as follows. It first provides some background on the specificities of humanitarian aid by the EU. In a conceptual section it clarifies what is meant by politicization of humanitarian aid and explains how it can be studied focusing on conflicts among stakeholders in policy-making. The empirical section carves out these conflicts on the Consensus, the Comprehensive Approach, and Resilience. The conclusion summarizes the main findings and discusses the benefits and restrictions of this approach, as well as some open questions for future research.

## 2 HUMANITARIAN AID AS MULTI-LEVEL EU FOREIGN POLICY

As a field of EU foreign policy, humanitarian aid is situated within the complexity of a multi-level context, 'reflecting the interconnectedness of multiple governance

<sup>7</sup> H. Versluys, *European Union Humanitarian Aid: Lifesaver or Political Tool?*, in Orbie (ed.), *supra* n. 5, 91–115 at 109.

levels and policy arenas in the policy process'.<sup>8</sup> A great variety of actors are involved in agenda-setting, policy-formulation, decision-making and implementation.

First, there is the Commissioner for International Cooperation, Humanitarian Aid and Crisis Response. Christos Stylianides from Cypress took this office in 2014. The European Community Humanitarian Office (ECHO) was founded in 1992 as the central body for provision and coordination of humanitarian aid in the EU. Since 2004, it has been a Directorate General (DG), headed by Claus Sørensen. It works together with, but is institutionally separate from, the DG Development and Cooperation (EuropeAid) as well as the European External Action Service (EEAS). The European Parliament (hereinafter 'Parliament') and the European Council (hereinafter 'Council') negotiate and decide on policy proposals by the Commission. The Parliament also monitors the Commission's actions and the delivery of aid, and sometimes it advocates certain policy issues. Within the Parliament, these tasks are fulfilled by the Committee on Development (DEVE).

Humanitarian aid is a field of parallel competencies between the EU and the Member States,<sup>9</sup> and the Commission is mandated to coordinate these multiple activities 'in order to enhance the efficiency and complementarity of Union and national humanitarian aid measures'.<sup>10</sup> At the same time, the Member States oversee ECHO via the comitology system through the Humanitarian Aid Committee. However, this committee has never disapproved of any ECHO proposal, which underlines ECHO's autonomy. Nevertheless, while this may be true, the influence of Member States on humanitarian policies of the EU should not be underestimated:

Multilateral aid is technically defined as channelled through intergovernmental organizations, which supposedly have discretion over how the money is spent – although it would be naïve to think that (...) ECHO would turn a deaf ear to its major European member states.<sup>11</sup>

Last but not least, the EU involves a plethora of NGOs as implementing partners. With ECHO they engage in a kind of symbiotic relationship. ECHO needs them to actually deliver humanitarian aid. At the same time, the implementing partners need to win ECHO's favour, as it is their most important

<sup>8</sup> Keukeleire & Delreux, *supra* n. 2 at 17.

<sup>9</sup> G. De Baere, *EU External Action*, in *European Union Law 704–750* at 722 (eds, C. Barnard & S. Peers, Oxford University Press 2014).

<sup>10</sup> Article 143 TFEU.

<sup>11</sup> M. Barnett & T.G. Weiss, *Humanitarianism Contested. Where Angels Fear to Tread* 30–31 (Routledge 2011).

source for funding.<sup>12</sup> Partnership with ECHO secures their organizational survival as well as granting them legitimacy for their difficult work in the field.

NGOs are also active in policy-formulation. Most of the input into the negotiations is channelled through Voluntary Organizations in Cooperation in Emergencies (VOICE), a network of more than eighty humanitarian NGOs based in Brussels. It aims to arrive at common positions, share information, and lobby the EU and Member States on humanitarian aid issues. Additionally, single NGOs are also engaged in advocacy at the EU level, including Oxfam, Médecins Sans Frontières (MSF), the International Federation of the Red Cross and Red Crescent Societies (IFRC) (which is, strictly speaking, a hybrid between NGO and International Organization), EU-CORD, the Norwegian Refugee Council and the Global Justice Center. Their representatives in Brussels aim to shape EU policies on humanitarian aid.

In this setting the EU must tackle ‘the key challenge (...) to engage and influence all the key actors involved so as to promote a more humanized politics and more effective humanitarian action’.<sup>13</sup> A basic tenet in this endeavour is a strong commitment to fundamental humanitarian principles. The Lisbon Treaty emphasizes ‘the principles of impartiality, neutrality and non-discrimination’.<sup>14</sup> The Consensus highlights ‘humanity, neutrality, impartiality and independence’.<sup>15</sup> Acting as a political entrepreneur, ECHO also explicitly seeks to strengthen the principled approach of other humanitarian actors. It envisages that the EU should ‘encourage other humanitarian donors to implement effective and principled humanitarian aid strategies’, which means that it ‘leads the way in ensuring that humanitarian aid allocations are needs based and that no humanitarian crisis is overlooked in the international humanitarian response’.<sup>16</sup> Politicization of humanitarian aid would entail the EU diverting from this strong self-commitment to humanitarian principles and the focus on needs.

In this regard, evaluations of ECHOs work over the past years have found that, overall, it succeeds in following this principle-driven, neutral approach to humanitarian aid. A study in 2006 concluded:

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 underfunded crises, or

<sup>12</sup> Versluys, *supra* n. 7 at 99.

<sup>13</sup> S. Collinson & S. Elhawary, *Humanitarian Space: A Review of Trends and Issues* 4 (Overseas Development Institute 2012).

<sup>14</sup> Article 143 TFEU.

<sup>15</sup> European Council, *The European Consensus on Humanitarian Aid*, para. 10 (30 Jan. 2008), at: [www.eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2008:025:0001:0012:EN:PDF](http://www.eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2008:025:0001:0012:EN:PDF).

<sup>16</sup> DG ECHO, *Management Plan 2014*, 11, at: [www.ec.europa.eu/atwork/synthesis/amp/doc/echo\\_mp\\_en.pdf](http://www.ec.europa.eu/atwork/synthesis/amp/doc/echo_mp_en.pdf).



so-called ‘forgotten’ crises – regions and situations, where bilateral aid only finds its way with difficulty.<sup>17</sup>

The EU could, therefore, be regarded as the world’s most important humanitarian actor, not only because of the amount of money it annually transfers to affected regions, but also because of its ‘respect for the traditional core European humanitarian values’.<sup>18</sup> The Humanitarian Response Index later confirmed this assessment and found that the Commission performed clearly above-average on the criterion ‘responding to needs’, as opposed to following foreign policy interests.<sup>19</sup> Others are more sceptical about the application of the commitment to neutrality in practice. In a textbook on International Relations and the EU it is asserted that: ‘like most other EU foreign policy tools, ECHO spending is also intended to mesh with the EU’s broader normative or political goals, such as democracy and human rights’.<sup>20</sup> Weiss holds that ‘bilateral or collective European assistance is more vulnerable to active politicization than is UN or NGO assistance’.<sup>21</sup> Yet others declare that the EU and its Member States have political objectives, just like any other donor.<sup>22</sup>

I propose to answer the question of politicization of humanitarian aid in the EU by analysing controversial discussions on EU policy-making. This will reveal how the norms underlying humanitarian aid – its basic principles – are being contested among different stakeholders.

### 3 POLITICIZATION OF HUMANITARIAN AID

Politicization is ultimately an opaque term, given its various meanings and applications in literature on humanitarian aid and in international institutions more generally. Politicization is here reserved for substantial policy changes that divert humanitarian aid away from its principled character. However, even this more narrow application comes in different forms.

<sup>17</sup> U. Daldrup et al., *Evaluation of the European Commission’s Directorate General for Humanitarian Aid (DG ECHO) 2000 – 2005*, 2 (23 Jun. 2006), at: [ec.europa.eu/echo/files/evaluation/2006/dg\\_echo.pdf](http://ec.europa.eu/echo/files/evaluation/2006/dg_echo.pdf).

<sup>18</sup> *Ibid.*, 3.

<sup>19</sup> DARA, *Humanitarian Response Index 2010*, 88 (2010), at: [www.daraint.org/wp-content/uploads/2010/10/Complete-report\\_HRI-2010.pdf](http://www.daraint.org/wp-content/uploads/2010/10/Complete-report_HRI-2010.pdf).

<sup>20</sup> M. Smith, *Implementation: Making the EU’s International Relations Work*, in *International Relations and the European Union* 171–193 at 185 (eds C. Hill & M. Smith, 2d ed., Oxford University Press 2011).

<sup>21</sup> T.G. Weiss, *Humanitarian Business* 38 (Polity 2013).

<sup>22</sup> A. Pontiroli, A. Ponthieu & K. Derderian, *Losing Principles in the Search for Coherence? A Field-Based Viewpoint on the EU and Humanitarian Aid* (29 May 2013), at: [sites.tufts.edu/jha/archives/2010](http://sites.tufts.edu/jha/archives/2010).

### 3.1 FORMS OF POLITICIZATION: INSTRUMENTALIZATION, MILITARIZATION AND DEVELOPMENTALIZATION

Humanitarian aid is necessarily political, as ‘it is a political project in a political world’.<sup>23</sup> And, indeed, humanitarian aid has always been related to the political environment in which it is provided. In the 1970s many humanitarian aid organizations were founded in response to crises in third countries, such as the Biafran conflict. At the time aid workers often took on a partisan stance over oppressed groups. The mid-1980s saw a brief period of generally neutral and impartial aid, when access was negotiated to alleviate suffering in areas such as Sudan, Angola or Ethiopia, but in the 1990s a closer connection again developed between humanitarian aid and politics, along with expanding UN peacekeeping missions. The idea of ‘humanitarian intervention’ took hold, orchestrating and blurring actions by humanitarian and international organizations, states and military actors. However, the implementation of this approach faced severe problems, such as in Rwanda and Kosovo. And at the beginning of the twenty-first century humanitarian aid is again used by states in the fight against terrorism in an attempt not only to reduce suffering, but also to secure their home territories by reducing migration and democratizing entire regions.<sup>24</sup>

Therefore, politicization of humanitarian aid does not mean that something hitherto unpolitical is suddenly becoming political. The term has mostly been used to describe situations in which the principles of humanitarian action are compromised at the cost of more political rationales, due to ethical dilemmas faced by humanitarian aid organizations.<sup>25</sup> Humanitarian organizations had to grapple with the criticism that aid was ineffective, not able to save people and even – in the most severe cases – has aggravated suffering and even killed people, such as after the genocide in Rwanda in 1994: ‘However diplomatically stated, the charge was that humanitarianism had contributed to an *unnecessary loss of life*.’<sup>26</sup> This led them to discussion of the possibility and desirability of a pure, principle-driven, humanitarian approach to aid.

But even in this debate the term ‘politicization’ is still used in a number of different ways. I propose to differentiate between politicization as instrumentalization, militarization and developmentalization, whereby combinations of these uses are certainly possible and common:

<sup>23</sup> H. Slim, *Is Humanitarianism Being Politicised? A Reply to David Rieff* (8 Oct. 2003), at: [www.hdcentre.org/uploads/tx\\_news/208-Is-humanitarianism-being-politicised.pdf](http://www.hdcentre.org/uploads/tx_news/208-Is-humanitarianism-being-politicised.pdf).

<sup>24</sup> Collinson & Elhawary, *supra* n. 13 at 5–11.

<sup>25</sup> Weiss, *supra* n. 21 at 65 et seq.

<sup>26</sup> M. Barnett, *Empire of Humanity: A History of Humanitarianism* 213 (original emphasis) (Cornell University Press 2011).

- (1) Instrumentalization means that humanitarian aid is used to advance political, economic or security interests. Some studies have shown that many donors depart from a strict needs-approach, for example, by providing aid mainly to those regions that are of strategic interest to them.<sup>27</sup> This compromises the principle of impartiality.
- (2) Militarization of humanitarian aid means that the actions of humanitarian and military actors become blurred, most obviously when aid becomes part of a counter-insurgency strategy, as happened in Afghanistan with the war on terror.<sup>28</sup> Militarization can also be seen when members of the armed forces or private military companies protect the delivery of humanitarian aid against attack.<sup>29</sup> This compromises the principles of neutrality and also independence.
- (3) Developmentalization means that humanitarian aid broadens its scope, adopting longer term and more political tasks. Many humanitarian agencies have incorporated, for example, human rights or democracy promotion into their activities.<sup>30</sup> Reducing the difference between humanitarian and development aid as such, diverts attention away from the narrow focus on saving lives and alleviating suffering. This compromises the principles of neutrality, impartiality and even independence, as it often means working more closely with governments.

But how do these politicization processes play out in the EU? How are the basic humanitarian principles judged and interpreted by different stakeholders? Answering these questions, this study ultimately observes processes of norm contestation.

### 3.2 POLITICIZATION OF HUMANITARIAN AID AS A CASE OF NORM CONTESTATION

Understanding the principles of humanitarian aid as norms which are necessarily contested broadens the perspective beyond what aid agencies and governments do,

<sup>27</sup> W.-D. Eberwein & P. Runge, *Humanitäre Hilfe statt Politik? Neue Herausforderungen für ein altes Politikfeld* 26 (LIT 2002); A.C. Drury, R.S. Olson & D.A. van Belle, *The Politics of Humanitarian Aid: U.S. Foreign Disaster Assistance, 1964–1995*, 67(2) J. Politics 454–473 (2005).

<sup>28</sup> P. Krähenbühl, *The Militarization of Aid and Its Perils* (22 Feb. 2011), at: [www.icrc.org/eng/resources/documents/article/editorial/humanitarians-danger-article-2011-02-01.htm](http://www.icrc.org/eng/resources/documents/article/editorial/humanitarians-danger-article-2011-02-01.htm).

<sup>29</sup> P.W. Singer, *Private Military Contractors and Humanitarians*, in *Disaster and the Politics of Intervention* 70–99 (ed. A. Lakoff, Columbia University Press 2010); A. Schneiker, *Sicherheitskonzepte deutscher Hilfsorganisationen. Zwischen Identitätswahrung und Pragmatismus*, 4 Zeitschrift für Außen- und Sicherheitspolitik 627–644 (2011); J. Vaughn, *The Unlikely Securitizer: Humanitarian Organizations and the Securitization of Indistinctiveness*, 40(3) Sec. Dialogue 263–285 (2009).

<sup>30</sup> M. Barnett, *Evolution Without Progress? Humanitarianism in a World of Hurt*, 63(4) Intl Org. 621–663 at 623 (2009).

to the activities of the EU as humanitarian actor, namely policy-making and advocacy on humanitarian aid. In IR theory, social constructivism not only emphasizes the importance of norms as standards of behaviour that guide practices, but also shows their inherent flexibility. Norms are contested through practices and discursive interventions, so their meaning is able to change. Norms thus understood are ‘constitutional principles, world-views and routinized practices’.<sup>31</sup>

The principles that guide humanitarian action belong to these kinds of flexible social norms and they are currently being contested. This may be, for example, due to the fact that they clash with other norms, such as witnessing crimes against humanity or securing the lives of aid workers. As a result, their meaning might eventually change, which opens up space for a politicization of humanitarian aid. Norm contestation on humanitarian aid involves politicians of the Member States, NGOs, lobby groups, social movements, international organizations and individuals close to the representatives and bureaucrats of the EU. The EU enables contestation by inviting stakeholders to participate in discussions about humanitarian aid and by encouraging the expression of competing claims within its institutions.

In the analysis I proceeded as follows: I first identified policies in which the role of humanitarian aid was contested. Conflicts were delineated by a close analysis of how different actors discuss and decide upon these policies, drawing on data from policy documents by the European Commission, the Parliament and the Council. Further evidence was collected from stakeholder consultations and individual NGO statements on the issues, and from a video sequence of a Parliamentary hearing involving different stakeholders on the role of humanitarian aid in the EU’s external action in early 2014.

#### 4 CONFLICTS ON HUMANITARIAN AID IN EU POLICY-MAKING

Policy-making of the Consensus, the Comprehensive Approach, and the Resilience Strategy is accompanied by political debate on, basically, the best approach to principled humanitarian aid. A tension arises because of the EU’s appearance as a political actor in its external relations and, at the same time, the need to deliver clearly neutral and principle-driven humanitarian aid. More concretely, a blurring of the humanitarian and military fields of activity, as well as of humanitarian and development aid, is at stake.

<sup>31</sup> A. Wiener, *Contested Compliance: Interventions on the Normative Structure of World Politics*, 10(2) Eur. J. Intl. Rel. 189–234, at 192 (2004).

#### 4.1 IMPLEMENTING THE EUROPEAN CONSENSUS ON HUMANITARIAN AID: PRINCIPLES VERSUS PRACTICES

The Consensus is evidence of the significance the EU assigns to humanitarian principles as fundamental guideposts for humanitarian action. It entails a common perspective on the future of humanitarian aid and formulates concrete measures to implement this perspective. As the document was signed by the Commission, the Parliament and the Council, the Consensus represents the first comprehensive and fundamental declaration by the EU on humanitarian aid, and provides an authoritative basis for the policies of EU Member States. It is also widely referred to in all issue-related policy papers by the EU, the Member States and the implementing partners.

In formulating the consensus, the Commission included the views of other stakeholders. The consultation process involved the participation of twenty-two Member States, ten international organizations and the International Committee of the IFRC, as well as 112 NGOs.<sup>32</sup> NGO input came not only from implementing partners, who were asked to respond directly, nor merely from VOICE; the Commission received an additional forty-one responses spontaneously from other NGOs.<sup>33</sup> This great response demonstrates the interest in the policy. But the stakeholder consultations also reveal a divide between the principles and the practice of humanitarian aid in the EU.

NGOs and Member States disagree about whether the EU enacts the humanitarian principles adequately. While Member States think that the EU does place sufficient emphasis on humanitarian principles, both in general and in specific crisis contexts, most of the NGOs consider that the EU (and particularly individual Member States) should do more to keep humanitarian aid away from politics, ‘pushing MS [Member States] to apply the European Consensus on Humanitarian Aid in national policies’.<sup>34</sup>

Similarly, a mid-term evaluation by the Parliament stressed a lack of implementation of this guiding document in practice. The Parliament criticized ‘insufficient awareness’ of the Consensus, ‘and calls for the introduction of specific training about the Consensus, particularly for the EEAS, for diplomats from the Member States and for military bodies’.<sup>35</sup> These actors, which are involved in the

<sup>32</sup> European Commission, *Commission Staff Working Document Accompanying the Communication from the Commission to the European Parliament and the Council – Towards a European Consensus on Humanitarian Aid*, SEC(2007) 782, 6 (13 Jun. 2007).

<sup>33</sup> *Ibid.*, 7.

<sup>34</sup> European Commission, *The Union’s Humanitarian Aid: Fit for Purpose? Summary of Responses to the Stakeholder Consultation*, 4 (25 Jun. 2013), at: [www.ec.europa.eu/echo/files/policies/consultations/Fit-for-purpose\\_summary\\_en.pdf](http://www.ec.europa.eu/echo/files/policies/consultations/Fit-for-purpose_summary_en.pdf).

<sup>35</sup> European Parliament, *REPORT on implementation of the European Consensus on humanitarian aid: the mid-term review of its Action Plan and the way forward*, A7-0375/2010, 6–7 (15 Dec. 2010).

EU's humanitarian aid, appear to be prone to softening the principled approach and the ideas put forward in the Consensus. For this reason, the Parliament is 'concerned to defend the independence of DG ECHO, preventing it from becoming part of the EEAS and thus avoiding any possible instrumentalization of humanitarian aid'.<sup>36</sup> The Parliament further identified a lack of funds as a basic problem for implementation. To achieve that humanitarian aid and civil protection remain purely civilian tasks, more funds and the development of further capabilities and resources would be necessary.<sup>37</sup> It also fears that military and humanitarian bodies lose their distinct roles; a fear that is even more strongly emphasized in discussions about the effects of the Comprehensive Approach on humanitarian aid.

#### 4.2 COMPREHENSIVE APPROACH: USING HUMANITARIAN AID AS A SECURITY-ENHANCING TOOL

While promoting a Comprehensive Approach is not new, the EU currently strives for a more systematic application of this concept as a coherent strategy for crisis management and prevention.<sup>38</sup> In a joint communication, the European Commission and the EEAS advertise the ability of the Comprehensive Approach to improve the EU's crisis management. EU instruments and resources should be bundled, 'spanning the diplomatic, security, defence, financial, trade, development cooperation and humanitarian aid fields'.<sup>39</sup> The Commission and the EEAS state that implementing the Comprehensive Approach would also help to defend and promote European interests and values. Not merely would the lives of people affected be improved, and conflicts prevented, but it would 'mitigate the negative effects – for the EU, its citizens and its internal security – of insecurity and conflict elsewhere'.<sup>40</sup>

Despite these many advantages, the Comprehensive Approach is also contested, in particular due to the close connection between the security and humanitarian agendas, which could have a detrimental impact on humanitarian aid. This fear has already prevented EUFOR Libya being implemented. The EU

<sup>36</sup> *Ibid.*, 14.

<sup>37</sup> *Ibid.*, 7.

<sup>38</sup> European External Action Service, *EEAS Review*, (2013), at: [www.eeas.europa.eu/library/publications/2013/3/2013\\_eeas\\_review\\_en.pdf](http://www.eeas.europa.eu/library/publications/2013/3/2013_eeas_review_en.pdf); European Parliament, *RECOMMENDATION to the High Representative of the Union for Foreign Affairs and Security Policy and Vice President of the European Commission, to the Council and to the Commission on the 2013 review of the organisation and the functioning of the EEAS. Recommendation to the EEAS*, A7-0147/2013 (26 Apr. 2013).

<sup>39</sup> European Commission/High Representative of the European Union for Foreign Affairs and Security Policy, *The EU's comprehensive approach to external conflicts and crisis*, JOIN(2013) 30 final, 3 (11 Dec. 2013).

<sup>40</sup> *Ibid.*

put this military operation in support of humanitarian action in place in 2011. It was supposed to ensure the security of humanitarian aid convoys, aid workers and displaced people, but it was never activated by the United Nations Office for the Coordination of Humanitarian Affairs (UN OCHA), whose consent was necessary. Their reluctance can be explained in parts by fear of a blurring of lines between humanitarian and military spheres and a related, anticipated negative impact on humanitarian assistance.<sup>41</sup> This fear popped up again in the discussions about the Comprehensive Approach.

The joint communication was preceded by an online stakeholder consultation which was hosted by the Commission, the so-called Fit for Purpose consultations. Between December 2012 and March 2013 the Director-General of ECHO invited stakeholders to exchange 'views on the challenges, objectives and options to enhance the effectiveness and efficiency of the Union's humanitarian aid' by responding to an online questionnaire. He promised that the 'input gathered will feed into the Commission's future initiatives on increasing the impact of the Union's humanitarian aid'.<sup>42</sup> ECHO received fifty-five responses from Member States, partners, academia, think tanks, individuals, campaign and lobby groups and consultancies.<sup>43</sup> At the following Stakeholder Conference on the future of EU humanitarian aid in Brussels the results of the online consultations were discussed among eighty-two participants, again coming from different backgrounds and stakeholder groups.

While this broad participation and the joint authorship of the communication between ECHO and EEAS was underlined by a great deal of rhetoric on how it represented a unique and much-needed agreement between all stakeholders, nobody could hide the severe conflicts that still had to be overcome, even between the two institutions that formulated the approach. As EEAS representative Maciej Popowski explained, writing the communication took some time, 'because it touches on some sensitivities' and 'there are some irritations that have to be overcome'.<sup>44</sup> More explicitly, Sørensen from the DG ECHO hinted at problems in formulating the Comprehensive Approach and implementing it:

<sup>41</sup> B. Bommier, *The Use of Force to Protect Civilians and Humanitarian Action: The Case of Libya and Beyond*, 93 *Intl Rev. of the Red Cross* 884 at 1063–1083 (2011); E. Brattberg, *Opportunities Lost, Opportunities Seized: The Libya Crisis as Europe's Perfect Storm 1* (European Policy Center, June 2011); N. Koenig, *Libya: A Wakeup Call for CSDP?* 3 (TEPSA Brief, 15 Mar. 2012).

<sup>42</sup> C. Sørensen, *Stakeholder Consultation on the Union's Humanitarian Aid: Fit for Purpose?* (14 Dec. 2012), at: [www.ec.europa.eu/echo/files/policies/consultations/20121213\\_CSorensen\\_letter\\_Fit-for-Purpose.pdf](http://www.ec.europa.eu/echo/files/policies/consultations/20121213_CSorensen_letter_Fit-for-Purpose.pdf).

<sup>43</sup> European Commission, *Meeting Report: Stakeholder Conference on the Future of EU Humanitarian Aid*, 2 (5 Jun. 2013), at: [www.ec.europa.eu/echo/files/policies/consultations/FFP\\_stakeholder\\_conference\\_report\\_en.pdf](http://www.ec.europa.eu/echo/files/policies/consultations/FFP_stakeholder_conference_report_en.pdf).

<sup>44</sup> M. Popowski, *EEAS*, (20 Jan. 2014), transcript of Parliamentary Hearing by author.

It's full of difficult issues that we are dealing with every day. So, it is not to say that we are all in agreement. Yes, we are in agreement about the Comprehensive Approach, about holding hands, about working together, but each situation is different and has to be analysed on its own merit. (...) It's not harmony; it's a battleground for how do we actually make sure that we keep this independence, while at the same time ensuring the security.<sup>45</sup>

Finally, the stakeholder consultations also revealed contestation about how to balance the need for better coordination between different kinds of actors, with the risk of humanitarian aid becoming subordinated to a security agenda. The questions relevant for humanitarian aid are: whether it should be part of the Comprehensive Approach at all and, if so, how this can be realized so as not to affect the humanitarian principles. While the joint communication promises to respect the Consensus, the non-state partners especially find that the Comprehensive Approach inherently contradicts the principled approach to humanitarian aid. At the ECHO Annual Partners Conference in 2012, VOICE President Nicolas Borsinger warned explicitly about the pitfalls of the Comprehensive Approach:

The danger of politicization of humanitarian aid is unfortunately embedded in the concept (...). Including humanitarian aid as just another tool of crisis management would be a disaster, and unfortunately certain to impact on the needs-based approach towards affected populations and the principle of impartiality.<sup>46</sup>

In a later resolution, the NGO network requested that 'the humanitarian objective – to save lives and reduce suffering – should not be undermined by the inclusion of humanitarian action in a comprehensive approach'.<sup>47</sup> While VOICE does not object to humanitarian aid being a part of the Comprehensive Approach, it puts up clear warning signs and proposes safety arrangements against what it perceives to be a likely contribution to the politicization of humanitarian aid. VOICE also proposes that the EU should learn a lesson from the application of the Comprehensive Approach in other contexts, e.g., the United Nations – for example, that the Comprehensive Approach is, by definition, a political tool – and ensure that humanitarian actors keep a safe distance.<sup>48</sup> As Antoine Gérard of UN OCHA explained in a Parliamentary Hearing in January 2014: 'To be fully incorporated into a comprehensive approach to crisis management would in fact

<sup>45</sup> C. Sorensen, *DG ECHO*, (20 Jan. 2014), transcript of Parliamentary Hearing by author.

<sup>46</sup> N. Borsinger, *Speaking Points for Address of Nicolas Borsinger, VOICE President, to ECHO Annual Partner Conference*, para. 4 (17 Oct. 2012), at: [www.ec.europa.eu/echo/files/partners/humanitarian\\_aid/conferences/2012/VOICE\\_President\\_speaking\\_points.pdf](http://www.ec.europa.eu/echo/files/partners/humanitarian_aid/conferences/2012/VOICE_President_speaking_points.pdf).

<sup>47</sup> VOICE, *General Assembly Resolution Humanitarian Aid and the EU Comprehensive Approach: Recommendations*, 1 (May 2013), at: [www.ngovoice.org/documents/VOICE%20RESOLUTION%20ON%20EU%20COMPREHENSIVE%20APPROACH.pdf](http://www.ngovoice.org/documents/VOICE%20RESOLUTION%20ON%20EU%20COMPREHENSIVE%20APPROACH.pdf).

<sup>48</sup> *Ibid.*



for the humanitarian actors be counterproductive and might actually cause a great deal of harm.’<sup>49</sup> He went on to state that humanitarian assistance might be refused for this reason. UN OCHA would, therefore, rather define its approach ‘more as constitutive approach towards the political and peacekeeping agenda, rather than comprehensive’. According to Gérard, this would mean defining the roles of the different actors more clearly, to leave humanitarian actors the opportunity to step out, and to clearly state what exactly is meant by a Comprehensive Approach – all points he obviously misses in the joint communication by the Commission and the EEAS.

Furthermore, most implementing partners want to keep ECHO institutionally distinct from the EEAS.<sup>50</sup> Oxfam demands: ‘Humanitarian aid must remain part of a separate budget, while decision-making must be fully independent from political or security interests, in accordance with humanitarian principles and the European Consensus on Humanitarian Aid.’<sup>51</sup> In the context of reviewing the achievements of the EEAS after its first year, it worries about ‘the risk of politicizing development cooperation and humanitarian aid. These trends betray a clear danger that “coherence” could just become a cover for the instrumentalization of soft power for politically motivated security gains’.<sup>52</sup> Next to jeopardizing the distinctive character of humanitarian aid as neutral, this would also put more lives at risk. Not only are affected populations harder to access, when EU-financed projects are (mis-)perceived as crisis management or foreign policy tools, but the lives of aid workers are also put in jeopardy. This is why most of the stakeholders involved in the Commissions’ consultation process requested ‘ECHO to take measures to both de-link EU humanitarian aid from wider EU foreign policy and to step-up its advocacy of humanitarian principles, particularly in the case of emerging powers and non-traditional donors.’<sup>53</sup> For this reason also the Parliament makes clear that the ‘difference between military and humanitarian bodies must be maintained’.<sup>54</sup>

However, for some time Member States have tried to establish a closer connection between humanitarian aid and conflict resolution. ‘The Dutch, Canadian, Swedish and British governments have all reorganized their aid departments to foster better links between humanitarian action and conflict

<sup>49</sup> This and the quotation in the following paragraph are taken from A. Gérard, *UN OCHA*, (20 Jan. 2014), transcript of Parliamentary Hearing by author.

<sup>50</sup> European Commission, *The Union’s Humanitarian Aid: Fit for Purpose?* 4 (25 Jun. 2013), at: [www.ec.europa.eu/echo/files/policies/consultations/Fit-for-purpose\\_summary\\_en.pdf](http://www.ec.europa.eu/echo/files/policies/consultations/Fit-for-purpose_summary_en.pdf).

<sup>51</sup> Oxfam, *Fit for purpose? The European External Action Service one year on* 4 (23 Jan. 2012), at: [www.oxfam.org/sites/www.oxfam.org/files/bp159-fit-for-purpose-eeas-230111-summm-en.pdf](http://www.oxfam.org/sites/www.oxfam.org/files/bp159-fit-for-purpose-eeas-230111-summm-en.pdf).

<sup>52</sup> *Ibid.*, 2.

<sup>53</sup> European Commission, *supra* n. 50 at 3.

<sup>54</sup> European Parliament, *supra* n. 35 at 7,10.

resolution.’<sup>55</sup> In the discussion about the Comprehensive Approach, Member States therefore sought to enhance synergies between military, state and humanitarian actors, for example, by demanding that civil protection actors should be allowed to use ECHO field offices, and that their efforts should be organizationally merged in a ‘one-shop stop’. Yet, in line with the arguments above, most NGOs object to this closer institutional cooperation between humanitarian and civil protection actors.<sup>56</sup> In sum, institutional independence and sufficient financial means are seen as decisive to avoid ‘mission creep’ – a watering-down of the distinction between humanitarian and security issues. Yet, the Comprehensive Approach is suspected of contributing to mission creep, as much as the EU’s Resilience Agenda, to which we now turn.<sup>57</sup>

#### 4.3 RESILIENCE: ON THE INTERFACE BETWEEN HUMANITARIAN AND DEVELOPMENT AID

The EU currently puts a strong focus on Resilience, which it defines as ‘the ability of an individual, a household, a community, a country or a region to withstand, to adapt, and to quickly recover from stresses and shocks’.<sup>58</sup> Individuals should be better prepared to cope with disasters, as much as they should be enabled to recover from the drawbacks of disasters more easily. The concept emphasizes the need to integrate humanitarian and development aid and to target the underlying causes of crisis more effectively.<sup>59</sup> Humanitarian, developmental and political actors should work together more effectively.<sup>60</sup>

Resilience is an extremely wide and comprehensively used concept of ‘preparedness, adaptation and survivability (...) enjoying epic scalability’.<sup>61</sup> It transports the belief that affected people do not simply have to be protected from the effects of disasters – a traditional notion, so to say – but that humanitarian aid may exploit the opportunities disasters open up.<sup>62</sup> In the EU, the Resilience Strategy builds on the Commissions’ policy Linking Relief, Rehabilitation and Development (LRRD) from 1996 and 2001. Yet, with Resilience, the EU is pursuing a broader agenda to improve disaster management. There is broad

<sup>55</sup> M. Duffield, *Global Governance and the New Wars. The Merging of Development and Security* 94 (Zed Books 2001).

<sup>56</sup> European Commission, *supra* n. 50 at 10.

<sup>57</sup> European Commission, *supra* n. 43 at 4.

<sup>58</sup> European Commission, *The EU Approach to Resilience. Learning from Food Security Crises*, COM(2012) 586 final, 5 (13 Oct. 2012).

<sup>59</sup> *Ibid.*

<sup>60</sup> European Commission, *Action Plan for Resilience in Crisis Prone Countries 2013–2020*, SWD(2013) 227 final, 4 (19 Jun. 2013).

<sup>61</sup> M. Duffield, *Challenging Environments: Danger, Resilience and the Aid Industry*, 43(5) Sec. Dialogue 475–492 at 480 (2012).

<sup>62</sup> *Ibid.*, 481.

international support for the concept, and the resilience agenda of the Commission is also strongly endorsed by both the Council and the Parliament.<sup>63</sup>

Notwithstanding the fact that all these documents frequently refer to the Consensus and highlight the need to safeguard the humanitarian principles, the idea of Resilience ‘challenges the very nature and role of emergency relief’.<sup>64</sup> The concept deviates from a strict needs-approach, as resilience should be put into practice mainly in those ‘areas, both in terms of sectors and geographic regions, where an enhanced resilience approach could have the most impact’<sup>65</sup> – not in areas where people have the highest needs. It also blurs the line between humanitarian and development aid, which can be regarded as a form of politicization of humanitarian aid. Finally, the EU does not follow a genuinely humanitarian ethic with this concept, as it stresses the money to be saved: ‘Investing in resilience is cost effective. Addressing the root causes of recurrent crises is not only better, especially for the people concerned, than only responding to the consequences of crises, it is also much cheaper.’<sup>66</sup> These issues create tensions and fuel further fears of a politicization of humanitarian aid.

So far, the concept seems to be ‘at odds with a core humanitarian approach to crises’<sup>67</sup> as MSF members complain. In an opinion piece they emphasize three problems in particular: the concept would be inadequate as it targets states which are often a party to a conflict themselves; resilience could become an excuse for not fulfilling basic humanitarian tasks, such as saving lives and alleviating suffering; there would be little evidence that resilience is indeed more effective than other measures. Researchers from the London-based Overseas Development Institute share these latter doubts. With its scarce resources and limited purpose, ‘a strong case would be needed to address long-term needs, or for believing that the short-term horizons, tools and skills of emergency response are appropriate for bringing about structural change’.<sup>68</sup>

Thus, the absence of a great controversy about this concept is therefore astonishing, as it is a very prominent idea which will likely have a strong impact on the EU’s commitment to neutrality in humanitarian aid.

<sup>63</sup> European Parliament, *DRAFT REPORT on the EU approach to resilience and disaster risk reduction in developing countries: learning from food security crisis*, 2013/2110(INI), (26 Sep. 2013); European Council, *Council conclusions on EU approach to resilience*, (28 May 2013); European Council, *Council Conclusions on the Post 2015 Hyogo Framework for Action: Managing Risks to Achieve Resilience* (5–6 Jun. 2014).

<sup>64</sup> S. Levine et al., *The Relevance of ‘Resilience’?* 3 (Overseas Development Institute, London 2012).

<sup>65</sup> European Commission, *supra* n. 58 at 10.

<sup>66</sup> *Ibid.*, 3.

<sup>67</sup> J. Whittall, M. Philips & M. Hofman, *Building Resilience by Deconstructing Humanitarian Aid* (7 Feb. 2014), at: [www.msf.org.uk/article/opinion-and-debate-building-resilience-deconstructing-humanitarian-aid](http://www.msf.org.uk/article/opinion-and-debate-building-resilience-deconstructing-humanitarian-aid).

<sup>68</sup> Levine, Pain, Bailey & Fan, *supra* n. 64 at 4.

#### 4.4 SUMMARY: POLITICIZATION OF HUMANITARIAN AID IN THE EU

EU policies indeed seem to challenge the principles of humanitarian action, which leads to a process of contestation around these issues. But in what way does this amount to a politicization of humanitarian aid? Three possible forms of politicization have been distinguished above. To recap: instrumentalization means a retreat from a strict focus on needs, as humanitarian aid is also used to advance political and/or security interests; militarization involves a blurring of lines between humanitarian and military actors; and developmentalization means a blurring of lines between humanitarian aid and development cooperation.

Some humanitarian actors are afraid that a close cooperation with military actors – that is, a militarization of humanitarian aid – would be triggered by a comprehensive security agenda, as this would lead to misperceptions of their work. An even stronger criticism is that the Comprehensive Approach would instrumentalize humanitarian aid; a focus on needs would be abandoned and humanitarian aid would become just another tool for crisis management. Similarly, the Comprehensive Approach is directly conceived as a political tool, which makes it difficult for humanitarian actors to focus strictly on needs once they are a part of it. Finally, the close institutional cooperation between the EEAS and the Commission is observed suspiciously by critics. The Commission replies to these charges by stating that ECHO and its partners would be ‘in-but-out’,<sup>69</sup> but the conditions under which humanitarian aid stays in or out of the Comprehensive Approach have not become sufficiently clear in the policies so far.

The new focus on Resilience, however, seems to reinforce a blurring of lines between humanitarian aid and development cooperation. It contributes to the developmentalization of humanitarian aid by following broader objectives than those that humanitarian aid usually pursues, namely a focus on longer term needs and on the empowerment of individuals, households and communities before and after disasters. Resilience also targets governments. All this changes what humanitarian aid stands for, and is thus another potential contributor to the politicization of humanitarian aid.

### 5 CONCLUSION

This article has demonstrated that the politicization of humanitarian aid is more pervasive than is often assumed, and that the EU’s stance towards humanitarian aid is inherently contested, much like any other part of its foreign policy. Humanitarian aid is politicized in the EU through recent policy-making processes,

<sup>69</sup> Sorensen, *supra* n. 45.

such as the Comprehensive Approach and Resilience. This article has found significant tensions and conflict among different stakeholders about how the humanitarian principles of neutrality, impartiality and independence should be perceived, and how they should be applied in practice. It also found norm contestation on the humanitarian principles, which triggered the politicization of humanitarian aid.

What effects does this have on EU humanitarian aid? Norm contestation can be a driver of change. First, change at the level of policies, and therewith also of practices. At this level, it seems that the EU's commitment to the fundamental humanitarian principles, expressed in the Consensus, is difficult to uphold, due to the strong tensions between principles and the practical challenges of humanitarian aid. With current policies, the EU seems to rather opt for adjusting the principles in a way that better adapts them to an increasing number, and an increasing complexity, of disasters and wars. But this is a worrying trend: the convergence of humanitarian aid with security issues and other foreign policy goals puts people at risk, as this kind of politicization might induce governments to deny aid workers' access to affected areas and to the victims of disasters. It also seems to increase the insecurity of aid workers, who themselves increasingly become targets.<sup>70</sup> However, at the same time, the EU needs to react to challenges, and it is a welcome development that it invites different kinds of stakeholders to discuss controversial issues related to humanitarian aid.

Second, norm contestation can lead to institutional change. At this level, contestation on humanitarian aid indicates an increasing openness of this specific part of EU foreign policy to external actors, in particular to NGO partners. EU institutions have offered arenas for the discussion of controversial policies on humanitarian aid, and they have also stimulated this discussion by actively reaching out to other stakeholders. For example, the Commission and the EEAS included stakeholders in consultation processes and conferences when formulating the communication on the Comprehensive Approach. They also discussed the outcome with diverse representatives from NGOs and international organizations within the Parliament, and while a heated debate with the audience was missing, this nevertheless provided an opportunity to discuss how to best implement a Comprehensive Approach to crisis prevention and management, and what exactly the role of humanitarian aid should be. This is a welcome trend and one that might lead to a transnationalization of EU foreign policy; a trend that has so far been rather neglected.<sup>71</sup> More research is necessary to grasp the whole potential

<sup>70</sup> L. Fast, *Mind the Gap: Documenting and Explaining Violence against Aid Workers*, 16(3) Eur. J. Intl. Relations 365–389 (2010).

<sup>71</sup> For an exception, see J. Joachim & M. Dembinski, *A Contradiction in Terms? NGOs, Democracy, and European Foreign and Security Policy*, 18(8) J. Eur. Pub. Policy 1151–1168 (2011).

for change that norm contestation on humanitarian aid represents – not least that the norms themselves might change in the process.

In particular, given the potential for institutional change, this study could be a starting point for investigating the relationship between norm contestation and politicization. Contestation on humanitarian principles might eventually lead to a politicization of the EU in a broader and more procedural sense of the term, when conflicts that are identified in the future stimulate greater and more public debate on the role of humanitarian aid in the EU's external relations in different settings. Norm contestation may be a step in a politicization process, but at the same time it can also *prevent* this kind of politicization. For example, when the EU invites NGOs to express competing claims and to bring in their expertise on humanitarian aid, this process can reduce the NGO's potential for protest and further mobilization.<sup>72</sup> The potential for politicization might thus be constrained. Whether norm contestation on humanitarian aid enables or constrains the politicization of the EU is thus an interesting topic for future research.

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<sup>72</sup> D.R. Imig & S.G. Tarrow, *Contentious Europeans: Protest and Politics in an Emerging Polity* (Rowman & Littlefield 2001); specifically for the relationship between VOICE and ECHO, see C. Egger, *L'Union européenne est-elle une source de coopération inter-organisationnelle? Le cas du réseau VOICE*, 44(1) *Revue Etudes internationales* 5–24 (2013).

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