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The EU's humanitarian aid policy in the post-Lisbon context: an analysis of the decision-making process towards the Palestinian and Ukrainian crises 2010-2021.

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Abstract

This paper analyses the decision to allocate funds from the European Union, more particularly DG ECHO, in the field of humanitarian aid to third countries. Little research focuses on the factors that guide such decisions to allocate funds. It is this grey area that this research explores to depict the different factors (external and internal) within the EU environment that could explain the amounts given, such as the geographical proximity or the vertical and horizontal coherence. The paper will demonstrate the range of these factors compared to a strictly need-based approach. To do so, two case studies of Palestine and Ukraine have been chosen to answer the following research question: *Under which conditions does the European Union invest in humanitarian aid and what determines the amount of aid?*

INTRODUCTION

This paper analyses the decision to allocate funds from the European Union, more particularly the Directorate-General (DG) for European Civil Protection and Humanitarian Aid Operations (ECHO), in the field of humanitarian aid to third countries. Many factors and actors, especially in the EU environment, have an impact on policymaking. Humanitarian aid, being the sector of foreign policy where independence is promoted, is therefore a complex but interesting topic to study (Bretherton et al, 2005; EC, 2016a).

Numerous scientific articles have been published on the topic of the EU's foreign policy, whereas few focuses on humanitarian aid and what it entails for the EU in terms of respecting the humanitarian principles of independence, neutrality, impartiality and humanity. The scant literature that analyses humanitarian aid focuses on the institutional framework of this policy, and more particularly on the different horizontal and vertical coherence mechanisms existing between the different EU actors (Orbie et al, 2014; Van Elsuwege et al, 2016). Furthermore, on the official website and discourses of ECHO, humanitarian aid is considered as given only on a need-based approach. However, when crises occur, especially man-made crises, politics and interests appear. Little research focus on the factors that guide the decision to allocate funds (or not) to a third country. It is within this grey area that this research will explore to depict the different (external and internal) factors within the EU environment that could explain different levels of funding. Factors such as the geographical proximity or the vertical and horizontal coherence could impact the allocation of funds, and this research will demonstrate the range of these factors compared to an only need-based approach.

Eight interviews with relevant stakeholders were conducted in order to solve the puzzle alongside the analysis of different scientific material. The present work aims to answer the following question: **Under which conditions does the European Union invest in humanitarian aid and what determines the amount of aid?**

After presenting the theoretical framework, two case studies (Palestine and Ukraine between 2010 and 2021) will be analysed before presenting the findings and conclusion.

Why humanitarian aid?

Until the Russian invasion of Ukraine on 24 February 2022, Europe had not contended with a war on its territory for decades. Nonetheless, it has organised several military deployments in foreign countries outside the European borders. Why does Europe spend money and time on faraway conflicts that, at first sight, have no direct impact on EU citizens' lives? Would it be to try and respond to concerns such as immigration or terrorism? To enhance the EU's influence in the world through soft power (Nye, 2004)? Humanitarian aid seems to be an independent and separate domain of the EU's foreign policy that is not ruled by the normal political dynamics or by economic strategy. This is at least what is stated at the EU level: the humanitarian principles enshrined in the European Consensus on Humanitarian Aid (Joint Declarations, 2008), signed in December 2007 by the Council of the EU, the European Parliament and the European Commission, prevent such politicisation with the declaration of the following humanitarian principles, stated on DG ECHO's website:

- **Humanity** means that human suffering must be addressed wherever it is found, with particular attention to the most vulnerable;
- **Neutrality** means that humanitarian aid must not favor any side in an armed conflict or other dispute;
- **Impartiality** means that humanitarian aid must be provided solely on the basis of need, without discrimination;
- **Independence** means the autonomy of humanitarian objectives from political, economic, military or other objectives (EC, 2021).

The above are supposed to guide the EU's humanitarian aid and give funding only accordingly to the needs in the field. Indeed, investing in humanitarian aid is not, by nature, going to give a direct return on investment when building schools or hospitals. The law of markets is not the goal. However, some would argue that investing in a region that suffers a

societal crisis could, in the future, be an economic partner to the EU and be a sort of return on investment. Indeed, between politics and independence, the line is thin.

Research puzzle

Humanitarian aid is an important policy domain for the European Union: 1,7 billion euros were allocated for the different crises around the globe only in 2018. More recently, the Multiannual Financial Framework (MFF) for 2021-2027 increased the funds allocated to humanitarian aid up to 11,5 billion euros (EC, 2021b). Although this only represents around 1% of the budget of the EU, it still engages some important financial and human investments. Humanitarian aid is a branch under DG ECHO's competency. This department makes the decisions whether to allocate aid to countries on a need-based approach, independently from any other interests. (EC, 2016a; Bandov et al, 2018).

However, supranational as well as intergovernmental institutions make the decision to allocate funds to help these countries, and so the political interests of each EU Member State (MS), the Council, the Parliament and other DGs could become relevant. Although DG ECHO claims that it enjoys independence, the funds are voted in the Parliament annually, the EU Council gives the EU political incentives, MS each have their own foreign policy, etc (Bandov et al, 2018). Many actors could have access to this decision-making process. Furthermore, it is also possible to see that levels of humanitarian aid vary widely.

Therefore, this study will try to answer the following research question: **Under which conditions does the European Union invest in humanitarian aid and what determines the amount of aid?** The case studies will be Ukraine and Palestine between 2010 and 2021. To answer this question, this paper first will explain the official position of DG ECHO. It will then study the dynamics behind the decision: how did the European Council agree to fund the humanitarian aid? Did the MS intervene in the decision to put forward their national interests? Or are there some mechanisms that prevent these interferences? Did external factors such as

the proximity of the crisis with the EU borders or the political affinity with that country have an influence on the decision to invest?

This study develops a comparative case studies of the Palestinian and Ukrainian crises during the period of 2010-2021. These two cases have been chosen for the following reasons: Palestine is a longstanding crisis receiving yearly funds from the EU, contradicting the essence of humanitarian aid intervening on a short-based term. Ukraine was considered a “forgotten crisis” until the Russian invasion, receiving a very low level of funding in comparison to its needs. These two cases are therefore unconventional EU humanitarian aid interventions. They also differ in geographic proximity, as Ukraine is also a neighbour of the EU. The paper analyses whether the different conditions that were decided upfront were respected or if the different internal and external factors influenced the decision-making process in the allocation of funds. For instance, Ukraine received in 2020 the same amount of humanitarian aid as Palestine, although it had a lower Index for Risk Management (EC, 2020c; EDRIS, 2021a). The purpose behind this research will be to depict if DG ECHO works solely for human rights and protection according to the four humanitarian principles described above. The study will focus on the period from 2010-2021 because the EU political environment (internally and externally) changed substantially since the Lisbon Treaty and the need for more coherent external policies was highlighted, possibly changing the dynamics within that field.

Hypotheses

This study draws on the work of Stamm (2004) in analysing the decision of private aid donors based on external versus internal factors. External factors refer to the human development index of a country or the distress situation due to different human and non-human catastrophes caused by wars, climate changes, natural catastrophes, etc. Internal factors refers to the domestic political structuration and interests, including immigration or the interactions between the different domestic actors. The EU institutional background and geographical proximity of the crises will be added to the same internal and external factors.

Furthermore, the number of actors in collaboration with DG ECHO is complex: MS, other EU agencies, the U.N., as well as additional public and private actors also could have had an influence on the funding. Orbie et al (2014) studied the horizontal and vertical coherence between DG ECHO and the other actors in the EU institutional sphere. Horizontal coherence can be understood as the need for coordination between the different EU external bodies (DG Development, Peace Operations, External Action service (EEAS), etc.). Vertical coherence can be understood as the need for coordination between the EU MS and DG ECHO. This will be added as an internal factor explaining the amount of aid given (see also Nuttall, 2005; Portela et al, 2009). Indeed, as the MS that gave some discretion to the EU and to the Commission through different treaties delegated it to achieve objectives for the EU itself. It would be interesting to analyse how important is the difference in preferences between the MS through the EU Council and DG ECHO and how much discretion it enjoys in its decision-making process (Versluys, 2007; Hix, 2005; Pollack, 2003).

Furthermore, humanitarian aid is not something that is fixed in time, it will evolve along with the international political context (Ryfman, 2016). Indeed, humanitarian aid is experiencing a major economic and organisational crisis that is leading to a refocusing on the ethics of actions, decisions through the principle of resilience (Mattei, 2014). Manset, Hikkerova and Sahut (2017) indicate that the humanitarian sector is being crushed by the law of market forces and emphasises the pressing need for the humanitarian actors to be efficient and competitive. All these issues are undermining the major principles of humanitarian aid. For some, the humanitarian sector is facing more and more politicisation and pressure to be economically efficient (Duffe, 2005; Manset et al, 2017; Alagbe, 2012). Is the humanitarian aid sector still: a) a political instrument, or b) a normative instrument. This study will test the following hypotheses:

- 1) The **horizontal coherence** between the DG ECHO and the different EU foreign institutions undermines the need-based approach of DG ECHO in the allocation of funds.
- 2) The **vertical coherence** between the DG ECHO and the EU inter-states institutions such as the Council undermines the need-based approach in the allocation of funds.
- 3) The **geographical proximity** explains a high level of humanitarian aid due to the direct impact of the crisis on the EU's interests. Indeed, since geographical proximity is a threat according to a classic realistic approach, such proximity could have triggered a high level of funding to protect the EU borders and internal interests.
- 4) The **severity of a crisis** and the risk for the population will proportionally enhance the level of funding due to a need-based approach.

These are the *internal* and *external factors* that could explain a high or low level of funding.

The different factors explaining why such policy was made could also answer what were the underlying dynamics: a political one or one based purely on the needs in the field.

THEORETICAL FRAMEWORK

Humanitarian principles and need-based approach

Humanitarian principles may be found in several EU documents and legislation made through the years. The preamble to the 1996 Council Regulation on humanitarian aid provides the basic legal framework for the further elaboration of a specific humanitarian aid policy on behalf of the European Community. It highlighted that the essential aim of humanitarian aid is to prevent or relieve human suffering, completely independent of any political considerations (Council of the EU, 1996; Orbie et al, 2014). According to Orbie et al (2014, p.2):

The explicit recognition that the granting of ‘ad hoc assistance and relief and protection for people in third countries who are victims of natural and man-made disasters, in order to meet the humanitarian needs resulting from these different situations’ constitutes a distinct policy of the EU’s external action (Article 214 TFEU) is an important step towards achieving the goal of independent humanitarian aid.

In order to respect these humanitarian principles as well as to give humanitarian aid only based on the needs of the population, DG ECHO gives funding allocation based on evidence and analysis. DG ECHO assesses the funding annually, based on the following assessments.

Firstly, it uses internationally recognised indices: the Inform Severity Index; the Index for Risk Management (INFORM); and the Forgotten Crisis Assessment (*FCA*) (Poljansek et al, 2020; Marin-Ferrer et al, 2017; ICF, 2016). Secondly, DG ECHO also analyses using data obtained in the field through its different offices composed of humanitarian experts (EC, 2016a; Cox, 2009).

In order to analyse if humanitarian aid is given according to needs, this study will draw on Darcy & Hofmann’s (2003) four core priorities of humanitarian actors: *the protection of life, health, subsistence and physical security*. These point to a more general concern, the idea of alleviating suffering and preserving human dignity, one of the explanations in Hypothesis 4.

Basic human needs

Table 1 Risks and Needs

Risks	Constitutes the needs
<i>Food security</i>	short-term nutrition, subsistence to include access to adequate food, and water resources.
<i>Health</i>	Health status, fighting against factors contributing to ill-health, contribution to health services.
<i>Physical Need for protection</i>	Freedom from violence and fear, need for material assistance for human displacement, need for essential infrastructures, shelter, etc.

*Author’s own production, 2022; Based on Darcy & Hofmann, 2003.

Horizontal coherence

The question of horizontal coherence and its impact on humanitarian aid is important due to its direct consequence on the independence of DG ECHO. Indeed, horizontal coherence

addresses a challenge for the EU to deliver need-based humanitarian aid while simultaneously seeking to enhance its coherence between different external policies. Although the field is guided by the four humanitarian principles, the EU has been increasingly striving for more coherence in its external activities. Establishing these positive synergies with other external policies remains difficult due to institutional hurdles, legal constraints as well as political obstacles and operational incompatibilities (Orbie et al, 2014).

The essential element to consider when analysing the horizontal coherence in this field is article 214 of the Treaty of Lisbon that only refers to “impartiality, neutrality and non-discrimination” as the fundamental principles guiding the EU’s humanitarian aid. Although this treaty contains a reference to “the principles of international law” (Art. 214(2) TFEU) that binds the institutions and the MS in pursuing the EU humanitarian aid policy, there is no explicit mention of the independence principle and giving humanitarian aid strictly based on needs. Therefore, the independence of the EU’s humanitarian policy reconciled with the goal of a more coherent foreign policy (mainly political) depends largely (though not exclusively) on how the principles in the Lisbon Treaty and the European Consensus are interpreted. A strict reading of Article 214(1) TFEU might suggest that humanitarian aid can be used as an instrument to achieve the list of objectives mentioned in Article 21 of TEU. Art. 21 is the key reference point listing the EU’s general principles of objectives that include the preservation of peace, prevention of conflicts and strengthening international security (Art. 21(2, C) TEU; Orbie et al, 2014; Fraschini, 2013).

Humanitarian aid policies may be used to fulfill more general and political objectives of the EU’s foreign policy when the EU’s humanitarian principles (cited above) are needed to deal with a crisis. Indeed, when the humanitarian actors intervene in a country that is suffering from a man-made conflict, these principles are important in order to have access to the population without being seen as a threat. The EEAS, for instance, could use humanitarian aid policy to have easier access to the field and at the same time to fulfill its objectives. The issue

would be that, in the long term, the EU's humanitarian aid policy would be seen as losing its independence and being an instrument of the EU to achieve its more general agenda, and not only based on needs.

(...), there is a general fear among both the humanitarian aid community and DG ECHO that the integration of humanitarian aid policy in the EU's external action under the Lisbon Treaty, as well as an expanded interpretation of the coordinating role of the EEAS, may lead to a politicization of humanitarian aid delivery. (Orbie et al, p4, 2014; see also Caritas, 2011; Oxfam, 2012; Georgieva, 2011).

The aforementioned "politicisation of humanitarian aid" does not mean that something apolitical is suddenly becoming political but refers to situations in which the principles of humanitarian action are compromised at the cost of more political rationales, possibly putting aside the need-based approach (Dany, 2015; Churruca et al, 2015; Terry, 1998).

This horizontal coherence will be studied to analyse and depict its possible impact on the funding of humanitarian aid in the Palestinian and Ukrainian crises from 2010-2021. Is the DG ECHO's work still independent in its allocation of funds or are the other actors of the EU's foreign policy gaining more importance and influence on such policy?

Vertical coherence

Vertical coherence is understood as the level of interactions between the EU MS and DG ECHO through formal coordination and communications. This coherence was made necessary as the MS delegated this policy to DG ECHO (possessing strong and technical competences), and coordination was needed to control the actual implementation in the field.

In order to avoid agency losses (DG ECHO acting on its own and outside the received competences), the MS decided to deploy an obligation for DG ECHO to provide information on its activities. The 1996 Council Regulation on humanitarian aid requires, therefore, the Commission to submit an annual report to the Council with a summary of the operations financed over the given year (Versluys, 2007). This was the first instrument of vertical coherence used within the EU decision-making process of humanitarian aid.

A second instrument appeared in the post-Lisbon framework: the coordination between DG ECHO and the MS taking place through the Council Working Party on Humanitarian Aid and Food Aid (COHAFA). This working party acts as a forum for discussion on humanitarian aid between the MS and DG ECHO through monthly meetings. It also increases the coordination and coherence of the Commission's and the MS' humanitarian aid activities. It is in that forum that information is exchanged, humanitarian interventions coordinated and finally, EU positions discussed beforehand (Van Elsuwege et al, 2016; Frascini, 2013).

Moreover, humanitarian aid is a field of parallel competencies between the EU and the MS, where the Commission is mandated to coordinate the humanitarian aid policies through DG ECHO. Within this decision-making process, the MS oversees DG ECHO via the comitology system through the Humanitarian Aid Committee (HAC). This enables MS to exert control over DG ECHO. The HAC has never rejected an DG ECHO proposal, which underlines a certain autonomy (Dany, 2015; Van Elsuwege et al, 2016). DG ECHO has the freedom to create its annual budget based on needs. This budget is sent, when approved within DG ECHO, to the HAC for final approval. This third instrument of budget monitoring increases the vertical coherence between the MS and DG ECHO (Versluys, 2007; Gastinger et al, 2019).

This vertical coherence within the decision-making process of the EU's humanitarian aid policy field is also facing important challenges. Indeed, there are diverse traditions within the MS and the Commission when interventions and fundings are decided. Although the Commission and DG ECHO possess strong expertise, they usually do not want to push the MS too hard in one direction but prefer to play a role of a facilitator and coordinator. More importantly, despite the European Consensus on Humanitarian Aid, there are still certain gaps between rhetoric and actual practice. For instance, MS tend to decide more according to foreign policy and electoral means than by an objective needs assessment as for DG ECHO (Van Elsuwege et al, 2016).

Geographical proximity

When a crisis occurs, it may have a direct impact on international stability and therefore on the EU's borders. A crisis linked to a high number of actual victims would also be calculated according to the potential victims if the crisis were expected to expand. This would lead to a threat for countries which are not directly linked to the crisis. The potential diffusion of the crisis, therefore, would play a role in deciding the type and importance of the humanitarian intervention to circumscribe the crisis (Pusterla, 2017; Waever et al, 1993). Pusterla (2017, p90) described the potential spill-over effects of a crisis and what impact on the EU intervention framework it has:

A crisis can potentially propagate outside the borders of the initially affected country and thus affect other regions. They (refugee and internally displaced persons) are simultaneously representing a danger for the country from which they are moving, but can also represent a potential danger for the country they are moving to.

As the diffusion may change the nature of the crisis, it may also modify the contextual circumstances and importance of the intervention. Actors may find it difficult to follow crises that originated from outside their own borders and far-away crises. It is only when cascading problems and insidious knock-out effects may outstrip the coping capacity and unilateral responses to these crises that attention is directed to a cooperative response (MS and DG ECHO, in this case). The perception of this threat, as well as the formation of preferences, may influence the choice between unilateral intervention from MS and delegation to DG ECHO (Pusterla, 2017). DG ECHO, being a specialised institution with a recognised expertise, will benefit from such delegation due to a disperse and urgent crisis threatening the MS, their own interests, and the need to respond quickly and effectively to this threat.

Operationalisation

The methodology that will be used to disentangle this puzzle will be based on a qualitative method that includes interviews of the different actors in the EU's humanitarian sector. The paper will therefore use the analysis of 8 semi-structured interviews that will

permit to confirm or eliminate some aspects of this study. Additionally, this study will also focus on the discourses and statements in the humanitarian sector. Official discourses, analysis of policies and official documents are as relevant than necessary to counterbalance the possible mistakes or misperception of the interviewees.

THE EU'S HUMANITARIAN AID POLICY IN POST-LISBON CONTEXT: PALESTINE AND UKRAINE BETWEEN 2010-2021.

What came out of all the interviews is the importance of the need-based approach: EU solidarity and the alleviating the needs are what mainly drives this specific policy. This is confirmed in all 8 interviews, DG ECHO evaluates the needs of the different crises through its large network field offices. Additionally, the interviews indicated that these two case studies are both highly politicised crises.

Due to this political aspect, interviewees agree on the difficulty to intervene in such areas. This entails Palestine remaining a protracted crisis for more than 80 years and that Ukraine was on the edge of also becoming a protracted crisis according Int. E.

1. The Palestinian case

The Israeli occupation and ongoing conflict between Israelis and Palestinians affects the entire region and continues with no apparent end in sight. The Two-State solution is long gone. The dilemma facing the Palestinians induces, on the one hand, a slow degradation of quality of life due to the Israeli blockade and, on the other, regular destruction of life and property. OCHA, the UN organisation for humanitarian aid, describes this situation as a “crisis of human dignity” (Wilding et al, 2012). In the Humanitarian Response Plan (HRP) edited in 2019 on Palestine, people in need were estimated to be around 2,5 million in a population of 4,95 million. This means than more than half of Palestinians need humanitarian assistance (OCHA, 2019). Within the Gaza strip, violence against the population demonstrates a sharp

deterioration in the humanitarian, human rights, and security situation: nearly 25,000 Palestinians were injured in 2018, 25% of them were children, and more than 262 were killed by Israeli forces and settlers. Access for humanitarian actors remains difficult, and the resilience of the Palestinian population is constantly decreasing (OCHA, 2019; Grunewald et al, 2009).

Severity of the crisis

External factors are not clearly underlined by the interviewees. Indeed, due to its long and protracted period, basic and acute needs in this crisis have become harder to determine since the deterioration of the situation with the second Intifada starting in 2000. This event marked a shift in the aid response from longer-term development assistance to emergency relief (Wilding et al, 2012, interview C from UNRWA, Agency for Palestine Refugees). For the majority of the interviewees, the needs are there, and the crisis demands a yearly response. However, some nuances were given.

First of all, when analysing the severity of the Palestinian crisis and its impact on the amount given, the need-based approach detailed above is necessary to understand the decision-making process of DG ECHO. The four core elements (food security, health, physical security and the need for security) are the basic needs that should be taken into account in the crises (in the short-term). Referring to what interviewee A states about Palestinian needs and confirmed by the HRP of 2019, there are several humanitarian needs that are unmet in this crisis: *electricity costs* due to the Israeli control on this resource around Gaza strip, with less than 6 hours of electricity per day; *water problems* (poor quality, poor wastewater collection and treatment, lack of proper hygiene practices) that affects all two million people in the Gaza Strip and more than 600,000 in the West Bank area; *food security*, where more than 32,5 per cent of the population are considered food insecure and is particularly high in the Gaza strip; and *health* and nutrition, where more than 1,2 million of Palestinians are in need of humanitarian health interventions (900,000 of them in the Gaza strip) due to the violence of

the conflicts (especially since 2018). This is combined with the lack of access to basic primary healthcare services. Additionally, shelter is also an important need that is unmet by the population, with more than 300,000 people in need of a shelter, essentially Internally Displaced Persons (IDP) caused by the violence and displacement. Finally, there is no social safety net for the population where unemployment rate and the lack of economic possibilities are severe (OCHA, 2019; Int. A & C).

It is possible to argue that the needs are there and that DG ECHO, by giving more than 23,000,000 million Euros for 2020, is trying to relieve the population from such suffering. However, an interesting element was pointed out through the interviews: humanitarian needs in some crises, for instance Yemen, are higher than in Palestine, and yet received less funding (int. G & H).

This observation can be linked to what Darcy & Hofmann (2003) stated about how the organisation (DG ECHO) will base its assessment of needs and risks according to its values. Needs have to be considered according to acute risks and emergency only. For instance, DG ECHO, by investing in job opportunity creation as well as in education, is in one sense trespassing on what these authors consider as basic needs addressed by humanitarian assistance. This is more what is supposed to be considered under the development aid (Int. B).

Furthermore, it could be argued that, according to Darcy & Hofmann's framework, the Gaza strip that is facing most of the insecurity should be the priority for the EU's funding. This is supported by the DG ECHO's Integrated Analysis Framework that identifies high humanitarian needs in Gaza and, on the contrary, low needs for the West Bank (composed of Area A, B and C). However, the West Bank area receives more than 26% of the funding (6 million) (EC, 2020f). In comparison, the people in need in the Gaza strip represent in the different cluster of needs (food, water, health, shelter) more than 70%, with some cluster such as WASH (water) and health that are extremely high (OCHA, 2019). In order to avoid what interviewee D calls "sprinkling" the funding, DG ECHO's decision could have focused on

where the need is most acute. A possible explanation of this phenomenon will be given in the internal factors of coherence.

Geographical proximity

According to Pusterla's (2017) framework, a humanitarian crisis such as Palestine will have several consequences. First of all, this protracted crisis is facing a situation of relative stability in which the refugees are now in the 3rd generation (Int. C). Putting aside the yearly displaced population due to the illegal Israelis installations, these refugees are now either installed in the different Palestinian areas or had migrated years ago and are living in countries surrounding Palestine (UNRWA, 2021). Although these refugees do not have access to basic needs, the migration flow is no longer significant outside the Palestinian territories, migration is now "marginal" (Int. H). The diffusion and impact of the crisis on the region is no longer an emergency. Additionally, an impact on the European borders has not been demonstrated through the 8 interviews, depicting its irrelevance to the EU's humanitarian aid to Palestine. DG ECHO's Severity Index of 2021 characterises Palestine as a stable crisis.

Moreover, due to the long-term and political situation of this crisis, there is no consensus between the MS on how to deal with this highly politicised crisis (int. H). Therefore, DG ECHO has created like-minded groups with MS that would agree to continue helping: including Germany, France, Italy, the Netherlands and Belgium. They think that Palestine does not seem to be a threat for the EU geographically but is more a political objective that could be a project for the like-minded (Int. A & H).

Horizontal coherence

Palestine is an abnormal crisis for DG ECHO to manage in its decision-making process. First of all, and to come back to what could explain the relatively high funding of the West Bank, the link between the external services (EEAS) and DG ECHO exists, and the external services ask for DG ECHO to work towards the "Two-State solution" as starting point

for framework for the EU's humanitarian aid. For example, DG ECHO is financing in the C area (in the West Bank) knowing that this is against the Israeli laws, risking the destruction or confiscation of the aid (Int. H).

Indeed, in the Palestinian crisis, the political situation is complex and no other DG or European actor has easy access to the field. Development instruments do not intervene, which puts a pressure on the humanitarian aid (Wilding et al, 2012; Int. A & B). Therefore, DG ECHO, according to Art.214, could have become an instrument for the EEAS to promote the Two-State solution, the primary objective of the EU for the region (Van Rechem, 2019; EC, 2019g). According to an evaluation conducted in 2014, humanitarian assistance is part of the Four-Pronged Strategy in pursuit of the Two-State solution within the normative framework for the EU's Cooperation since 1994 (Saba et al, 2014). The EU Commissioner for Crisis Management, being at the head of several external DGs, could have transposed this foreign policy on DG ECHO and the C area in the West Bank. This was confirmed in an interview conducted in May 2018 by Van Rechem (2019):

The EU has the feeling that Area C stays the area where they can 'compete'. They keep nurturing a kind of resilience of the Palestinians (in Area C). (...). Which is a very substantial investment for a relatively small group of people, 300.000 of the 5 million Palestinians. She says that they are faced with a deliberate policy of Israel to annex the land in the long term and the EU resists against this and puts pressure on Israel with its aid.

Horizontal coherence is, in this crisis, an important factor. Nonetheless, without these development actors, no long-term solutions for alleviating the population's suffering exist and "you (DG ECHO) only put a plug on the wounds" (Int. A).

Vertical coherence

First of all, according to the interview with a member of the EU Council, each presidency has its own priorities. The Portuguese presidency, for instance, was prioritising the Ethiopian crisis. However, a complex and highly politicised crisis such as Palestine is a priority for each MS, the only difference is the approach towards it (Int. G). For instance, in

the COHAFAs meeting, finding common positions and writing common messages was often slow and heavy. Furthermore, tensions could arise between the MS and DG ECHO (Int H.).

Another element demonstrates the importance of this vertical coherence in the decision to allocate funds to Palestine: Whatever the amount requested; it always came to 20 million. This is linked to the political objective to be seen as a credible actor around the table of discussion on Palestine, next to the US (Int. H). The budget previously developed by DG ECHO, which could be calculated around 5 million Euros, was increased for this purpose (int. H). Through this analysis, what Pollack (1997) called “rational anticipation” appears where the Commissioner anticipates the MS wishes and adjusts the yearly budget. The HAC has, therefore, an influence on DG ECHO that will put forward proposals which it deems acceptable to all MS (Mowke & Macrae, 2002). Interviewee E from the Commission confirms the previous observation:

So there is the political decision, and that’s why the Cabinet is between us and the Council to validate in order to avoid that there is any difficulty once we go through the Council. It never happened that the Council asked to change the figures and amounts thanks to this “screening” if you want, validation by our Cabinet.

So, this “screening” of the Cabinet is what permits a vertical coherence between the DG ECHO’s experts and the final validation of the Council. Yet, discussion for common messages and intervention from the MS remains difficult.

2. The Ukrainian case

This crisis started with a potential political association and economic integration agreement (AA) between Ukraine and the EU in 2014. However, only 3 days before signing, Ukraine withdrew from this agreement due to unconfirmed Russian pressure on the government. 3 months later, President Yanoukovitch took shelter in Russia and Russia took control of Crimea (Schmit, 2015; Wolczuk & Zeruolis, 2018).

As outlined in the 2021 Humanitarian Needs Overview, 3,4 million Ukrainians required humanitarian assistance and protection to live in dignity. More than 3,000 civilians

had been killed and over 7,000 injured in this crisis between 2014 and 2021. A defining characteristic of the crisis was that approximately 30% of the population in need (and 38% of the population along the Government-Controlled area contact line) were aged over 60, with high rates of disability, immobility, neglect, malnutrition, and economic insecurity (Murray et al, 2020). However, due to a lack of global funding, out of the 3,5 million people, 1,9 million were targeted on both sides of the “contact line” and focused on the essential basic needs. The seven years of active fighting before the Russian invasion in 2022 had profound consequences on the lives of more than five million people in the conflict-affected Donetska and Luhanska oblasts of eastern Ukraine (OCHA, 2021). This man-made crisis between the Ukrainian government and the pro-Russian separatists divided the East of Ukraine in Government-controlled areas (GCA) and outside of Government-control (NGCA).

Within the humanitarian assistance in the area, the NGCA was less targeted for assistance despite the higher severity of humanitarian needs. This was due to the constraints and limited access to the area (Murray et al, 2020; OCHA, 2021). The so-called autonomous oblasts of Donetska and Luhanska denied access to this humanitarian aid from the EU and the international community.

Severity of the crisis

Ukraine faced severe humanitarian needs with more than 3,5 million people in need of assistance in 2021 (OCHA, 2021). The severity of the crisis is one of the primary reasons for the EU to invest in humanitarian assistance in that area (Int. E).

The needs were there, and DG ECHO was aware of the situation. In DG ECHO’s 2020 report on the situation, it confirms what OCHA in the HRP of 2021 depicts as strategic objectives to deter the acute risks of the population: *food insecurity* and the need of *healthcare* of more than 1,5 million of people which demanded high levels of intervention to alleviate these acute risks. DG ECHO provided support to deal with war-wounded persons, as well as strengthened the healthcare system of Ukraine. Furthermore, with more than 2,8 million

people in *need of protection and shelter* due to the violence in the conflict zone, the needs were high. DG ECHO emphasised investing in “support(ing) the enhancement of housing conditions through urgent rehabilitation and repair works of conflict-damaged accommodation (...)” (EC, 2020c). Finally, according to the HRP, more than 3,1 million needed WASH (water, sanitation and hygiene) protection. This acute risk was tackled by the response strategy of DG ECHO that “will support activities that aim to ensure adequate and sustained access (in terms of quality and quantity) to safe water including small rehabilitation of water supply and sanitation infrastructures damaged by the conflict.” (EC, 2020c).

The needs were high, and DG ECHO was funding according to a need-based approach, as agreed by interviewees. Additionally, another important factor was taken into account in this crisis: the “forgotten crisis” index. Due to a constant lack of funding by humanitarian donors, Ukraine was considered receiving a low level of funding (in 2019, less than 31,5% funded) (EC, 2020c). Ukraine, being highly underfinanced at the time, would receive more funds to tackle the needs than Palestine for instance (Int. E).

Geographical proximity

This factor is much more present in the decision to allocate funds to Ukraine compared to Palestine. Although the needs were there and DG ECHO worked towards alleviating them, Ukraine is part of the EU’s neighborhood and is politically important. For instance, a crisis in the middle of the Pacific would probably not have encountered such a funding, according to Interviewee E and confirmed by Int. A: “Ukraine is definitely much in the mind of EU MS due to geographical proximity. Migration, people fleeing, etc is quite scary.”

Moreover, this protracted crisis, in contrast with Palestine, was described as a volatile crisis (OCHA, 2021; EC, 2020c). This entails, according to Pusterla’s framework (2017), MS concerning themselves with the possible spill-over effect on their territories in case of resurgence of violence.

Nonetheless, such observations were tempered by Int. H. arguing that the migration argument was almost non-existent because few Ukrainians came to Europe and that they were not going to scare the European voter. Therefore, it is not directly the diffusion of the crisis and the migration flow that was the concern for MS but more the direct proximity with its borders that is important for the EU's foreign policy.

Horizontal coherence

First of all, throughout the interviews, no direct explanation of the horizontal coherence and its impact on the amount given to Ukraine were found. DG ECHO's work in the field was overall highly appreciated (Int. E).

Two potential explanations can be advanced: on the one hand, and as described by an independent report on DG ECHO's activity in Ukraine between 2014-2018, a good horizontal coherence was installed in that crisis through a Joint Humanitarian-Development Framework (JHDF), one of the first Nexus documents of that kind in DG ECHO's experience. In that strategy, DG ECHO seeks to work in a coordinated way with DG NEAR-SGUA and the Commission Service for Foreign Policy Instruments in the sectors of human security, housing, rehabilitation of critical infrastructure, economic development and health. This document was considered as a success and the collaboration grew through time. This horizontal coherence permitted DG ECHO to focus, since 2018 on fewer priority areas and, therefore, its aid policy on essential needs (Murray et al, 2020).

On the other hand, it is also very complicated to talk about development when parts of the country were not controlled by the local government (i.e. Donetsk) (Int. E). Therefore, development actors of the EU had difficulties to access the conflict zones as well as the NGCA. DG ECHO, due to its neutrality and impartiality, was seen as an important actor in the field having access those areas (NGCA remaining difficult). Int. H goes further in the potential explanation arguing that the difficult relationship with Russia could also be an explanation of

high funding to point out their responsibility for the crisis and the non-acceptance of this situation.

This would also mean that the EU's humanitarian aid was used for political means and to comply with its foreign policy towards Russia. However, little evidence supports this explanation at this stage of the study and further research should be conducted.

Vertical coherence

Moreover, the vertical coherence is also an important factor in this crisis. Indeed, due to its direct geographic proximity, it is much more important in terms of interests for some MS. Indeed, there are very clearly different sensitivities for this crisis: Ukraine was, at that time, important for countries such as Poland and Lithuania. For other, such as Portugal, Ukraine was seen as a remote crisis and very far from their concerns (Int. D).

This element is, on its own, not surprising and follows the logic of geographical proximity. However, the link with vertical coherence is also given by the interviewee G from the Council. The interviewee spoke of the priorities of each Presidency, and the German presidency had prioritized Ukraine, amongst others (Int. G & B). This crisis received special attention from Germany, which could have had an impact on the financial yearly decision for 2021. Covid aside, the budget for 2021, following the German presidency, was increased by more than 2 million euros (EDRIS, 2021b). To avoid a correlation, it is important to mention that no direct link between the German presidency and the increase of the budget in the Ukrainian crisis was found. Nonetheless, this should be further explored in the future and how a specific presidency can have an impact on the amount of a crisis that is a priority for it. This could fit what interviewee D explained with the unconscious bias within DG ECHO and interviewee F about the Commissioner having biases when the budget is validated at the Cabinet, which could lead to more help in a crisis that is historically and socially close. Further research could focus on this sociological aspect.

COMPARATIVE RESULTS

These two highly politicised crises have one big similarity: the difficulty for the development actors to have access to those stricken areas. This implies that DG ECHO, due to its humanitarian principles, is granted access (although still difficult in the NGCA area). DG ECHO is therefore put under pressure by the different actors within the EU environment. The external services of the EU, for instance, asks for DG ECHO to work towards a Two-State solution in Palestine, undermining the need-based approach. This horizontal coherence differs for Ukraine: the JHDF document permitted DG ECHO to focus on the most acute risks. However, need for further research was expressed after what int. H depicted as the impact of the political aspect towards Russia.

Additionally, for both crises the vertical coherence is an important factor that explains the amount of humanitarian aid. Whether it is for Ukraine and the interests of countries such as Poland, Lithuania and Germany or whether it is the political importance of Palestine for the HAC and the MS, this factor helps explain the amount given. Moreover, priorities of each Presidency were mentioned, and such an explanatory factor should be studied more in depth. The second hypothesis is therefore confirmed, and vertical coherence undermines the need-based approach of DG ECHO and experts.

Furthermore, the third independent variable of geographical proximity was only confirmed in the Ukrainian case. No relevant data for Palestine was found. Indeed, there is no major migration flow, and such a crisis is a long protracted one, considered as stable by the EU. On the contrary, for Ukraine such proximity with the EU borders, and especially with the Central European States, had an impact that was evident in the intervention and prioritisation by some countries. Although there was no migration flow, the situation was considered as volatile by the international community. Such a hypothesis is therefore confirmed in the Ukrainian case.

Finally, in the case of the severity of the crisis that entails a proportional response due to a need-based approach, such a hypothesis is certainly confirmed in the Ukrainian crisis. For Palestine, the needs in the Gaza strip are at a high level and DG ECHO is financing as such. Nonetheless, political inputs intervenes in the decisions and asks for DG ECHO to reserve a certain amount each year for the C area in the West Bank, fitting the Two-State solution put forward by the EU and its foreign policies. However, the hypothesis is mainly confirmed, DG ECHO works primarily for preserving human dignity and to prevent suffering.

Table 2 Comparative table of the two case studies: Palestine and Ukraine

Factors	Indicators	Dimensions	Ukraine	Palestine
Internal	Horizontal coherence	Lack of coherence: own logic or cooperation	+ ; -	+
	Vertical coherence	Judging the implementation: from design to implementation	+	+
External	Geographical proximity	Different type of threats	+	0
	Severity of the crisis	Need-based approach	+	+ ; -

1

¹ + : confirms the hypothesis; - : overturns the hypothesis; + - : partially confirms; 0: No direct impact observed

GENERAL CONCLUSION

The paper started with the observation that a limited amount of literature focused on the explanatory factors of the EU's humanitarian aid, particularly the decision-making process of DG ECHO. Indeed, this policy seems straightforward and predictable due to the different legislative documents that accompany such decisions. It was demonstrated that the two internal factors of vertical and horizontal coherence mainly undermined the need-based approach developed by DG ECHO. Furthermore, the external factor of the geographical proximity was demonstrated as only relevant in Ukraine due to its direct borders with the EU.

Moreover, the independent variable of the severity of the crisis came out as the main explanatory factor of the EU's humanitarian aid. Indeed, although the final decision may differ from the initial budget, caused by phenomena such as the "*screening*" or the "*rational anticipation*", DG ECHO works primarily for relieving the population from suffering. The underlying puzzle here is the political pressure upon DG ECHO to work in an efficient way and in the scope of the EU's foreign policies, a global political objective since the Lisbon Treaty. What Manset et al (2017) described as the humanitarian sector between efficiency and humanitarian principles is in a way demonstrated in these two crises: humanitarian aid is fighting an *instrumentalisation* (Dany, 2015). Another interesting example was given by int. H and mentioned by int. B. They pointed out the Turkish Facility that was a deal between Turkey and the EU in 2016 towards the Syrian refugees. For them, this agreement, delegating to DG ECHO the actual implementation of the above in the field, was another demonstration of the politicisation and instrumentalisation of the EU's humanitarian aid policy towards more political and security interests, mainly dealing with the Syrian refugees.

In view of the current situation in Ukraine where Russia invaded the country on 24 February 2022 alongside the resurgence of the violence between Hamas and the Israeli government, humanitarian aid of the EU will remain the only hope for the civilian population, entangled in these man-made crises. This paper also opens and encourages for further research

that would take into account the contemporary evolutions, especially in the case of Ukraine. As mentioned in this paper, conflicts constantly evolve and therefore constantly changes the factors impacting the funds given. To that extent, these two crises can be considered as new case studies in comparison with the crises at the time of the analysis. Finally, this paper also claims that the decision to allocate funds, although other dynamics are at stake (mainly security and political), is focused on helping the population. The humanitarian principles have never been so important to have access to the field and these must be protected at all costs. Through this paper, it seems that this is what DG ECHO intends to do.

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