**QUESTION 1**

[[1]](#footnote-1)Methods of Non- Commercial Business Engagement in Disaster Response In these four disasters non- commercial business engagement occurred in ways businesses engage in philanthropic relief efforts such as donation of funds, volunteering or delegating of personnel and the provision of key expertise.

**Donation of Funds.** The most common type of philanthropic engagement to disaster relief is to donate money to international organizations, civil society organizations or directly to governments. There are different types of donations: company donations; employee donations; and matched funds. Matched funds are usually limited to a specific amount per employee.

Business Contributions • Monetary donations and matching funds. • Donation of medicines, tents, food and clothing. • Applied key expertise, e.g. IT, logistics and consultancy of NGOs to improve the course of relief efforts. • Volunteering by employees.

• Monetary donations and matching funds. • Donation of medicines, healthcare products, food and software. • Applied key expertise in IT, logistics and consultancy. • Volunteering by employees.

• Monetary donations and matching funds. • Donation of medicines, tents, food. • Ensured coordination of donations. • Applied key expertise e.g. set up web-pages as information resource, stored and distributed needed materials. • Volunteering by employees.

• Monetary donations and matching funds • Donation of medicines, tents, food and employee blood donations. • Applied key expertise e.g. free IT support to local enterprises. • Volunteering by employees e.g. re-construction help.

Volunteering and Delegation Recently, more companies have taken part in volunteering programs in which companies exempt their employees from work so they can participate in relief efforts. There are two types of volunteer employee engagement: in the first, employees do whatever tasks are needed (the classic type of volunteering); in the second, employees are delegated as experts, making available their knowledge and expertise. Companies who have facilitated staff volunteering or participation in disaster response include IBM (hard and software producer), Deutsche Post World Net (logistics) and TNT (logistics).

Application of Key Expertise More often companies bring in their core expertise to disaster relief efforts. This is done by either offering knowledge, material resources, or both. The line between companies applying key expertise and those volunteering is blurred, particularly in case of knowledge provision. The range of offered core competences varies from providing and improving logistical systems, supplying computer hard and software, to consulting business partners. For example, Deutsche Post World Net has set up a partnership with the United Nations Development Program and the United Nations Office for the Coordination of Humanitarian Affairs to provide “the management of complex logistics and transportation processes” to respond to natural disasters. Microsoft has set up IT systems for public and civil society organizations to coordinate relief efforts, and Coca- Cola has provided bottled water to people in disaster regions. The nature of non- commercial business engagement in disaster relief operations has changed significantly over time. Previously, business corporations limited themselves to donations of funds. Today they are more willing to make use of their core business resources: personnel, infrastructure/material and expertise. Donations of funds can be made by any company, whereas only some companies can make their goods and services available. These engagements can therefore be differentiated by the type of business contribution to disaster relief efforts. Some companies are able to provide all types of non- commercial business engagement; others are restricted to cash donations as their personnel may not be available and their goods and services not suited for disaster relief efforts.

Overview of Business Engagement in Four Natural Disasters

The 2004 Tsunami in Southeast Asia On December 26, 2004 large parts of southeast Asia were hit by a tsunami created by an underwater earthquake measuring 9.0 on the Richter scale. The waves hit the coasts of Sumatra, Sri Lanka and Thailand, causing the death of more than 230,000 people.

High death toll and thousands of people suffering due to the destruction of their livelihoods, the disaster had a significant impact on the environment as well. Coral reefs and marine and coastal habitats were destroyed, which was the main income for fishing communities along the coast. Due to the flood of sea water across agricultural land, harvests for the following years were destroyed. The flood also affected the groundwater, so people were in need of potable water. Huge efforts were made to provide financial and non- financial remedies needed in the aftermath of the destruction.

After the tsunami hit Southeast Asia, external state actors supplied most of the food, emergency and medical aid. They focused their engagement on response coordination and reestablishment of infrastructure, e.g. building water purification plants and houses. Several states undertook long- term missions to rebuild the basic needs for people’s livelihoods. Provision of food, emergency and medical aid, such as the supply of tents, blankets, sanitary facilities and antibiotics, has been the main task of international organizations. International organizations engaged in the response coordination and supply of materials required for general living as well as the establishment of disaster preparedness measures, such as early warning systems. NGOs first provided food and medical aid and contributed to the response coordination immediately after the tsunami. Later they were engaged in several long- term missions, focusing on humanitarian aid, reconstruction and capacity building. In contrast to this, business actors primarily made monetary donations and were involved in logistics, such as aircraft and vehicles to transport urgently needed material, such as emergency and medical aid. Business has subsequently provided IT infrastructure and communication structures, e.g. built websites for tracking casualties and set up platforms where volunteers were able to register with NGOs.

Deutsche Post World Net. Within a day of the tsunami hitting the Asia Pacific region, Deutsche Post World Net provided free delivery of relief materials via planes, vans, flight charters and staff volunteers. Its Airport Emergency Team was deployed and assembled resources and expertise to set up working flows at airports so that relief efforts could be sent directly to regions in need. Deutsche Post World Net also provided storage space in its warehouses for relief material. Deutsche Post World Net donated $1 million and its employees’ donations totaled around $500,000.13

Coca- Cola. The Coca- Cola Company engaged in emergency aid after the tsunami hit Southeast Asia. The company coordinated with government and non- government actors to provide bottled drinking water as well as basic food, tents, clothes and medical supplies. Later, Coca- Cola also engaged in water supply and public sanitation programs for several villages. Coca- Cola provided transportation and distribution assistance as well as $2.1 million in monetary donations (including $50,000 in contributions from Coca- Cola employees and affiliates).

Microsoft. Microsoft has been involved in affected countries by building partnerships with governments, NGOs and international organizations. Other measures included the development of websites to give volunteers the possibility of registering for work with NGOs; setting up a satellite communications structure; and creating a casualties tracking application. Within two days of the disaster, Microsoft gave $250,000 to local relief agencies in Asia. Later on it made a corporate contribution of $2 million to international relief agencies and matched the funds of over 8,000 Microsoft employees who donated more than $2 million for relief efforts. In addition, employees engaged in food and clothing collection as well as the purchase of relief materials and sending them to affected areas.

Hurricane Katrina in the U.S. in 2005 Katrina, a Category 5 hurricane, formed over the Bahamas on August 23, 2005 and hit the north- central Gulf Coast of the United States. It was the costliest hurricane in the United States’ history— the storm is estimated to have been responsible for $81 billion in total damages. At least 1,833 people17 lost their lives in this hurricane and in the floods caused by Katrina, making it the deadliest U.S. hurricane since 1928. It damaged power supply lines, leaving 2.6 million people without electricity for several weeks. People had to be evacuated and had to endure severe material damage or loss of their houses and lived without income for months. Those who remained in the hurricane- affected area for weeks faced dehydration, due to the lack of uncontaminated potable water, and were susceptible to illnesses caused by food poisoning due to the floods in the aftermath. The lack of shelter and sanitary facilities and growing concerns that refineries and sites of chemic industries could have polluted the floodwaters triggered the need for immediate technical and medical help.

In the aftermath of Katrina, the U.S. government and international organizations immediately provided emergency aid, food and logistic supply. Later on, international organizations engaged primarily in re- establishing IT and communication infrastructure, whereas the state sent mainly relief personnel and technical equipment to manage the immense masses of water following the hurricane, such as pumps, boats and even troops. NGOs primarily provided food and emergency aid while maintaining communication channels, such as broadcasting radio programs with latest news about damages, casualties and relief operations. Most of the business engagement in relief efforts consisted of provision of logistics, medical aid and food supply. Some businesses also provided help in response coordination and IT infrastructure.

Deutsche Post World Net made use of its standby Disaster Response Team, which works closely with UN OCHA. The team supported USAID and the Office of Foreign Disaster Assistance with transportation and logistical expertise. As well as unloading and reloading aircrafts and sending shipments to the correct locations, the team delivered supplies from all over the world to the affected areas by plane. DHL contributed direct donations of $1 million to the American Red Cross in support of the DRT and matched $200,000 in employee donations.

In the aftermath of Hurricane Katrina,The Coca- Cola Company shipped more than 30 million bottles of filtered water, juice and other beverages to relief organizations. Additionally, the Coca- Cola Company and Foundation together made a $5 million monetary contribution to several relief organizations. Microsoft donated $1 million to international organizations and funds immediately after the hurricane for relief efforts, while employees contributed over $1.7 million to disaster relief efforts; this amount was matched by the company. Later on Microsoft donated another $1 million to organizations involved in rebuilding affected areas. Additionally, Microsoft contributed $5 million in technology assistance, software donations and services committed to the relief effort.

Cyclone Nargis in Myanmar and the Sichuan, China Earthquake On May 2–3, 2008 Cyclone Nargis hit Myanmar with peak winds of 200km/h.23 The cyclone destroyed the homes of at least 2.4 million people, and left 134,000 dead or missing. Estimated damages of $10 billion make it the most damaging cyclone ever recorded in the region. The enormous flooding not only destroyed buildings; it polluted potable water, leaving people without shelter and forced to use collected rainwater for drinking. Nargis destroyed the main income sources, of fishing, fish- processing facilities and paddies. On May 12, 2008 an earthquake measuring 7.9 on the Richter scale struck of Sichuan, China. It killed 70,000 people, injured 350,000 and left five million homeless. It was the deadliest and most costly earthquake in China since 1976, with estimated disaster relief costs of $150 billion.28 Damage to infrastructure, roads and electricity supply made it difficult for rescue teams to reach people in need. River blockages and landslides caused ‘quake lakes’ and polluted potable water.

**QUESTION 2**

[[2]](#footnote-2)In line with the four principles grounded in International Humanitarian Law, EU humanitarian aid: addresses human suffering, with particular attention to the most vulnerable groups of people, while respecting the dignity of all victims (humanity) does not favour any side in a conflict (neutrality); is provided solely on the basis of needs, without any kind of discrimination (impartiality); is independent of any agenda, be it political, economic, military or else (independence).

EU humanitarian action also embodies the principle of solidarity, as laid down in the Lisbon Treaty, which states that the EU will provide assistance, relief and protection for victims of natural and man-made disasters and encourage cooperation between Member States to this aim (Lisbon Treaty, articles 196 and 214).

The Lisbon Treaty was signed by the heads of state and government of the 27 EU Member States on 13 December 2007. It is intended to reform the functioning of the European Union following the two waves of enlargement which have taken place since 2004 and which have increased the number of EU Member States from 15 to 27.The Lisbon Treaty was drafted as a replacement for the Constitutional Treaty which was rejected by French and Dutch voters in 2005.

The Lisbon Treaty includes key changes aimed at increasing the consistency and coherence of the EU's external actions. It provides for a so-called "High Representative of the Union for Foreign Affairs and Security Policy" who will be responsible in the Council for the EU's common foreign and defense policies. The High Representative will chair the EU's External Relations Council and he will also be a vice-president of the European Commission. The High Representative will be responsible for coordinating the Commission's external actions in order to ensure consistency and coherence between all of EU external actions, whether they under the competence of the Council or the Commission.

[[3]](#footnote-3)Following ratification of the Lisbon Treaty by the Czech Republic on 3 November 2009, the Lisbon Treaty (the Treaty) has now been ratified by all EU Member States and will come into force on 1 December 2009, although some provisions will not take effect until a later date. The Lisbon Treaty amends the existing Treaties in order to make the necessary changes to allow an enlarged EU with 27 Member States to work more effectively. It also makes changes to the way in which EU legislation is proposed and adopted. The briefing below is aimed to give a brief overview of some of the main changes introduced by the Treaty.

**Structure of the Treaties: TEU and TFEU**

Two Treaties, the Treaty on European Union (TEU) and the Treaty on the Functioning of the European Union (TFEU) will form the foundation of the EU and both Treaties, as well as all Protocols, will have the same legal value. The TEU sets out the objectives and principles of the EU and the TFEU provides the organisational and functional details. The TEU is the current Treaty on the European Union (the Maastricht Treaty), with amendments, and the TFEU is basically the EC Treaty, also with a number of amendments. The European Union (EU) will have a single legal personality and will replace and succeed the European Community (EC). All references to 'Community' are replaced by the word 'Union'.

**Institutions**

The Lisbon Treaty creates the role of permanent President of the European Council, replacing the current system under which the President of the European Council rotates every six months. The President will be appointed by the Governments of the Member States.

The role of the High Representative of the Union for Foreign Affairs and Security Policy has been bolstered in order to strengthen the EU's voice on the world stage. He will preside over the Foreign Affairs Council and will also be Vice-President of the Commission. A new European External Action Service will support the High Representative.

The President of the Commission will be elected by the European Parliament. The candidate will be proposed by the European Council, nominated by qualified majority. The European Parliament will also invest the whole Commission.

The Treaty currently provides for a reduction in the number of Commissioners from 1 November 2014, when their number is to be reduced to two-thirds of the number of Member States and a rotation system will operate to determine which Member State will send a Commissioner for any given term. This will now not happen, because in order to pave the way for the second Irish referendum he Council undertook (in December 2008) that once the Treaty comes into force, a decision will be made to maintain the number of European Commissioners at one for each Member State.

The European Court of Justice (ECJ) becomes the Court of Justice of the EU, and the CFI becomes the General Court. The jurisdiction of the Court of Justice is expanded to all the activities of the EU, with the exception of the common foreign and security policy. The Treaty also improves access to the European Courts for private individuals, by removing the requirement of 'individual concern' where a natural or legal person challenges 'a regulatory act which does not entail implementing measures' (this can cover certain Regulations which were previously almost impossible to challenge).

**Legislative process**

The co-decision procedure, under which the Council and the Parliament must agree on the proposed legislation and legislation cannot be adopted if opposed by the Parliament, is extended to a large number of new areas. It becomes the norm and is therefore renamed the 'ordinary legislative procedure'.

The Treaty introduces a new system of qualified majority voting which will take effect from November 2004 and is aimed at achieving a balance between large and small Member States. Under the new system a measure will be approved if it is supported by 55% of the Member States (15 o ut of 27), provided they represent 65% of the EU population.

Only the most sensitive areas, such as tax, social security, citizens' rights, languages, seats of the institutions and common foreign, security and defence policies, remain subject to unanimity voting.

The involvement of national Parliaments in the legislative process is increased and formalised. The adoption of EU legislation will be subject to prior scrutiny by national Parliaments who will be given the opportunity to challenge proposed legislation if it does not conform to the principle of subsidiarity. Each national Parliament is granted two votes, shared out on the basis of the national Parliamentary system. Where one third of the votes of the national Parliaments object to a proposal, the proposal is sent back to the Commission for review. If a majority of national Parliaments oppose a Commission proposal, and they have the backing of the European Parliament and the Council, the proposal must be abandoned.

**Charter of Fundamental Rights and the European Convention on Human Rights**

The Charter of Fundamental Rights, which was originally proclaimed by the EU institutions at the Nice Summit in December 2000, becomes binding and will have the same legal status as the Treaties. The text of the Charter has not been incorporated into the Treaties, but was published in the Official Journal. Until now the Charter has only had declaratory status.

The UK, Poland and the Czech Republic have negotiated a separate Protocol on the application of the Charter which clarifies their position. Whereas in most other Member States the Charter will apply not only to EU law but also to all national law implementing obligations under EU law, the Protocol states that the Charter does not extend the ability of the Court of Justice, or any court or tribunal of these countries, to find that the laws, regulations or administrative provisions of these countries are inconsistent with the fundamental rights, freedoms and principles that it reaffirms.

The Treaty also provides for the possibility of the EU's accession to the European Convention on Human Rights (ECHR), which will make the EU and its institutions accountable to the European Court of Human Rights for issues concerning the ECHR. It also means that EU law will have to be interpreted in the light of the ECHR, not only as a general principle of EU law but as a Convention directly applicable to the EU and to which the EU adheres. The Treaty and its Protocols nevertheless state that accession to the ECHR will not affect the EU's competences and that provision will be made for preserving the specific characteristics of the EU and EU law.

**Competition law**

The predecessor of the Lisbon Treaty, the draft Constitutional Treaty, had listed competition policy as one of the EU's objectives. Under pressure from the French President, Mr Sarkozy, this objective was removed from the text of the Lisbon Treaty and instead placed in the text of a Protocol on the Internal Market and Competition, which states that 'the internal market as set out in Article 3 of the TEU includes a system ensuring that competition is not distorted'. Under the current EC Treaty, competition is also not one of the Community objectives, but one of the means to achieve the objectives, and it has therefore been argued that the change should have no real impact on the application of competition policy. Not everyone agrees with this interpretation and some critics have argued that it raises questions as to whether the European Courts will consider the structural link between the Protocol and the competition law provisions in the same way as they currently make the connection between those provisions and the general EC Treaty provisions on objectives and policies.

In addition to the abovementioned institutional changes, the Lisbon Treaty also provides for a number of changes to the EU's external policies. It both strengthens and clarifies the EU's development cooperation policy and, for the first time, sets out humanitarian assistance as a specific Commission competence.

As mentioned above, the ratification of the Treaty of Lisbon, which could become reality in the course of 2009, would have important implications for humanitarian assistance. First, the treaty contains an explicit provision on humanitarian assistance and would thus create an independent legal basis for EU action in this policy area. Second, it would extend qualified majority voting to financial emergency aid and thus make it easier to take decisions in this area by removing veto rights. Third, it would designate humanitarian assistance as a “shared parallel competence,” allowing for an autonomous, rather than just complementary, EU policy alongside national policies. This would expand the range activity areas and policy options available to the European Commission. Fourth, it would create a European Voluntary Humanitarian Aid Corps. Finally, it would reshuffle the institutional division of labor regarding the external representation of the EU, which would also affect humanitarian assistance.

**QUESTION 3**

[[4]](#footnote-4) Both the U.S. Government and the European Commission derive their understanding of humanitarian assistance from similar philosophical premises. Based on Henry Dunant’s principles of action and international humanitarian law, humanitarianism on both sides of the Atlantic is seen to be an expression of human solidarity and to follow the humanitarian imperative by aiming to save lives and alleviate human suffering wherever the need arises. These core elements defining humanitarian assistance are reflected in key policy documents, including the principles of the Good Humanitarian Donorship Initiative, to which the U.S. Government and the European Commission are signatories; the European Consensus on Humanitarian Aid; and the mandates of the core humanitarian agencies of these two donors, DG ECHO and OFDA. Beyond this core consensus, however, the definitions and mandates include explicit references to different aspects relevant to “humanitarian aid,” “humanitarian assistance,” or “humanitarian action.” OFDA’s mandate, for example, also includes the task of reducing the (longer- term) social and economic impact of emergencies, while the mandate of the European Commission emphasizes short- term reconstruction and rehabilitation. In theory, humanitarian assistance is clearly demarcated from other forms of aid, such as development aid, and is provided unconditionally on the basis of need.

In practice, however, the boundaries are often difficult to draw. The European Commission typically adopts a relatively strict or conservative approach to this question, whereas the U.S. Government tends to see the boundaries as more fluid and the U.S. President enjoys more discretion to define emergencies as well as relief activities. This becomes evident, for example, in attempts to quantify humanitarian budgets. The European Commission reports a total humanitarian budget for 2008 of €937 million, which corresponds roughly to the $1.3 billion indicated by the UN’s financial tracking system. The U.S. Government, by contrast, reports $4.2 billion, whereas the UN only lists around $3 billion as U.S. humanitarian contributions.

The most significant and most far- reaching agreement on transatlantic cooperation in humanitarian assistance is contained in the 1995 Joint EU- U.S. Action Plan. As part of the 1995 New Transatlantic Agenda, the EU and the U.S. Government agreed on an extensive list of joint activities in the humanitarian area, including to: • cooperate in improving the effectiveness of international humanitarian relief agencies, and in the planning and implementation of relief and reconstruction activities; • consider joint missions whenever possible, and hold early consultations on security in refugee camps as well as on the use of military assets in humanitarian actions; • work towards greater complementarity by extending operational coordination to include the planning phase; continuing and improving operational information sharing on humanitarian assistance; appointing humanitarian focal points on both sides of the Atlantic; and improving staff relations by exchange of staff and mutual training of officials administering humanitarian assistance.

The European Union (EU) and the United States of America (U.S.) recognize that effective emergency relief and preparedness policies are crucial not only for protecting their own populations against hazards, but also for enhancing their images abroad, strengthening stability and security, and controlling migration. The transatlantic partners play a critical role in the current system of humanitarian assistance. Together, they provide almost two thirds of global humanitarian funding. Through their participation in and influence on multilateral and multi- stakeholder initiatives, they help to shape the norms and practices of the global humanitarian system. Moreover, they have an extensive field presence in countries repeatedly affected by crises, which enables them to have a direct impact on humanitarian activities on the ground.

The EU and the U.S. are close partners in responding to emergencies on the ground. Yet, their approaches to humanitarian assistance differ, with the EU adopting a more principled and the U.S. a more pragmatic stance. Transatlantic cooperation in the field of humanitarian assistance is further hampered by political differences concerning issues such as food aid; a lack of transparency and mutual understanding with respect to the roles and responsibilities of the multiple agencies involved in humanitarian assistance; and the limited nature of current strategic dialogues between the two partners. By working more closely together, the EU and the U.S. could learn from each other’s experiences and improve their humanitarian policies and practices. Enhanced cooperation would also allow them to adopt more coherent policies and define a better division of labor, thus avoiding unnecessary duplication, as well as mutually counterproductive activities. Together, they would exert greater influence over the humanitarian system as a whole and could provide a valuable impetus for learning and reform. The transatlantic partners currently have a window of opportunity for enhancing their cooperation in emergency relief and preparedness and for helping to improve the humanitarian system.

The EU and the U.S. currently dominate the humanitarian system and are the largest donors of humanitarian assistance, with the U.S. making the single largest contribution, followed by the European Commission and several EU member states. Together, they account for almost two thirds of total humanitarian assistance. Finally, both the U.S. and the European Commission have a significant presence in the field, which allows them to draw on operational experience when formulating policies and to directly shape field practice through them. In short, significant changes to the humanitarian system need active involvement and support from the U.S. and the EU. Failure by these two parties to enhance their cooperation and improve their humanitarian policies, in turn, would have negative consequences. It would result in additional, yet avoidable, human death and suffering, damage the global reputation of the transatlantic partners, and could lead to increased insecurity and instability across the globe, threatening U.S. and EU strategic interests.

Institutional complexity, at times coupled with a lack of clarity concerning roles and responsibilities, is an impediment to effective cooperation between the transatlantic partners, as well as with other humanitarian actors.

Hurdles for Closer Cooperation Representatives of the European Commission and the U.S. Government meet regularly as part of their strategic dialogues, their operational cooperation on the ground and as members of a number of multilateral or multi- stakeholder initiatives related to humanitarian assistance. Despite these multiple avenues, there still is significant scope for increasing cooperation, coordination, and mutual learning in humanitarian assistance. Currently, several factors limit or hinder closer cooperation. They include: • Lack of clarity concerning roles and responsibilities. The institutional setup for humanitarian assistance is complex both in the U.S. and in the EU. This makes it difficult for members of the two administrations to understand exactly who plays what role and who is their relevant counterpart. This problem is compounded by the fact that humanitarian assistance is subject to frequent institutional reforms and changes. For example, even U.S. Administration insiders have difficulties tracing the exact implications of the introduction of the F- Bureau. Moreover, the humanitarian field is characterized by rapid staff turnover. To a certain degree this also applies to humanitarian donor organizations. This undermines personal contacts and reduces institutional memory. • Limited scope of strategic dialogues. As mentioned above, the DG ECHO- USAID strategic dialogue currently is the main channel for bilateral cooperation and coordination in humanitarian assistance. This dialogue, however, is restricted. Recently, the U.S. Department of State’s Office for Population, Refugees and Migration has also been involved in the dialogue, but many other institutions involved in providing humanitarian assistance are not regularly participating, including for example the Department of Agriculture and the Department of Defense on the U.S. side, as well as DG Environment, DG RELEX and DG Development in the EU. Strategic dialogues can provide an important forum for discussing and coordinating operational issues, but they do not currently cover all components of humanitarian assistance, are not routinely conducted at a level of sufficient seniority, and often lack full reporting back to decision makers and full staff briefings. • Political controversies. Finally, some intense political controversies between the EU and the U.S. persist in the area of humanitarian assistance. This relates to the question of whether or not donors should pursue integrated approaches, linking humanitarian assistance to development, security, broader foreign policy, and economic concerns.

**QUESTION 4**

[[5]](#footnote-5)The debate about LRRD dates back to the 1980s. It evolved in relation to the food crisis in Africa. The increasing number of conflicts and long lasting crises in Africa brought about a debate that addressed the different kinds and the most appropriate type of assistance necessary. The European Commission (EC) developed the term ‘Linking Relief Rehabilitation and Development’ in two official communications about LRRD; exit strategies and the timing for phasing out humanitarian assistance (1996 and 2001). Most actors subsequently used the term. The EC’s starting point for the concept was the recognition that a number of different funding mechanisms are available for the EC’s relations with developing countries: ‘(…) This reconfirmation of the comprehensive “toolbox” of different instruments available for our relations with developing countries over the coming years, requires that they are not dealt with in isolation but that a coordinated approach to their management is adopted in order to strengthen linkages between them (…).’ The first EC Communication on LRRD in 1996 introduced the following continuum: relief is followed by rehabilitation and later by development. In this first EC Communication about LRRD, doubts about the linear view of LRRD arose. A footnote referring to the term ‘continuum’ was included: ‘It has been suggested that the term ‘contiguum’ would be more appropriate, reflecting the fact that operations in relief, rehabilitation and development may all be on-going simultaneously within any given country.

Commonly accepted definitions of relief, rehabilitation or development do not exist. This is one of the challenges in this debate. The same applies for the term ‘LRRD’ itself, which is often no longer used as it is perceived as reinforcing linear thinking. The use of the term ‘transition’ instead of LRRD is not without its problems. On the one hand the term is colloquially used to describe a crossing or the transit from one phase to another. At the same time it stands for a concept developed by the International Network on Conflict and Fragility (INCAF) of the Organisation for Economic Co-operation and Development (OECD).

The need to link relief with rehabilitation and development has been discussed for decades. A number of concepts have been developed, which partly overlap. While first concepts aimed to fill ‘the gap’ between relief, rehabilitation and development, later there was a greater awareness of the complexity of the challenges involved. Potential negative effects of humanitarian aid on development processes were recognised, including that humanitarian aid should not be reduced to ‘life-saving’ activities only. Humanitarian aid should be supportive of rehabilitation and long-term development, which is mainly a question of how humanitarian aid is delivered. Recent trends in humanitarian aid confirm this view on LRRD. The concept of resilience, for example, tries to align the different policy fields under one common goal. At the same time some trends add to the complexity of LRRD. The increased focus on fragile states and the interests of security policy actors to integrate all policy areas in international interventions in fragile contexts is the most prominent example of this.

The debate on LRRD over the past decades and the recent trends in humanitarian assistance demonstrate how complex the topic is. Appropriately linking relief, rehabilitation and development is certainly not an easy task. Buchanan-Smith and Maxwell in their analytical assessment of the LRRD debate and practice called for a close examination of the ‘underlying obstacles and analytical issues, which beset the topic’. A long list of challenges for good LRRD can easily be established. The list has been established mainly based on desk research (literature and evaluations).

**Challenge of concepts and definitions** 1. Definition challenge: What is humanitarian assistance/relief, what is rehabilitation, what is development; when does the one start and the other end; what is the ‘link’ or the ‘transition’. 2. The general concept challenge: Little understanding of the LRRD concept; continuum thinking still prominent and too little understanding of requirements for continuum.

**Challenge of separated worlds** 3. The ‘two worlds’ challenge: Different mandates, different working cultures, mentalities, different speed, different ‘languages’, no common discussion platforms, insufficient understanding of the respective other ‘world’; humanitarian aid is often asset replacement (technocratic approach to development). 4. The principles challenge: Challenge to discuss humanitarian aid with its principles of independence, neutrality and impartiality in the discussion around ‘whole-of-government approach’; aid effectiveness principles with focus on governance vs. GHD principles (incl. humanitarian principles). 5. The partner challenge: Working with the government vs. working around the government (if the government is part of the problem). 6. The imperative challenge: Humanitarian imperative ‘forces’ agencies to intervene, even if humanitarian aid interventions undermine development efforts; risks of aid dependency and humanitarian aid undermining development efforts: working in ‘emergency mode’ for too long (substitution rather than empowering/enabling). Buchanan-Smith, M. and Maxwell, S. (1994), page 2. The OECD has published a paper on incentives for donors working with the resilience approach. It also deals with challenges that are partly in line with the list presented in this report and partly goes beyond. OECD (2013). | 34 | Main challenges for linking relief, rehabilitation and development 7. The needs assessment challenge: Different assessment and planning processes in development cooperation and in humanitarian assistance. Lack of common/joint context and needs analysis. Requirement for multi-actor and multi-sector assessments. 8. The joint framework challenge: Lack of a joint or common strategic framework for development cooperation, reconstruction and humanitarian aid; multitude of actors (national and international), instruments and interests are difficult to align within one framework. 9. The grey zone challenge: No responsibilities allocated within donors and aid agencies for the interventions that are not clearly humanitarian or development (‘grey zone’). Without allocated responsibilities no action.

**Challenge of fast solutions** 10. The quick fix challenge: Donor / media / public / local government push for quick results and focus on numbers. 11. The funding challenge: Different budget lines and instruments, also donor fatigue in case of long-lasting crises and limited funding (no single actor can cover the whole range of sectors and all needs); funding is still disproportionately focused on first response phase in sudden-onset disasters and this drives the entire response; multitude of funding instruments.

**Other challenges.** The disconnect challenge: LRRD is discussed mainly at policy level but less dealt with at field level. Bureaucracies and international organizations need to work with sector/technical specializations and in a compartmentalized way (thematic departments, various budget lines, etc.). At field level these compartments, as well as the need to include all cross-cutting issues and comprehensive approaches, can be distracting. The exit challenge: Lack of appropriate exit strategies for humanitarian aid, lack of follow-up of proposed exit strategies, donor interest diminishes once the crisis is no longer in the centre of (public) attention. The coordination challenge: Lack of coordination capacities and leadership for good LRRD; multi-dimensional and very diverse multi-actor coordination in post conflict settings (national, multi-national, Trust Funds, private sector). The timing challenge: Transition from relief to rehabilitation comes too early or too late, ‘when can we enter rehabilitation and development?’; less room for individual decisions regarding timing because of the requirement for coordinated and integrated approaches; humanitarians lobby for longer stay in order to secure funding. 16. The multi-tasking challenge: Need to work in an interdisciplinary manner with a multi-sector approach vs. recent trend/demand in humanitarian assistance to specialize/ professionalize. The capacity challenge: Partners’ and aid agencies’ mandates and capacities for good LRRD; need for expertise, staff capacity and instruments to work in both humanitarian aid and in development cooperation and to master the linkages and transition. The early warning challenge: Early warning systems do not always function; if they function actors do not intervene early enough e.g. for asset saving (livestock).

[[6]](#footnote-6) An important part of the humanitarian sector would argue that relief or humanitarian assistance is a short- term measure; it aims to save lives and to alleviate suffering, respects the humanitarian principles of humanity, impartiality, neutrality, and independence, and does not address the root causes of the crisis at hand. However, a multitude of organizations do much more than that under the label of humanitarianism: They address human rights violations by sending bulletins on rebel or state atrocities across the globe or by lobbying governments and the UN. Some also aim to alleviate poverty, or provide access to medicines to prevent future suffering. This comes close to what is often understood by development assistance: reducing poverty, promoting adherence to human rights, increasing human security, or even democratization. In addition, development assistance is said to be more long term oriented and tends to cooperate closely with the government or civil society. “Rehabilitation” is in an even more difficult state. Often lumped together with recovery or reconstruction its meaning can be best described as something between humanitarian and development assistance, even though these terms themselves are far from being clearly delineated. While many implementing organizations do combine both humanitarian and development approaches in their work, bureaucratic logic has it that donors have greater difficulties in linking both areas. In addition, influential humanitarian organizations like the International Committee of the Red Cross and Médecins sans Frontières are forcefully opposing the call for closer integration and cooperation.

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