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**WRITTEN BY**  
ALEXANDRE DELACOUR

**EDITED BY**  
PAOLA NADAL

**SUPERVISED BY**  
MEAVE BUCHIGNANI

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## Introduction

Humanitarian relief is a significant issue and a prominent concern for actors in our societies, particularly non-governmental organisations, governments, and individuals, as the ongoing crisis in Ukraine has demonstrated. Many people do not have access to basic supplies and could have to move due to natural or man-made disasters. The European Union (EU) has responded by devoting significant resources in line with its responsibility to aid those in need (European Commission, n.d.-c). Nevertheless, how does the EU distribute aid, and under what criteria does it operate? This article analyses the internal humanitarian aid system of the EU by looking at the key organisations responsible for managing these programmes and the funding structure that supports them. Moreover, it will address the fundamental principles that guide the EU's assistance distribution strategy to guarantee that aid reaches the most disadvantaged. Although, the humanitarian crisis in Ukraine emphasises the need for adequate assistance, it is simply one aspect of a global issue. This article will also evaluate the EU's role in the global humanitarian arena, highlighting its continuous efforts to maximise the effectiveness of its assistance in an international context where crises are happening increasingly often.

## Legal Framework

The International Committee of the Red Cross (ICRC) defined the fundamental principles of humanitarian aid in 1965 at the 20th International Conference of the Red Cross (Irish Red Cross, 2023). These principles represent the core of the whole architecture of the International Federation of Red Cross and Red Crescent Societies (IFRC) (Von Toggenburg et al., n.d.). The first is humanity: all human suffering must be treated equally, paying special consideration to the most vulnerable. The second is neutrality: humanitarian aid must be impartial, meaning it cannot support one side over another in a war or conflict. The third is impartiality: humanitarian help must be distributed without bias and only based on necessity. The last one is independence: it refers to the separation of humanitarian goals from those that are political, economic, military, or otherwise focused (United Nations General Assembly, 1991; UN, 2003). The international humanitarian principles are also inscribed in United Nations General Assembly (UNGA) resolutions 46/182 (1991) and 58/114 (2003), which define humanitarian aid and the framework of its action (UN, 1991; UN, 2003). Accordingly, humanitarian aid is providing help to whoever is in need, without distinction (Von Toggenburg et al., n.d.). Since then, these principles have been adopted by all governments and institutions worldwide, including the EU. In the post-Cold War context, the ICRC realised that the new types of armed conflicts that might appear from now on would be more violent than before the fall of the Berlin Wall in 1989. This is why the IFRC and the ICRC have set up a "code of conduct", which was later examined by the United Nations with a view to transposing it directly into international law. It took the form of Resolution 46/182 and it incorporated three of the four principles. Resolution 58/114 integrated the principle of independence apart from the other principles (Sharpe, 2023).

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Since 1992, the EU (then the European Economic Community) has provided humanitarian assistance to more than 110 countries and several millions of people annually around the globe (European Commission, n.d.-a). Article 214 of the Treaty of Lisbon (2007) presents the core principles of humanitarian aid. It lists only three of the four principles contained in the UN Resolutions: impartiality, neutrality, and humanity, labelled as “non-discrimination” (Treaty on the Functioning of the European Union, 2012, art. 214(2)). Even if the Treaty of Lisbon outlines “the principles of international law” (Treaty on the Functioning of the European Union, 2012, art. 214(2)) , it does not mention the principle of independence and the needs-based approach to humanitarian aid that exist in the UN resolutions and the ICRC rules. The absence of these ideas, together with the EU's desire to make its external policies more coherent, may not leave the concept of humanitarian aid as impartial as expected (Piron, 2022). If a State prioritises its connections with partner countries in order to forward its political goals, then it can overlook the fact that the main goal of humanitarian aid should be to assist all those in need, wherever they are.

The EU keeps a strict policy regarding the respect of humanitarian principles. EU aid bases itself on international humanitarian principles, as stated in the 2007 European Consensus on Humanitarian Aid (ECHA) (European Parliament et al., 2008) , n.d.). ECHA explains the rules and course of action that the EU should follow when providing humanitarian aid, as to why, how, and when it is supposed to act, for example, targeting the weakest populations in situations of disasters induced by humans or natural catastrophes.

The Treaties of the European Union, especially the TFEU, provide the legal foundation for the EU's humanitarian aid efforts. Building on this base, the ECHA lays out particular goals and guiding principles for EU action, providing fundamental guidelines for EU humanitarian intervention, aligning them with global best practices and guidelines developed by groups such as the Red Cross. Said agreement between the Commission, the Council, and the European Parliament strengthens the EU's adherence to these ideals. Although the ECHA is not a binding and enforceable document itself, it guides the creation of secondary legislation, such as the European Commission's rules and directives. Hence, these rules and directives implement the ECHA's guiding principles, which may have legal force among Member States (Pusterla & Pusterla, 2020).

## **The Main Operational Bodies**

The European Commission's Civil Protection and Humanitarian Aid Operations department (ECHO) was established in 1992 by the Second Delors Commission and subsequently regulated through Council Regulation 1257/96 and has been pivotal in EU humanitarian efforts ever since (Council of the European Union, 1996; Delors, 1992). With over three decades of experience, ECHO initiated its first mission in 1994, the European Humanitarian Aid Program for Rwanda, providing critical assistance during the genocide, where over 800,000 lives were lost (European Commission, n.d.-c).

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In 2010, ECHO expanded its scope to include civil protection through the EU Civil Protection Mechanism and established the EU Emergency Response Coordination Centre (ERCC). This mechanism enhances the EU's capacity to respond swiftly to disasters by coordinating relief efforts across Member States and facilitating deployments globally, as in the event of a catastrophe, any EU country can use this mechanism to receive specialised disaster relief and assistance teams, who will then contact the local authorities (European Parliament and Council of the European Union, 2013). The ERCC is the central hub for monitoring emergencies, processing aid requests, and ensuring rapid response coordination within and outside Europe (European Commission, n.d.-c). Currently, the EU Civil Protection Mechanism includes ten non-EU countries, demonstrating its international reach and collaborative disaster response efforts (European Parliament and Council of the European Union, 2013).

Furthermore, the EU adheres to the Multiannual Financial Framework (MFF) to fund these operations and missions, a seven-year budget-planning framework proposed by the European Commission and negotiated with the European Parliament and the Council of the European Union (Official Journal of the European Union, 2016). The MFF lays the groundwork for EU financial planning, allowing for thematic budget allocations and flexibility in addressing unforeseen crises such as natural disasters or humanitarian emergencies (Official Journal of the European Union, 2016). As per article 17(2) of the TEU, the Commission makes the initial proposal of MFF, and the Council of the European Union reviews it to ensure that all the Member States agree on it. The actual negotiations happen here, as the Member States discuss with one another to reach an agreement concerning the total budget and the specific allocations in each policy area. The European Parliament is then requested to provide its approval, as the Parliament and the Council of the European Union must unanimously agree on the MFF for it to be adopted. If the MFF is immediately approved, it is ratified by the Council unanimously (Treaty on the Functioning of the European Union, 2012, art. 314). If it is not approved, a conciliation committee, composed by members of the Parliament and the Council, is set up jointly by the Parliament and the Council of the European Union to find a compromise acceptable for both institutions (Treaty on the Functioning of the European Union, 2012, art. 294). During the current MFF period, from 2021 to 2027, ECHO's budget is set at €1.65 billion annually, totalling €11.57 billion over seven years (European Commission, n.d.-a).

The EU Solidarity and Emergency Aid Reserve (SEAR) also provides supplementary funding to manage humanitarian crises globally, supporting reconstruction, temporary accommodations, and essential measures in response to emergencies (Council of the European Union, 2020; European Commission, n.d.). The geographical allocation of the humanitarian aid budget for the current period reflects varying needs across regions, ensuring responsive and targeted assistance: €546 million for Sub-Saharan Africa, €470 million for the Middle East and North Africa, €297 million for Asia, Latin America, the Pacific, and the Caribbean, €115 million for Ukraine, the Western Balkans, and the Caucasus, and €413 million for non-geographical allocations (European Commission, n.d.-a).

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In alignment with humanitarian principles, ECHO employs analytical tools such as the Index for Risk Management (INFORM) and leverages local expertise to effectively assess and respond to crises (Piron, 2022; Poljansek et al., 2020). Despite its operational strengths, concerns have risen regarding the potential politicisation of EU humanitarian aid, mainly as it integrates with broader EU external policies under the Lisbon Treaty and the role of the European External Action Service (EEAS) (Orbie et al., 2014; Churruca et al., 2015). Efforts to consolidate spending under thematic instruments, such as the "Ukraine Facility" proposed in July 2023 by the European Parliament, aim to enhance coordination and sustainability in crisis response, ensuring efficient use of resources amidst complex humanitarian landscapes (European Parliament, 2023).

## **Budget Allocation and Challenges: How Does it Work in Practice?**

It has been estimated that almost 300 million people will need humanitarian aid this year (European Commission, 2024). Hence, the EU reinforced its budget spending on humanitarian assistance to support the most at-risk populations around the world. The budget adopted for 2024 has been increased to €1.8 billion and it has been allocated to the different regions around the world as follows (Council of the European Union, 2020).

Around €200 million are dedicated to the Sahel region (specifically Burkina Faso, Mali, Mauritania and Niger), the Lake Chad region regrouping Chad, Cameroon and Nigeria, and the Central African Republic. These countries are facing severe crises linked to food, such as food insecurity and chronic malnutrition, as well as natural disasters and regular epidemics linked to food problems. In addition, conflicts, insecurity and climate change worsen the situation in these countries daily (EU Neighbours, 2024). Protracted conflicts in the Great Lakes region, as well as people displaced by violent conflict in Sudan, South Sudan, Uganda, Madagascar, Mozambique and the Horn of Africa (Djibouti, Ethiopia, Kenya and Somalia), will benefit from aid of around €346 million in Eastern and Southern Africa (EU Neighbours, 2024).

Regarding the dire necessities in Gaza and the civilian population of Palestine, as well as the ongoing regional crises in Syria, Lebanon, Yemen, and its neighbouring countries, the EU has decided to contribute over €470 million in humanitarian financing for the Middle East and North Africa (EU Neighbours, 2024).

A total of €115 million has been allocated to the southeast region of Europe and its surrounding area, primarily to address the fallout from Russia's war of aggression in Ukraine. Funding will also go towards projects that address the long-term repercussions of the earthquakes that occurred last year as well as continuing needs in the Caucasus, the Western Balkans, Turkey, and the aftermath of the Syrian conflict (EU Neighbours, 2024).

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The most vulnerable people in South Asia and the Pacific will benefit from €186 million in humanitarian aid, primarily targeting the humanitarian response in Bangladesh, the Philippines, and Myanmar. The aid will also address the effects of climate change in the area (EU Neighbours, 2024).

€111.6 million have been set aside for Central America, South America, and the Caribbean in response to the effects of the Venezuelan crisis, the humanitarian consequences of the armed conflict in Colombia, the intricate situation in Haiti, and the pervasive instability in Mexico, Ecuador, and Central America. Additionally, 315 million will be allocated to the regions facing unanticipated humanitarian crises and sudden-onset situations that may occur during the year (EU Neighbours, 2024).

Some networks of non-governmental organisations (NGOs), such as the VOICE (Voluntary Organisations in Cooperation in Emergencies) network, have criticised the budget for the current year and its specific allocations, as it has created shortfalls that might negatively affect the EU and its partnering organisations. First, the budget revision has maintained the same level of funds given to the central humanitarian budget and different organisations consider this insufficient to cover the ongoing humanitarian programs properly. NGOs are concerned as there is a significant rise in the number of people in need of help worldwide, amounting to 364.4 million in 2023 (VOICE network, 2024). They believe that the original budget of €1.6 billion should have been increased to €2.6 billion.

Additionally, SEAR, which is used to fill the main budget gaps in emergencies, has been reduced by €1 billion (VOICE network, 2024). This might make it more difficult for the EU to carry out humanitarian missions, especially given its increased budgetary flexibility, and ECHO will have more difficulties responding to unforeseen situations. The SEAR was supposed to benefit from an increase of €2.5 billion, as approved by the Commission, but the European Council decided to increase this spending by only €1.5 billion (VOICE network, 2024).

Furthermore, in February 2024, the SEAR was dismantled into two instruments by the European Council. The first instrument is the European Union Solidarity Fund (EUSF), which provides financial assistance to EU Member States and candidate States affected by major natural disasters. The second one is the Emergency Aid Reserve (EAR) that carries on with the role of the SEAR, but which was only allocated one-third of the funds previously given to SEAR. Therefore, fewer funds are available for a complementary budget, which was already scarce, and this could have dreadful consequences for the communities affected by crises (VOICE network, 2024; European Council, 2024).



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This reduction in expenditure marks the end of the increase in the funds allocated to the EAR from 2021 to 2023 (from €334 million to €579 million). The decision taken by the Council undermines the efforts that had already been made to support a level of needs on the rise when the central budget was unable to meet the EU's ambition in terms of humanitarian funding. Moreover, as previously mentioned, it did not consider the suggestions made by the Commission and the European Parliament (VOICE network, 2024). The Commission suggested an increase of €2.5 billion for the SEAR without changing the structure, which could have enabled the EAR to receive up to €935 million a year. The decision cut this proposed funding by 46%. Conversely, the Parliament called for a more significant increase of €4.5 billion, with a potential €1.2 billion for the EAR, but the final decision cut this proposal by 57% (European Commission, 2023; VOICE network, 2024; European Parliament, 2023). Overall, NGOs consider this revision of the MFF extremely threatening to present and future crises.

## **Conclusion**

Due to the constantly shifting nature of global disasters, humanitarian aid must be provided dynamically and flexibly. Although the EU is dedicated to lessening suffering, the system is still encountering problems. Maximising the effect of EU aid will require maximising allocation tactics, overcoming political challenges, and maintaining flexibility in unanticipated situations (European Strategy and Policy Analysis System, 2015).

The EU plays a crucial role in providing humanitarian relief worldwide, nonetheless, in the future, developing closer ties with regional and global organisations may improve the efficiency of assistance distribution. Furthermore, the ongoing debate surrounding the Multi-annual Financial Framework offers a chance to improve financing arrangements so that funds are allocated to the most urgent situations.

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