



## Legal basis and practical dimensions of humanitarian aid and civil protection provided by the European Union

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**Abstract.** The article focuses on presenting the legal basis and practical dimensions of humanitarian aid and civil protection provided by the European Union in the face of world's contemporary problems. The humanitarian aid and civil protection provided by the European Union is based on a solid legal foundation, as well as a set of concrete principles and common objectives. In the context of ever-increasing humanitarian needs and limited resources, the EU, together with its Member States and humanitarian partners, will seek a more coordinated and coherent approach to providing help, where humanitarian aid and development aid are interrelated, allowing current needs to be more efficiently addressed. EU-funded assistance is delivered in different forms, depending on the circumstances and unique character of each emergency. What remains the same, however, are the values that guide the Union and that are required from its aid partners, i.e.: humanity, neutrality, impartiality, and independence. The European Union continues to be a leader in the field of humanitarian aid around the world, being not only the main donor, but also setting standards for compliance with international humanitarian law and humanitarian principles.

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### INITIAL ISSUES – HUMANITARIAN AID AND DEVELOPMENT AID

Humanitarian aid for victims of natural disasters and armed conflicts is one of the most essential expressions of solidarity, a core value of the European Union (EU). Helping the most vulnerable should be considered a moral obligation of the international community. Together with its member states, the European Union is the leading aid

donor, providing around 36% of global humanitarian aid (Communication from the Commission, 2021). EU-funded aid goes directly to people in need regardless of their national and ethnic origin, religion, or gender (European Commission, 2016).

The aim of this paper is to analyze the specifics of humanitarian aid and civil protection provided by the European Union, based on the extensive system of EU primary and secondary law. In addition, an important scientific object of this article is to compare the basic assumptions of humanitarian and development aid and to demonstrate the differences between them. The text also presents the main tasks of the European Commission's Directorate-General for European Civil Protection and Humanitarian Aid Operations (DG ECHO), responsible for the coordination of undertaken activities, will be discussed, and selected examples of EU-financed assistance will be given. The considerations contained in the article are based primarily on the analysis of normative acts and documents relating to the described topic.

It is important to emphasise that an efficient delivery of aid poses financial, logistical and organisational challenges as more and more frequent natural disasters and the escalation of ongoing conflicts create a growing need for humanitarian aid worldwide (Zygierewicz, 2009; cf. European Commission, 2022). This is why the European Commission cooperates with the United Nations in the provision of humanitarian aid, which is channelled through the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), organisations of the United Nations system such as the World Health Organisation (WHO), and agencies such as the United Nations Children's Fund (UNICEF), the United Nations High Commissioner for Refugees (UNHCR), the International Red Cross and Red Crescent Movement (ICRC), and NGOs such as Doctors Without Borders and Save the Children (Michalowska 2007, p. 284).

The provision of humanitarian aid is ad hoc and short-term, constituting an immediate response to human misfortune, usually through in-kind assistance such as food, medicine, tents, and other necessities. Aid is directed to civil victims of armed conflicts, natural and man-made disasters. It is received by people who have lost all their belongings as a result of an earthquake or hurricane, as well as those displaced during wars or staying in refugee centres (Michalowska 2007, p. 284).

Humanitarian aid should be distinguished from development aid. The latter has a long-term character, that responds to previously identified needs of a given community and supports its development. In addition, development aid is provided to less developed countries in order to reduce poverty, promote sustainable development, support democratic reforms and the rule of law, care for human rights and support economic growth. Humanitarian aid, on the other hand, can also be provided to more developed countries as a result of specific situations, and its purpose is to save people's lives and alleviate their suffering (Grzebyk & Mikos-Skuza, 2016, p. 9-10).

Humanitarian aid derived from the concept of humanitarianism and fundamental and universal human rights cannot constitute an instrument of foreign policy. Moreover, this aid based on the principles of humanity, neutrality, impartiality and independence must not be susceptible to any political, military or economic influence. Development aid, on the other hand, is one of the instruments used by the state to achieve political goals in the international arena, where the above-mentioned principles do not have to be respected (Grzebyk & Mikos-Skuza, 2016, p. 9-10; cf. Orbie et al., 2014; Hackenesch et al., 2021).

It should be emphasized, however, that in practice the separation of short-term humanitarian aid from long-term development aid can be problematic, as it is difficult to draw the line between ad hoc aid, pursuant to Art. 214

TFEU<sup>1</sup>, and structural aid under Art. 208 TFEU<sup>2</sup>. It is also worth noting that one of the priorities of the EU's humanitarian policy is to link it to the objectives and programs of development policy. According to this, the achieved effects would be long-term, and humanitarian actions would allow for a smooth transition from crisis conditions to a stabilized situation enabling the development of a given region (Kenig-Witkowska, 2016, p. 139)<sup>3</sup>.

## 1. LEGAL BASIS OF THE PROVIDED AID UNDER PRIMARY EU LAW

Humanitarian aid is an area of EU external action (Padurariu, n.d.), the principles of which are set out in Article 21 of the Treaty on European Union (TEU) (Kenig-Witkowska et. al., 2017), with humanitarian aid being directly addressed by Article 21(2)(g) which states that: “The Union shall define and pursue common policies and actions, and shall work for a high degree of cooperation in all fields of international relations, in order to assist populations, countries and regions confronting natural or man-made disasters”<sup>4</sup>.

The legal basis for the provision of humanitarian aid by the EU is laid down in Article 214 of the Treaty on the Functioning of the European Union (TFEU), which reads as follows: “The Union’s operations in the field of humanitarian aid shall be conducted within the framework of the principles and objectives of the external action of the Union. Such operations shall be intended to provide ad hoc assistance and relief and protection for people in third countries who are victims of natural or man-made disasters, in order to meet the humanitarian needs resulting from these different situations. The Union’s measures and those of the Member States shall complement and reinforce each other.” (Article 214(1))<sup>5</sup>.

It should be noted that humanitarian aid operations shall be conducted in compliance with the principles of international law and with the principles of impartiality, neutrality, and non-discrimination (Article 214(2)), while the legislative measures defining the framework within which the EU’s humanitarian aid is delivered shall be established by the European Parliament and the Council in accordance with the ordinary legislative procedure (Article 214(3)). At the same time, within the framework of these measures, the Union may conclude agreements with third countries and international organisations of different kinds, helping to achieve the objectives referred to in paragraph 1 and Article 21 of the Treaty on European Union, without prejudice to the competence of the Member States to conclude international agreements to that end (Article 214(4)). In addition, the European Voluntary Humanitarian Aid Corps was set up under Article 214(5) TFEU, to establish a framework for joint contributions from young Europeans to humanitarian aid operations<sup>6</sup>.

In 2014, the initiative “EU Aid Volunteers” was launched<sup>7</sup> in response to the Treaty provisions cited above, while a new programme was created for the period 2021-2027, “European Solidarity Corps”, offering volunteering opportunities in the field of humanitarian aid and incorporating the previous initiative into its activities. The

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<sup>1</sup> Art. 214 TFEU is discussed later.

<sup>2</sup> Art. 208 TFEU states: “Union policy in the field of development cooperation shall be conducted within the framework of the principles and objectives of the Union's external action. The Union's development cooperation policy and that of the Member States complement and reinforce each other. Union development cooperation policy shall have as its primary objective the reduction and, in the long term, the eradication of poverty. The Union shall take account of the objectives of development cooperation in the policies that it implements which are likely to affect developing countries”.

<sup>3</sup> Already in 1996, the European Commission proposed the concept of combining humanitarian aid, reconstruction and development (LRRD, Linking, Relief, Rehabilitation, Development), but in practice it was not implemented, except for a few cases, cf. Orbie et al., 2014.

<sup>4</sup> *Treaty on European Union*, Official Journal of the European Union, C 326, Vol. 55, 26 October 2012 - Consolidated text incorporating the amendments introduced by the Treaty of Lisbon.

<sup>5</sup> It should be noted that under Article 4(4) TFEU " in the areas of development cooperation and humanitarian aid, the Union shall have competence to carry out activities and conduct a common policy; however, the exercise of that competence shall not result in Member States being prevented from exercising theirs". *Treaty on the Functioning of the European Union*, Official Journal of the European Union, C 326, Vol.55, 26 October 2012 - Consolidated text incorporating the amendments introduced by the Treaty of Lisbon.

<sup>6</sup> The status and conditions of the Corps are determined in regulations of the European Parliament and the Council.

<sup>7</sup> Regulation (EU) No. 375/2014 of the European Parliament and of the Council of 3 April 2014 establishing the European Voluntary Humanitarian Aid Corps (“EU Aid Volunteers Initiative”).

programme consists of the European Commission funding grants to organisations which then, through the European Solidarity Corps portal, select young people (aged between 18 and 30) to volunteer<sup>8</sup>. The programme's budget for 2021-2027 is 1 billion euro (Padurariu, n.d.).

As the EU humanitarian aid is provided through transfers to several partner organisations, the Union seeks to ensure that its humanitarian aid operations are coordinated and compatible with those of international organisations and bodies, in particular those forming part of the United Nations system (cf. Krzan, 2021, p. 139).

When analyzing the treaty bases for the provision of civil protection<sup>9</sup> assistance on the territory of the EU, it is worth mentioning Article 196 TFEU, on cooperation between the EU and the Member States on disaster prevention systems within the territory of the Union: „The Union shall encourage cooperation between Member States in order to improve the effectiveness of systems for preventing and protecting against natural or man-made disasters. Union action shall aim to support and complement Member States' action at national, regional and local level in risk prevention, in preparing their civil-protection personnel and in responding to natural or man-made disasters within the Union; promote swift, effective operational cooperation within the Union between national civil-protection services and promote consistency in international civil-protection work”.

It is worth emphasizing that the assumptions of providing aid remain common to the EU and the Member States, based on the solidarity clause resulting from Art. 222 TFEU on joint action by the Union and the Member States in a spirit of solidarity in the event of a terrorist attack, natural or man-made disaster (Kenig-Witkowska, 2016, p. 140).

## 2. LEGAL AND POLICY BASES FOR AID PROVISION ENSHRINED IN EU SECONDARY LEGISLATION

The objectives of EU's humanitarian aid are also laid out in numerous acts of secondary legislation. The provisions on the delivery of humanitarian aid and the instruments to finance it are specified in the Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid<sup>10</sup>. Pursuant to it, humanitarian aid shall comprise of assistance, relief and protection operations on a non-discriminatory basis to help people of third countries, particularly the most vulnerable among them, with priority for people in developing countries, victims of natural disasters, man-made crises, such as wars and outbreaks of fighting, emergencies or circumstances comparable to natural or man-made disasters. The Community's humanitarian aid shall last until the humanitarian needs resulting from such situations have been met. It shall also cover operations to prepare for risks or prevent disasters or comparable exceptional circumstances (Article 1). The main objectives of humanitarian aid operations, according to Article 2 of the Regulation, are:

- to save and preserve life during emergencies and their immediate aftermath and natural disasters which involve major loss of life, physical, psychological or social suffering or material damage
- to provide the necessary assistance and relief to people affected by longer-lasting crises arising, in particular, from outbreaks of fighting or wars (...), especially where their own governments prove unable to help or there is a vacuum of power

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<sup>8</sup> The Solidarity Corps increases the EU's capacity to respond to humanitarian crises and helps both young people and grantee organisations to address social and humanitarian challenges in Europe and beyond – Padurariu (n.d.).

<sup>9</sup> It is worth adding that art. 6 TFEU stipulates that civil protection is an area in which the Union has competence to carry out support measures and coordinates and complements the actions of the Member States.

<sup>10</sup> *Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid, Official Journal of the European Communities, L 163, vol. 39, 2 July 1996 as amended.*

- to help finance the transport of aid and efforts to ensure that it is accessible to those for whom it is intended, by all logistical means available, and by protecting goods and personnel, but excluding operations with defence implications
- to carry out short-term rehabilitation and reconstruction work, especially on infrastructure and equipment, in close association with local structures, with a view to facilitating the arrival of relief, preventing the impact of the crisis from worsening, and starting to help those affected regain a minimum level of self-sufficiency, taking long-term development objectives into account where possible
- to cope with the consequences of population movements (refugees, displaced people and returnees) caused by natural and man-made disasters and carry out schemes to assist repatriation to the country of origin and resettlement there when the conditions laid down in current international agreements are in place
- to ensure preparedness for risks of natural disasters or comparable exceptional circumstances and use a suitable rapid early-warning and intervention system
- to support civil operations to protect the victims of fighting or comparable emergencies, in accordance with current international agreements

The Regulation also stipulates procedures for the provision of Union-funded humanitarian aid, which may be implemented at the request of international, governmental, or non-governmental, agencies and organisations from a Member State or a recipient third country, or at the initiative of the Commission. At the same time, humanitarian aid operations are exempt from taxes, charges, duties, and customs duties (Kenig-Witkowska, 2016, p. 143).

Activities that can be financed through community aid include: the purchase and delivery of any product or equipment needed for the implementation of humanitarian operations, the construction of housing or shelters for the victims, the costs associated with the staff, transport, logistics and distribution of relief. Aid may also be used to finance any other expenditure directly related to the implementation of humanitarian operations, e.g., preparatory and feasibility studies for humanitarian operations, the assessment and monitoring of humanitarian projects and plans, training schemes, and general studies in the field of humanitarian operations, public awareness and information campaigns aimed at increasing understanding of humanitarian issues. Moreover, the funds received may be used to strengthen coordination between the EU and member states, other donor countries or international organisations and NGOs. Grants may also be used to pay for technical assistance necessary for the implementation of humanitarian projects (including the exchange of technical know-how and experience between European humanitarian organisations and agencies or between such bodies and those of third countries), humanitarian mine-clearance operations, including campaigns to increase awareness of anti-personnel mines on the part of the local population (Article 4 of the Regulation).

The general policy framework for humanitarian aid is defined in the European Consensus on Humanitarian Aid (Bandov & Gosovic, 2018), signed by the three EU institutions (Commission, Council and Parliament). This document outlines the EU's common vision, political objectives and principles for action in the field of humanitarian aid in third countries, at both Member State and Community level. It also reaffirms the basic principles that guides the Union's assistance, i.e.: humanity, neutrality, impartiality, and independence. The first of these principles, humanity, means that human suffering must be addressed wherever it is found, with particular attention to the most vulnerable in the population, and that the dignity of all victims must be respected and protected. Neutrality means that humanitarian aid must not favour any side in an armed conflict or other dispute. Impartiality denotes that humanitarian aid must be provided solely based on need, without discrimination between or within affected populations. Respect for independence means the independence of humanitarian objectives from political, economic, military, or other objectives; and the sole purpose of humanitarian aid should be to alleviate and prevent the suffering

of victims of humanitarian crises<sup>11</sup> (cf. Götz et al., 2020). In addition, in the cited document, the EU and donors have committed to adhere to the Principles and Good Practice of Good Humanitarian Donorship (GHD) developed by the Development Assistance Committee of the Organisation for Economic Co-operation and Development (OECD), and to cooperate with each other and with other actors in pursuit of best donor practices<sup>12</sup>.

It is worth noting that the above-mentioned European Consensus highlights the importance of integrating gender considerations into humanitarian aid, recognising that women, girls, men, and boys have different needs and skills and therefore contribute differently to an emergency response. The key role of women in humanitarian aid was also recognised<sup>13</sup>.

Analysing the humanitarian aid and civil protection provided by the European Union, it is also important to emphasise the activity of the EU Civil Protection Mechanism, established in 2001 to strengthen cooperation between the Union and the Member States to improve prevention of natural and man-made disasters. The EU Civil Protection Mechanism is equipped with an operational centre, the Emergency Response Coordination Centre, which facilitates the round-the-clock coordination of the delivery of assistance. Within the frames of civil protection, the states voluntarily commit forces and resources on standby to take action (Gajewski, 2018, p.75). The coordination centre is activated during natural disasters such as floods, forest fires, earthquakes, hurricanes, and tsunamis, as well as acts of terrorism, technical or radiological accidents, and environmental disasters such as marine pollution. By pooling the civil protection resources of the participating countries, the mechanism ensures better protection of people, the environment, and material assets (European Commission, 2016).

EU member states may also apply for Union support under Council Regulation (EU) 2016/369 of 15 March 2016 on the provision of emergency support within the Union<sup>14</sup>. It is worth noting that the adoption of the new regulation related to the difficult humanitarian situation caused by the refugee crisis in 2015. Thanks to the new legal provisions, the EU was able to assist Greece and other member states affected by the crisis at the time, in meeting the humanitarian needs of refugees<sup>15</sup>.

The 2021 communication from the Commission to the European Parliament and the Council on the EU's humanitarian action: new challenges, same principles<sup>16</sup>, responding among other things to the growing humanitarian needs in the aftermath of the COVID-19 pandemic, but also to the impact of climate change, environmental degradation, global population growth, and the resurgence of state conflicts, provides an important framework for EU humanitarian aid. As there is an ever-larger gap between humanitarian needs and the resources available globally, it is becoming more and more difficult and dangerous to deliver aid. Since the outbreak of the COVID-19 pandemic, the EU's responsibility as a global humanitarian donor has become more apparent than ever before<sup>17</sup>. Apart from increasingly frequent and serious natural hazards that lead to natural disasters, climate change and environmental degradation are among the underlying causes of conflicts, food insecurity, and forced displacement. In 2018 alone,

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<sup>11</sup> *Joint Statement by the Council and the Representatives of the Governments of the Member States meeting within the Council, the European Parliament and the European Commission "The European Consensus on Humanitarian Aid"*, Official Journal of the European Union, C 25, vol. 51, 30 January 2008.

<sup>12</sup> *The Principles and Good Practice of Humanitarian Donorship*, endorsed in Stockholm, 17 June 2003, <https://reliefweb.int/sites/reliefweb.int/files/resources/EN-23-Principles-and-Good-Practice-of-Humanitarian-Donorship.pdf> (access: 25.03.2020).

<sup>13</sup> Official Journal of the European Union, C 25, vol. 51, 30 January 2008. The EU Civil Protection Mechanism currently includes the 27 EU Member States plus 7 Participating States to the Mechanism (Great Britain, North Macedonia, Iceland, Montenegro, Norway, Serbia and Turkey). The Mechanism was amended by virtue of *Decision No 1313/2013/EU of the European Parliament and the Council of 17 December 2013 on a Union Civil Protection Mechanism, Decision (EU) 2019/420 of the European Parliament and of the Council of 13 March 2019 amending Decision No 1313/2013/EU on a Union Civil Protection Mechanism and Regulation (EU) 2021/836 of the European Parliament and of the Council of 20 May 2021 amending Decision No 1313/2013/EU on a Union Civil Protection Mechanism (Text with EEA relevance)*.

<sup>14</sup> *Council Regulation (EU) 2016/369 of 15 March 2016 on the provision of emergency support within the Union*, Official Journal of the European Union L70 of 16.03.2016.

<sup>15</sup> The Regulation may be applied in the future in response to other exceptional crises or disasters with major humanitarian consequences, such as nuclear accidents or terrorist attacks.

<sup>16</sup> COM (2021) 110 final.

<sup>17</sup> The EU and its Member States have responded by launching (in April 2020) the "Team Europe" package of € 38.5 billion, including € 3.49 billion dedicated to addressing emergencies and meeting humanitarian needs that are a consequence of the coronavirus pandemics.

approximately 108 million people needed international humanitarian assistance because of storms, floods, droughts and fires<sup>18</sup>.

In the context of these trends and challenges, the European Union needs to re-energise its humanitarian aid policy to respond more effectively to growing needs and work closely with development and peace-building actors to promote long-term solutions. Cooperation with various partners will be crucial in improving the situation and achieving good results in areas which need assistance. Humanitarian aid cannot provide a long-term solution to the needs of people affected by a crisis. However, as part of the link between the humanitarian, development, and peace-keeping aspects, the European Union should mobilise all the instruments necessary not only to meet short-term needs, but also provide long-term solutions and, in the case of conflicts, contribute to building lasting peace. This in turn may require additional analysis and operational response frameworks, as well as a conflict-sensitive approach to ensure that external assistance does not inadvertently contribute to conflict escalation<sup>19</sup>.

### **3. PRACTICAL DIMENSION OF PROVIDED AID**

The coordination of the policy pursued by the European Union in the provision of humanitarian aid is carried out by the European Commission's Directorate-General for European Civil Protection and Humanitarian Aid (ECHO), which was established in 1992 as the European Community Humanitarian Aid Office, later transformed into a Directorate-General in 2004 and, since 2010, dealing not only with humanitarian aid but also operations for the protection of civilians in crisis areas, civilian buildings and installations (Kenig-Witkowska, 2016, p. 138)<sup>20</sup>.

In the event of an emergency, ECHO assistance focuses primarily on funding humanitarian interventions to meet the basic needs of the affected population such as food, shelter, health care, clean water, sanitation infrastructure and emergency education. For the period 2021-2027, €11.6 billion has been allocated to humanitarian aid instruments (some of these funds come directly from member states, but the share from the EU budget is significant) (Padurariu, n.d.).

ECHO has an extensive network of humanitarian aid experts working in crisis zones around the world to ensure that help reaches those in need quickly and efficiently. Experts carry out needs assessments and monitor the implementation of EU-funded humanitarian operations. European humanitarian aid is delivered through a network of more than 200 partner humanitarian organisations that include UN agencies, NGOs, and other international organisations, such as the International Red Cross and Red Crescent (European Commission, 2014, p. 2).<sup>40</sup> ECHO's main tasks encompass funding, monitoring the sound management of funds, and ensuring that goods and services from partner institutions reach vulnerable populations swiftly and efficiently to meet real needs.

The EU provides tailored assistance to people affected by a crisis, reaching out to those who need it most, regardless of nationality, religion, gender, ethnic origin, or political opinion. EU-funded humanitarian aid takes different forms depending on the circumstances and specificity of each crisis. Numerous aid operations funded by the EU to date include:

- providing, among others, 300,000 tonnes of food, blankets, mattresses and toiletries to people affected by the 1992 war in the former Yugoslavia, who were victims of displacement, hunger and trauma

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<sup>18</sup> It is estimated that more than 200 million people may need humanitarian assistance each year by 2050 as a result of climate-related natural disasters and the socio-economic impacts of the climate change.

<sup>19</sup> COM (2021) 110 final.

<sup>20</sup> European Civil Protection and Humanitarian Aid Operations, Directorate-General for European Civil Protection and Humanitarian Aid Operations (ECHO), [https://ec.europa.eu/echo/who/about-echo\\_en](https://ec.europa.eu/echo/who/about-echo_en) (access: 25.03.2022).

- providing medical care to those who had to flee their homes following the 1994 genocide in Rwanda
- ensuring the survival of those affected by the 2004 Indian Ocean tsunami and, (in a later phase, building camps for the homeless, funding medical health workers, or purchasing fishing boats to restore their livelihoods)
- activating the EU Civil Protection Mechanism following the disastrous floods in the Balkans in 2014; at the time, 23 Member States deployed relief workers, rescue and evacuation helicopters, motorboats, generators, sandbags, tents, blankets and humanitarian aid kits
- allocating funds for emergency aid in Syria after the outbreak of the conflict in 2011 and for refugees and host communities in the following neighbouring countries: Lebanon, Jordan, Iraq, Turkey, and Egypt
- earmarking humanitarian and early recovery aid for internally displaced persons in Ukraine since the outbreak of war in the east of the country in 2014, providing food assistance, a cash voucher programme, medicines, mobile clinics, shelter, and material to help people cope with winter conditions (European Commission, 2016)
- earmarking funds to deal with the tragic humanitarian consequences of the war, both inside and outside Ukraine, following Russia's military invasion of Ukraine in February 2022. Up until mid-March 2022, 90 million of the €500 million pledged by European Commission President Ursula von der Leyen had already been used to provide food, water, healthcare, shelter, and assistance to meet the basic needs of those in Ukraine and neighbouring Moldova. In view of the emergency, the largest ever mobilisation of the EU Civil Protection Mechanism has taken place, with millions of items – vehicles, first aid kits, tents, blankets and sleeping bags – reaching those in need in Ukraine. Further aid is also being transferred to neighbouring countries, Moldova, Poland, and Slovakia, to support all those fleeing the war<sup>21</sup>.

## CONCLUSIONS

The humanitarian aid and civil protection provided by the EU is based on a solid legal foundation, as well as on a set of concrete principles and common objectives<sup>22</sup>. The presented analysis of normative acts as well as of advanced aid mechanisms, proved their multidimensionally and EU's readiness for their development and for meeting new challenges. In the context of ever-increasing humanitarian needs and limited resources, the European Union, together with its member states and humanitarian partners, will seek a more coordinated and coherent approach to provide assistance, in which humanitarian and development aid are linked to ensure a more efficient response to current necessities. EU-funded aid is delivered in different forms, depending on the circumstances and unique character of each crisis. However, the values that guide the Union and that are required from its aid partners, i.e.: humanity, neutrality, impartiality, and independence, remain the same. The European Union continues to be a leader in humanitarian aid throughout the world, not only being the main donor, but also setting the standard for compliance with international humanitarian law and humanitarian principles (European Commission, 2016). One of the main problems in giving aid will be to boost overall funding for humanitarian operations to match growing

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<sup>21</sup> It is important to underline that, in addition to the humanitarian aid offered by the EU, actions have been taken to support border management, protect people fleeing conflict, support reception capacities, as well as cohesion policy actions in favour of refugees in Europe, cf. *Communication from the Commission to the European Parliament, The European Council, The Council, The European Economic and Social Committee and The Committee of the Regions. European solidarity with refugees and those fleeing war in Ukraine*, Strasbourg, 8.3.2022, COM(2022) 107 final.

<sup>22</sup> COM (2021) 110 final.



needs<sup>23</sup>. A major challenge for the European Union and the member states will be to provide humanitarian assistance and civil protection support to Ukraine and its neighbouring countries<sup>24</sup>.

The primary objective of humanitarian aid is to provide emergency relief to people affected by crises, and therefore humanitarian aid alone cannot address the complex causes of conflicts, or socio-economic crises, governance, or environmental issues. All these factors need to be addressed holistically, by dealing with governance issues, respecting people's fundamental rights, tackling inequalities, ensuring access to basic services, justice, economic opportunities and security, and handling climate and environmental challenges<sup>25</sup>.

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<sup>23</sup> Official Journal of the European Union, C 25, vol. 51, 30 January 2008.

<sup>24</sup> EU Solidarity with Ukraine, <https://ec.europa.eu/info/strategy/priorities-2019-2024/stronger-europe-world/eu-solidarity-ukraine/>, (access: 25.03.2022).

<sup>25</sup> COM (2021) 110 final.

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