Inertia in the EU's Humanitarian Aid Policy: An Unattainable Localized Funding?

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This article focuses on the inability of the Directorate-General for European Civil Protection and Humanitarian Aid Operations (DG ECHO) to directly fund local partners in the field. Considering the growing international funding gap, the EU acknowledges the importance of collaborating with the latter. The 'localization' of the aid, understood as empowering local partners in affected countries to lead and deliver humanitarian aid, is depicted by the humanitarian sector as an answer to inefficient aid, offering a comprehensive response to increasingly complex crises. However, and mainly due to the difficulty to adopt such an approach, the EU fails to reform its incompatible legislative framework: the EU Council Regulation 1257/96 of 1996. Supported by an eclectic analytical framework, the article answers the following question: what explains the constraints the EU is facing in changing the latter? The analysis of fourteen semi-structured interviews explores the reasons behind the continuity in the EU's decision-making process since 2016, although it committed otherwise. Two main explanations may be found: firstly, the EU, particularly the Commission, is reluctant to changes that would be detrimental for its DGs; secondly, tensions with international implementing partners hinders incentives for change. Additionally, the article discusses future considerations, should the EU launch legislative reforms. The article found that the current administrative burden is heavy, preventing small partners to collaborate with the EU, favouring important International Organizations (IOs) and International Non-Governmental Organizations (INGOs).

Keywords: European Union, Humanitarian Aid, Localization, Inertia, Analytic Eclecticism, Institutionalism.

1 INTRODUCTION

The article explores why there are no legislative reforms at the EU-level to incorporate localization processes of the funding since 2016 although it committed to enhance it by up to 25%. *Localization* can be understood as empowering national and local partners (mostly NGOs) in affected countries to lead and deliver humanitarian aid. The opposite, namely '*non-localization*' of the aid, can in turn be understood as empowering international partners: International Organizations (IOs) and International Non-Governmental Organizations (INGOs). The

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rationales put forward by those in favour of localizing aid are both ideological and practical: it is, (1) firstly, seen as the 'just thing to do', counterbalancing the western-led funding systems replicating historical power dominance[1]; (2) secondly, it is depicted as essential to increase the global response capacity. Indeed, it is pointed out as an answer to the organizational crisis the humanitarian sector is facing: namely that international fundings are stagnating, if not decreasing for some historical donors, and the number of emergencies and their complexity are steadily increasing simultaneously.[2] Whether it is due to their knowledge of the field or their respective legitimacy and trust coming from other local partners, national and local implementing actors are already settled to immediately provide an answer to the needs.[3]

This recent initiative of localizing humanitarian aid gained traction in and after 2016. The period corresponds with the World Humanitarian Summit in Istanbul, the *Grand Bargain*, where the humanitarian sector (i.e., Donors, IOs and NGOs) discussed and committed to enable more locally led response.[4] For instance, the participants, EU included, agreed that 25% of international humanitarian response funding should be straightly directed towards national and local actors. In this article, direct and localized funding would thus mean that the EU directly funds local partners without passing through an international intermediary (i.e., UN agencies or International NGOs).

Yet, and according to the contemporary literature on localization and exploratory interviews conducted with humanitarian actors,[5] the momentum slackened and there is now a gap between what is stated, committed and the actual implementation of these pledges: out of the 4,800 contractual decisions from 2016 until 2024, non were taken directly with local partners outside the EU borders.[6] Even more compelling, there is no clear evidence of an increase of

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1 Ed Schenkenberg, *The Challenges of Localised Humanitarian Aid in Armed Conflict*, 3 Emergency Gap Series (2016).

2 Jean-François Mattei, *L'Humanitaire à l'épreuve de l'éthique*, Liens qui libèrent (2014); Lina Frennesson, Joakim Kembro, Harwin De Vries, Marianne Jahre & Luk Van Wassenhove, *International Humanitarian Organizations' Perspectives on Localization Efforts*, 83 Int'l J. Disaster Risk Reduction (2022), doi: 10.1016/j.ijdrr.2022.103410.

3 Frennesson et al., *supra* n. 2.

4 *Ibid*.

5 The latter consisted in understanding the current main trends in the EU's humanitarian aid policy and the relationship between DG ECHO and implementing actors in the field, i.e., NGOs and IOs. Interviewees mentioned several times the importance of localization for the sector, the EU Commission's discourse encouraging for this development, and yet, little evidence of this in the field. This pushed the author to further investigate this topic.

6 Author's own production and data collection, source: Edris (europa.eu). EDRIS is a trustworthy database, containing real time information on DG ECHO's contributions. The reliability is assured as all information contained in EDRIS is electronically transmitted to the Financial Tracking System (FTS) managed by OCHA, the United Nations' humanitarian office.

direct funding, globally as well as by the EU.[7] According to exploratory interviews, one main obstacle prevents the EU to conduct localized funding: Chapter II of the Council Regulation 1257/96. Indeed, the legislative framework of 1996 firstly identifies who are the implementing partners of Directorate-General for European Civil Protection and Humanitarian Aid Operations (DG ECHO), the EU office for humanitarian aid in charge of managing this external policy. Secondly and most importantly, Chapter II also establishes the geographical boundaries: partners must be situated '*in the EU/EEA*' zones.[8] It is therefore easily understandable that localized (i.e., direct) funding towards local partners in third countries is legally prevented.

One would therefore wonder why the European Commission has not proposed to amend this legislative framework in the recent years to follow-up the contemporary debates around localization. Indeed, this piece of legislation was designed in 1996 and is not suited to current challenges and normative debates. The international calls for localization, direct funding being an integral part of it, do not match with the current policymaking of DG ECHO.

This article will thus focus on the reasons behind the continuity in the policymaking of DG ECHO, or in other words the lack of legislative reform to integrate localized funding. The choice to focus on funding was made as it the most direct (rapid to transfer), visible (observable data) and main task of a donor. To do so, the following research question will guide this article: *what explains the constraints the EU is facing in changing the legislative framework enabling localized funding to respond to the international momentum?* In an iterative qualitative process of back and forth between interviews (fourteen in total) and literature, the article will explore why institutional inertia is observed at the EU-level, while reforms were expected.

Overall, this article answers to a call for additional research from scholars towards more holistic understanding on localization.[9] Moreover, the field has also called upon future research on localization being understood in broader context, considering the variety of actors that are involved in this policy. This article fits in this call as it will study how institutional donors act towards localization, the EU and DG ECHO in this specific case, and the overall implications for this specific policy.[10]

The article is organized as follows: section 2 introduces the existing literature on the EU's humanitarian aid policy and on localization as an innovation in this specific policy. Section 3 introduces the eclectic approach used to build up the

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7 Jessica Alexander, *Renewing the Grand Bargain, Part 1: Old Goals, a New Path* (The New Humanitarian 2021).
8 Council Regulation (EC) 1257/96 of 20 Jun. 1996 concerning humanitarian aid, OJ L 163 2 Jul. 1996.
9 Frennesson et al., *supra* n. 2.
10 *Ibid*.

analytical framework composed of various concepts. Section 4 details the methodology used. Section 5 presents the results. Section 6 discusses future considerations, should the EU tackle legislative reforms to incorporate direct funding to local partners outside EU borders. Finally, section 7 concludes and identifies avenues for future research on this recent topic in the EU's academic field.

2 THE EUROPEAN UNION: SUITED FOR IMPLEMENTING LOCALIZED AID?

Humanitarian aid is an '*ad hoc assistance, 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*' (Article 214 TFEU). As a field of EU foreign policy, humanitarian aid is situated within the complexity of a multi-level context, reflecting the interconnectedness of multiple governance levels and policy arenas in the policy process.[11] The EU, Member States included, is one of the biggest international donors, intervening to help people involved in almost all regions of the world in a variety of crises, natural disasters, conflicts, and political instability in the last four decades.[12] Since the Lisbon Treaty (ToL) establishing a new institutional framework for more external coherence, the EU's humanitarian aid policy is a particularly interesting and exemplary case of a political donor with a multiplicity of actors involved in the EU's humanitarian aid policymaking.[13]

Although humanitarian aid has been provided since the early 1970s, the creation of ECHO as a separate institutional service for humanitarian aid in 1991 only then contributed to the recognition of the importance of this specific policy.[14] In addition, it was not until 1996 with the Council Regulation 1257/96 that a first legal base was established, the latter based on the former Article 130 of the EC Treaty (now Article 209 TFEU). Coupled with the entry into force of the ToL in 2009, the EU's humanitarian aid finally was codified. Indeed, Article 214 of the TFEU provides the EU's competence

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11 Stephan Keukeleire & Tom Delreux, *The Foreign Policy of the European Union* (3d ed., Palgrave 2022).

12 Monique Pariat, *The EU Humanitarian Aid Policy: Progress and Challenges*, 24 Eur. Foreign Aff. Rev. (2019), doi: 10.54648/EERR2019001; Charlotte Dany, *Politicization of Humanitarian Aid in the European Union*, 20 Eur. Foreign Aff. Rev. (2016).

13 Andrea Pontiroli, Aurelie Ponthieu & Katharine Derderian, *Losing Principles in the Search of Coherence? A Field-Based Viewpoint on the EU and Humanitarian Aid* (2013); Thomas G. Weiss, *Humanitarian Business*, 38 Polity (2013).

14 Peter Van Elsuwege, Jan Orbie & Fabienne Bossuyt, *Humanitarian Aid Policy in the EU's External Relations, The Post-Lisbon Framework*, 3 SIEPS (2016).

to act in the field of humanitarian aid and details the principles guiding the decision-making process: *impartiality, neutrality* and *non-discrimination*.[15]

In a nutshell, the EU's humanitarian aid is a shared and parallel policy between DG ECHO and EU Member States.[16] This policy was not fully transferred as '*Member States appear reluctant to accept a far-reaching competence transfer to the EU level*'.[17] Following the comitology process, DG ECHO may take the decision to allocate aid to countries on a need-based approach, collaborating with implementing partners: IOs, NGOs, EU Member States' governmental agencies. The latter is codified through Articles 6–9 of the Council Regulation 1257/96 and Article 214 (3) TFEU.[18] To be noted that for any project with budgets above three million, EU Member States' (through the Humanitarian Aid Committee) and the European Parliament's approvals are needed. DG ECHO delegates the funding to these implementing partners through contractual relationships. NGOs and IOs must comply with the various conditions set by DG ECHO: NGOs need a *certificate* (now set for seven years between 2021 and 2027); IOs are under the scope of *framework agreements*. These partners in turn implement or delegate the implementation to additional humanitarian actors, usually local partners, which corresponds to '*indirect funding*'.

The main reason behind the following delegation is that the EU has relatively limited operational capacity on the ground and thus collaborates with over more than 200 international partners.[19] To do so, around EUR 1.7 billion are allocated on a yearly base. More recently, the Multiannual Financial Framework (MFF) for 2021–2027 increased the funds allocated to humanitarian aid up to EUR 11.5 billion. Although this only represents around 1% of the budget of the EU, it still engages some important financial and human investments. Indeed, the EU deploys a large and disperse network around the globe to acknowledge the field and to intervene swiftly.[20]

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15 Jan Orbie, Peter Van Elsuwege & Fabienne Bossuyt, *Humanitarian Aid as an Integral Part of the European Union's External Action: The Challenge of Reconciling Coherence and Independence*, 22 J. Contingencies & Crisis Mgmt. 3 (2014), doi: 10.1111/1468-5973.12054.

16 Van Elsuwege et al., *supra* n. 14.

17 *Ibid*.

18 Pieter J. Kuijper, Jan Wouters, Frank Hoffmeister, Geert De Baere, Thomas & Ramopoulos, *The Law of EU External Relations: Cases, Materials, and Commentary on the EU as an International Legal Actor* (3d ed. *Oxford* 2021).

19 Daniela Irrera, *EU Emergency Response Policies and NGOs. Trends and Innovations*, Palgrave Macmillan (2018); Goran Bandov & Gabrijela Gosovic, *Humanitarian Aid Policies Within the European Union External Action*, 4 J. Liberty & Int'l Aff. 2 (2018).

20 Irrera, *supra* n. 19.

2.1 Localization in the contemporary literature

Focusing on localization, understood as empowering local partners to deliver aid in the field, there has been recent notable rise in academic and grey literature. The latter is also true for literature originated from practitioners.[21] This is due to a twofold reason: firstly, localization has been advocated by the humanitarian sector since the last decade. In comparison, the same debate in development aid policy already appeared beginning of this century.[22] Secondly, the literature, also originated outside of the European studies, is failing to clearly define and identify how to measure it.[23] Indeed, this umbrella term led to great confusion and asked for further work on the matter.[24]

The localization agenda has shaped discussion since the 2016 UN World Humanitarian Summit in Istanbul. The latter inspired broader debate on integrating 'local' in the decision-making process of humanitarian aid policy and the desirability of it.[25] Two main arguments arise from the literature: (1) channelling the funds and resources directly to local actors can ensure a swift and efficient answer with the knowledge of the type of interventions needed and their locations[26]; (2) the localization agenda raised hope for more solidarity and horizontal relationships between donors and recipients of the aid, criticizing the hierarchical and patriarchal partnerships.[27] Humanitarians, NGOs mostly, pointed out that the current overstretched (UN-led) humanitarian system should be turned the other way around, with local actors in the lead.[28] This would challenge the power dynamics governing the Western-led international humanitarian system where partnerships are structured such that actors in the West hold power over local partners.[29]

Criticism of localized aid from a portion of the humanitarian sector also rose. As in the field on 'Budget Support' in development aid literature,[30] the main fear

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21 Maximilian Bruder & Thomas Baar, *Innovation in Humanitarian Assistance – a Systematic Literature Review*, 9 Int'l J. Humanitarian Action (2024), doi: 10.1186/s41018-023-00144-3.

22 *See* Svea Koch, Stefan Leiderer, Jörg Faust & Nadia Molenaers, *The Rise and Demise of European Budget Support: Political Economy of Collective European Union Donor Action*, 35 Dev. Pol'y Rev. (2017), doi: 10.1111/dpr.12190; *also see* Svea Koch & Nadia Molenaers, *The Europeanisation of Budget Support: Do Government Capacity and Autonomy Matter?*, 17 Eur. Pol. & Soc'y 17 (2015), doi: 10.1080/23745118.2015.1075778.

23 Charlotte Dany, *Solidarity Through Localization? Humanitarian Responses to the COVID-19 Pandemic* (Frontiers in Political Science 2021).

24 Jo Rose & Eslam Elbaaly, *Cultivating Resilience in Chaos: Localisation as a Mechanism for Sustainability and Inner Development in Syria's Humanitarian Crisis* (Challenges 2024).

25 Dany, *supra* n. 23.

26 Rose & Elbaaly, *supra* n. 24.

27 Dany, *supra* n. 12 and 23.

28 Schenkenberg, *supra* n. 1.

29 Rose & Elbaaly, *supra* n. 24.

30 *See* Koch et al., *supra* n. 22.

and critics of institutional donors point towards the potential mismatch between the latter's interests and rationales with those of local partners in the field. More specifically for humanitarian aid, the gap in the adherence to the humanitarian principles between the local level and the international one is mentioned. For some, there is a great deal of scepticism that national and local partners have the will or ability to adhere to these principles, yet essential when implementing humanitarian aid.[31] This mismatch refrains institutional donors to provide direct funding to local partners.[32] Considering literature on such a reform at the EU level in the development aid policy, institutional donors were also concerned by the backlash due to misuse of funds. For instance, should the latter be handled to an authoritarian regime that violates human rights on its own population, there is a clear reputational risk for the institutional donor.[33] In the case of the EU, the European Commission could face potential backlash from the European Parliament, EU Member States or even EU citizens. Consequently, institutional donors prefer maintaining high control, with high transaction costs for themselves and local partners, maintaining well established administrative structures.

Overall, this article aims to answer to following identified gaps: future research should prioritize conducting specific and detailed analysis of humanitarian innovation in different contexts, to better understand '*actors, roles and relationships, (…), and (the latter's) interdependencies and dependencies*'. Additionally, by doing so, '*it can assist in 'pinpointing mismatches within the system, both among institutions*'.[34] This paper intends to do so by focusing on the EU's humanitarian aid context and DG ECHO as a key actor, demonstrating the discrepancies within the EU's humanitarian aid system.

3 ANALYTICAL FRAMEWORK

Following an introduction on policy *inertia* and *continuity* at the EU-level, this article applies an eclectic approach to build up the article's analytical framework. Analytical eclecticism '*encourages efforts to complement, engage and selectively utilize theoretical constructs embedded in contending research traditions to build complex arguments*'.[35] This intellectual stance, far from reinventing 'the wheel', generates more comprehensive understanding of complex, multi-faceted problems by promoting the co-existence of complementary causal stories from different theoretical frameworks.[36] In practical terms, this article will rely on several inputs from the

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31 Schenkenberg, *supra* n. 1.
32 Koch et al., *supra* n. 22.
33 *Ibid*.
34 Bruder & Baar, *supra* n. 21.
35 Rudra Sil & Peter J. Katzenstein, *Analytical Eclecticism in the Study of World Politics: Reconfiguring Problems and Mechanisms Across Research Traditions*, vol. 8 (Cambridge University Press 2010).
36 *Ibid*.

literature and will combine elements from *historical institutionalism* (HI), *rational choice institutionalism (RCI)* and *sociological institutionalism* (SI). This will enable to advance a variety of expected explanations of the latter inertia. These choices were made based on exploratory interviews and literature. The latter pointed towards historic choices at the EU-level, concerns around local capacity to implement according to established standards, norms (humanitarian principles) and inter-EU power struggles. Furthermore, combining these three institutionalist research traditions has proven insightful and relevant in previous studies.[37] The overall purpose is not to select which middle-range theory offers the most suited causal explanation, but to provide complex and diverse explanations to a societal phenomenon.[38]

3.1 Policy inertia

Policy inertia or *policy continuity* within the EU are increasingly studied in the field, particularly when considering the incongruency of policies in light of evolving contexts.[39] Whether it is in context of shocks, crises[40] or whether it is in the context of policy innovation,[41] scholars questioned the reasons behind policy inertia. The latter can be understood as a slow responsiveness.[42] Bonatti and Fracasso compiled reasons behind policy inertia: *pressure groups* with *multiple policy objectives*; the *cost of reforms* for domestic institutions; *uncertainty* about distributional effects.[43] Others studied the (in-)vulnerability of institutions to these chocks.[44]

Linking the above to our article and its focus on DG ECHO, scholars have covered the European Commission's policy activities but also inactivism. The Commission has gained relative policy autonomy with European law growing more resilient and gradual institutionalization taking hold at the EU level. This led to increasing political struggles and institutional resistance from the Commission

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37 *See* Mark Blyth, *Great Transformations: Economic Ideas and Institutional Change in the Twentieth Century* (Cambridge University Press 2002).

38 Sil & Katzenstein, *supra* n. 35.

39 Tim Harries & Edmund Penning-Roswell, *Victim Pressure, Institutional Inertia and Climate Change Adaptation: The Case of Flood Risk*, 21 Global Envtl. Change (2011), doi: 10.1016/j.gloenvcha.2010.09.002.

40 Example, Attack on Ukraine and the European Green Deal in Frank Wendler, *The European Green Deal Agenda After the Attack on Ukraine: Exogenous Shock Meets Policy-Making Stability*, Politics and Governance (2023).

41 Example, climate adaptation and flood risk in Harries & Penning-Roswell, *supra* n. 39.

42 *Ibid*.

43 Luigi Bonatti & Andrea Fracasso, *Policy Inertia, Self-Defeating Expectations and Structural Reforms: Can Policy Modeling Cope?*, 41 J. Pol'y Modeling (2019), doi: 10.1016/j.jpolmod.2019.04.004.

44 James Mahoney & Kathleen Thelen, *A Theory of Gradual Institutional Change*, in *Explaining Institutional Change: Ambiguity, Agency, and Power* (James Mahoney & Kathleen Thelen eds, Cambridge University Press 2010).

that drive integration forward, but also holds its back.[45] Additionally, the Commission, through legislative restraint, has used its control over the content and timing of legislation associated with the ordinary legislative procedure in a targeted way. This enables it to preserve stability for itself, limiting revisions and amendments.[46] Furthermore, scholars described the Commission as a 'hypocritical entrepreneur', demonstrating evidence of stagnation, and even decline in decisions and actions, while continuing entrepreneurship in the talk dimension.[47] Wendler concludes that the Commission is a 'normalized' bureaucracy in an increasingly politicized supranational system.[48] With this in mind, scholars have identified the pivotal role of the Commission, as a meso-level mediating between macro-politics of the Council and subsystems.[49]

Crombois, more recently, linked policy continuity to stability where the EU sets stability above reforms, contributing to lowering the EU's ambitions.[50] This low level of reform ambition entails one observed phenomenon: existing policies are complemented or extended only at the margin with new elements. These *incremental changes*, or *strategies*, in turn gradually take more importance and come to dominate the former policy principles.[51] For instance, institutions may use *layering* that does not introduce new institutions or rules but rather involves revisions or amendments of existing ones. Or *conversion* that occurs '*when rules remain formally the same but are interpreted and enacted in new ways*'.[52] These kinds of gradual transformations are often left out of institutionalist work.[53]

3.2 HI, EARLY WINNERS AND EARLY LOSERS

HI offers valuable insights on the legislative *inertia* at the EU-level, failing to incorporate the international momentum around localization. Indeed, HI offers a comprehensive framework to tackle the question of *continuity* in an institutional structure over time, although environment would request a *change*. Usually, continuity, as well as the agent's behaviour patterns, can be explained by historical

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45 Thomas Banchoff, *Institutions, Inertia and European Union Research Policy*, 40 J. Common Mkt. Stud. (2002), doi: 10.1111/1468-5965.00341.
46 Wendler, *supra* n. 40.
47 Christoph Knill, Yves Steinebach & Xavier Fernandez-I-Marin, *Hypocrisy as a Crisis Response? Assessing Changes in Talk, Decisions, and Actions of the European Commission in EU Environmental Policy*, 98 Pub. Administration (2018), doi: 10.1111/padm.12542.
48 *Ibid*.
49 Wendler, *supra* n. 40.
50 Jean Crombois, *The Eastern Partnership: Geopolitics and policy inertia*, 18 Eur. View (2019), doi: 10.1177/1781685819836562.
51 Giliberto Capano & Michael Howlett, *European and North American Policy Change: Drivers and Dynamics* (Routledge 2009).
52 Mahoney & Thelen, *supra* n. 44.
53 *Ibid*.

choices on institutionalized procedures and policies.[54] These institutional choices taken in the past can persist, shaping and constraining actors in time and in ways that the original designers of the procedures and norms did not envisage.[55] Moreover, in these historical choices and institutional creation, two distinct actors may be identified: *early winners* and *early losers*. Winners capture the immediate gains of the creation but also adopt key role in the control and management of these policy schemes, maintaining control over losers and blocking any institutional changes.[56]

This leads us to the second rationale behind the choice of HI: it also enables to explain how a political environment, or *critical juncture*, (i.e., here Grand Bargain) *poses challenges to existing institutional actors, structures* (i.e., here DG ECHO).[57] Consequently, it enables to comprehend the *resistance* of actors and challenges to *disrupt the institutional routines* established in norms, rules and interests.[58] Scholars refer to the notion of 'path-dependency' to illustrate the role of institutions in continuity and permanency of public policies.[59] Other scholars tackled the resistance of institutions through the concept of institutional '*stickiness*', understood as aiming for stability and predictability, following the above-mentioned 'path-dependency'. The latter 'stickiness' creates institutional *inertia* (*or lock-ins*), entailing resistance to possible changes as a first answer.[60]

Finally, HI enables to understand the asymmetrical power between institutional actors and the interests of each, depending on the context of the policy.[61] Acknowledging the above conceptualization, the article anticipates encountering the following first explanation of the observed inertia:

> E1: *The historically established rules and procedures that positioned DG ECHO as an early winner are likely to hinder the latter's will to localize the aid.*

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54 Thomas Christiansen & Amy Verdun, *Historical Institutionalism in the Study of European Integration* (Oxford Research Encyclopedia of Politics 2020).

55 Mark A. Pollack, *Institutionalism and European Integration*, in *European Integration Theory* (Antje Wiener, Tanja A. Börzel & Thomas Risse, 3d ed. New York: Oxford University Press 2019).

56 Paul Pierson, *Politics in Time: History, Institutions, and Social Analysis* (Princeton University Press 2004).

57 Fritz W. Scharpf, *Games Real Actors Play. Actor-Centred Institutionalism in Policy Research* (Westview Press 1997); Giovanni Capoccia & Daniel R. Kelemen, *The Study of Critical Junctures: Theory, Narrative, and Counterfactuals in Historical Institutionalism*, 59 World Pol. (2007), doi: 10.1017/S0043887100020852.

58 Sabinne Saurugger, *Théories et concepts de l'intégration européenne* (2d ed. Presses de Sciences Po 2009).

59 Sven Steinmo, Kathleen Thelen & Frank Longstreth, *Structuring Politics* (Cambridge University Press 1992).

60 Johan Munck Af Rosenschold, Jaap G. Rozema & Alex L. Frye-Levine, *Institutional Inertia and Climate Change: A Review of the New Institutionalist Literature*, vol. 5 (Wiley Interdisciplinary Reviews: Climate Change 2014).

61 Saurugger, *supra* n. 58.

3.3 RCI AND COST–BENEFIT ASSESSMENTS

Referring to literature on the EU's humanitarian aid policy (i.e., delegation to implementing partners in the field), DG ECHO is facing daily rational choices when deciding where the funds are heading to: delegating to partners to operate in (usually complex) crises while maintaining transparency and control on the use of funds, as requested by the Council Regulation 1257/96 and the Financial Regulation 2024/2509. Literature on *Principal-Agent* as a specific strand of RCI offers interesting insights in terms of *delegation, control mechanisms* and potential *agency slack*.[62] A Principal (here DG ECHO) will always calculate the *benefit* of delegating versus the *cost* of the same delegation. If the *Agent* (IO or NGO) decides to work according to its own interests or rationales and not those of the Principal, then the cost of delegating becomes higher and the Principal might consider terminating such partnership.

DG ECHO, and the EU more generally, are attached to control mechanisms and transparency in the use of funds. DG ECHO itself is under scrutiny from the European Parliament and the Council via the comitology process. In collaboration with DG BUDG (department responsible for managing the budget of the European Union), DG ECHO developed a strong bureaucratic apparatus to enable such monitoring (certificate, framework agreements, etc.). It does have the mean to control. However, localizing the aid is supposed to demand institutional donors to accept a certain part of (political and financial) risk in the misused of funds. This institutional reform also points towards a *decrease in donors' power and control of operations*.[63] If DG ECHO, and the EU overall, would agree to fund local partners in the field, it would also have to accept a certain change in its current balance of power. It would also have to agree to less control financial operations. We could anticipate that DG ECHO would not bear the burden of uncertainty and face political backlash from the European Parliament or EU Member States should the funds be misused, or simply fall into the wrong hands.

Consequently, and considering RCI that conceptualizes the tension around institutions and distribution of resources, the article expects to encounter resistance, if not inertia. Stability and expectations guide institutions in a rational calculation of cost-benefit of change, avoiding uncertainty that would be detrimental to them.[64] Stability and expectations are maintained through sanctions and control. The following second expectation is thus formulated:

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[62] The author recommends Tom Delreux & Johan Adriaensen, *The Principal Agent Model and the European Union* (Palgrave Macmillan 2017).

[63] *Ibid*.

[64] Mahoney & Thelen, *supra* n. 44.

E2: *DG ECHO's rationale of transparency and use of funds is likely to hinder its will to localize, the cost of localising not outweighing the benefit of direct partnerships with local partners.*

3.4 SI AND THE WEIGHT OF NORMS, IDEAS AND VALUES

Turning now towards the ethical dimension of humanitarian aid, this article could not disregard the weight of norms, ideas and values of this policy. SI tackles institutions as the result of *social patterns*, tied to *codes of appropriateness*, and *reproducing* the latter.[65] Ideational factors influence political and policy outcomes.[66] SI argues that actors (within institutions) often reproduce the same institutional logic across policies or domains, putting forward their rules, norms or even scripts.[67] This is sometimes done although it may be considered as inefficient. Policymakers act according to what deem 'appropriate' in relation to their *identity* and *norms* of *their institutional context*.[68] It is only through the integration of concerns for social equity and equality that potential reforms can be envisaged and this 'stickiness' overcome.[69]

Moreover, SI also introduces ideas and norms as constitutive of the environment in which actors are evolving, the latter sometimes using these as tools to push forwards goals and interests: '*Neither ideas, nor values, nor norms float freely*'.[70] Existing norms and values may thus be used to maintain inertia or continuity in the decision-making process.

In the context of DG ECHO and the EU's humanitarian aid policy, humanitarian principles and sticking to them when conducting aid is stated as of upmost importance by EU practitioners.[71] These humanitarian principles guide the decision to allocate funds, the monitoring of the latter and are there to protect DG ECHO's independence.[72] One would expect that this 'radical reform' to the current humanitarian system increasing equity and equality

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65 *Ibid*.

66 Daniel Béland & Robert H. Cox, *Ideas and Politics in Social Science Research* (Oxford University Press 2010).

67 *Ibid*.

68 Gunnhildur L. Magnusdottir & Annica Kronsell, *The Double Democratic Deficit in Climate Policy-Making by the EU Commission*, 25 Femina Politica (2016), doi: 10.3224/feminapolitica.v25i2.25353.

69 Gerd Johnsson-Latham & Annica Kronsell, *Promoting a Gender Agenda in Climate and Sustainable Development: A Civil Servant's Narrative*, in *Gender, Intersectionality and Climate Institutions in Industrialised States* (Gunnhildur L. Magnusdottir & Annica Kronsell eds, London and New York: Routledge 2021).

70 Sabine Saurugger, *Sociological Approaches to the European Union in Times of Turmoil*, 54 JCMS (2016), doi: 10.1111/jcms.12330.

71 Alexandre Piron, *Strategically Ethical? The Shift in the Governance of the EU's Humanitarian Aid Policy*, in *The Law and Governance of the EU Public Ethical System, An Institutional Perspective of Public Integrity in the European Union* (Alberto Alemanno eds, Palgrave MacMillan: 2025).

72 *Ibid*.

between implementing actors would suffice for change. Yet, considering the identified challenges of implementing such a process, (i.e., scepticism that local partners are willing or capable of adhering to the humanitarian principles), the article anticipates encountering scepticism as an explanation of the observed inertia. The following third expectation is formulated:

> E3: *The scepticism of adherence to the humanitarian principles from local partners is likely to hinder DG ECHO's will to empower the latter and implement localized aid.*

4 METHODOLOGY AND DATA

In an iterative process, the derived expectations will guide this article, going back and forth between empirical data and literature. To provide support, fourteen semi-structured interviews with stakeholders were conducted. Interviews are valuable sources to explain the underlying dynamics and to provide insights on a 'non-observed' phenomenon. These fourteen interviewees were selected as they were/are close to the localization debate since 2016. They are/were also working on this innovative process in their respective institutions. A mix of EU officials, NGOs and EU Member States officials (also member of COHAFA Council Working Group) enabled to gain insights in and out of the EU arena. Questions were formulated to ensure openness and flexibility in interviews, allowing space for unexpected results to emerge. They mainly aimed at finding the reasons behind such inertia, who are the main actors at stake in this debate and what are their strategies to encourage or to block such a reform. Finally, questions on the future of localization and what is or could be done were used as concluding remarks.

These interviews were then transcribed. This process was important as it made sense of the information in the transcribed interviews. Statements were extracted, paraphrased and set into context. Available information was then categorized and classified manually according to interview themes. The purpose was to find common patterns and to compare among the interviewees. The latter were complemented with additional primary and secondary qualitative sources: academic papers, EU and international reports.

Table 1 Overview of Conducted Interviews.

Interviewee	*Origin*	*Date*	*Duration*
Interviewee 1	INGO	October 2023	33:10
Interviewee 2	INGO	November 2023	33:41
Interviewee 3	EU Official	November 2023	39:22
Interviewee 4	INGO	November 2023	01:03:26
Interviewee 5	EU Official	November 2023	49:49
Interviewee 6	EU Official	December 2023	43:27
Interviewee 7	EU Official	February 2024	54:27
Interviewee 8	EU Official	June 2024	49:03
Interviewee 9	Civil Society Organization	June 2024	51:27
Interviewee(s) 10	EU Member States/ COHAFA	Octobre 2024	01:07:58
Interviewee 11	INGO	Octobre 2024	44:35
Interviewee 12	INGO	November 2024	47:11
Interviewee 13	INGO	March 2025	30:59
Interviewee 14	EU Official	April 2025	50:38

This article tackles funding for a twofold reason: firstly, DG ECHO is primarily an institutional donor, collaborating with implementing partners through contractual relationships. This is thus its most important task and instrument. Secondly, the main call from the humanitarian sector pushed towards a transformation of the funding mechanisms and procedures of the international donors, to streamline the transaction chain and to minimize the number of layers. Localized funding is depicted as the most efficient and fastest way to answer to funding gap by enabling local partners to implement the aid in a swift and tailored way.[73]

[73] IFRC, *Localization – What it Means and How to Achieve it* (IFRC Policy Brief 2018).

Table 2 Overview of Types of Funding[74]

Indirect/Non-localized Funding	*Direct/Localized Funding*
DG ECHO maintaining current funding trends with established and long-term partners: - *IOs*: collaboration is framed by Financial Framework Partnership Agreements (FFPAs). - *INGOs*: a seven-year certificate obtainable and renewable under specific conditions (e.g., respect and enforcement of the above-mentioned humanitarian principles). - *EU Member States' specialized agencies* (e.g., Deutsche Gesellschaft für Internationale Zusammenarbeit *(DE)* or 'Agence Française d'Expertise Technique Internationale' (FR)). -*International Red Cross Federation* through Framework Partnerships Agreements (FPAs).	DG ECHO collaborating with local partners in the field, divided in two types: -*Local and national non-state actors*: 'Organizations engaged in relief that are headquartered and operating in their own aid recipient country and which are not affiliated to an international NGO'. -*National and subnational state actors*: 'State authorities of the affected aid recipient country engaged in relief, whether at local or national level'.

5 THE EU AND THE DELICATE LEAP TOWARDS LOCALIZATION

This section answers to why there is no undertaken legislative reform to enable localized funding towards national and local partners in the field. Derived from the conducted semi-structured interviews and external documents, the results can be presented into four main explanations. Firstly, DG ECHO fears that changes in the legislative framework would open the '*Pandora box*' and be detrimental for its office in terms of independence. Secondly, the European Commission, DG ECHO and DG BUDG jointly, is also concerned about the potential growing number of contracts that would need to be delt with if such a reform would be implemented. Thirdly, the European Commission is concerned about the capacity of these partners to use the funds in accordance with DG ECHO's rationale and interests. Fourthly and finally, it also seems that DG ECHO wishes to maintain its historic partnerships with international partners, avoiding tensions.

[74] DG ECHO's website: Humanitarian partners – European Commission.

5.1 Opening the pandora box …

DG ECHO is unwilling to change its legislative framework (Int. 4; 8; 13; 14). Indeed, firstly, the Council Regulation of 1996 is quite flexible and enables them to work swiftly and without major control (except for budgetary ones from the European Parliament and the Council of the EU). This was the will and main goal of the designers of this regulation at the time: to set up a completely '*independent policy of any political considerations*'.[75] It seems that this historical choice enabled DG ECHO to enjoy relative independence in the decision-making process, the latter willing to protect this '*flexibility*'.

To do so, DG ECHO gives funding allocation based on evidence and analysis. It assesses the funding annually, based on the following elements: firstly, it uses internationally recognized indices: the Inform Severity Index; the Index for Risk Management (INFORM); and the Forgotten Crisis Assessment (FCA).[76] Secondly, DG ECHO uses data obtained in the field through its different offices. Overall, it was found that DG ECHO, although put under pressure since the ToL, is committed to protect the humanitarian principles and its independence. It also can take relatively independent and need-based assessments, funding provided accordingly.[77]

Consequently, there are concerns within the Commission and DG ECHO that, if they advance a new legislative proposal to incorporate flexible and direct funding towards local partners, they would open the *'Pandora Box*'. This would enable the European Parliament and the Council to amend the legislative framework of the Commission. Modifying this regulation could, in the end, be detrimental for DG ECHO (Int. 13) and for the EU's humanitarian aid policy as a whole. DG ECHO thus avoids this '*suicidal move*' (Int. 8). Yet, a more fine-tuned answer can be given. Pusterla & Pusterla argues that '*On the one side, the Council, supporting Member States' position, has tried to limit the DG ECHO activism. On the other side, the Parliament followed the European Commission by stating that ECHO (…) ought to play a more prominent part in the humanitarian aid field'*.[78] It seems thus that the Council is more likely to take advantage of a Commission's new legislative proposal, EU Member States reluctant to accept far-reaching competence transfer.[79] The Parliament, while maintaining strong budgetary

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75 Van Elsuwege et al., *supra* n. 14.

76 Alexandre Piron, *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*, 90 Bruges Pol. Res. Paper (2022).

77 *Ibid*.

78 Francesca Pusterla & Elia Pusterla, *The Uniqueness of the EU Humanitarian Aid Policy Between Sovereignty and Humanitarian Concerns*, 20 Eur. Foreign Aff. Rev. (2015), doi: 10.54648/EERR2015018.

79 Van Elsuwege et al., *supra* n. 14.

control over DG ECHO, seems willing to attribute more competence to the latter.[80] Overall, this is in line with the article's first expectation derived from HI. DG ECHO can be considered as an *early winner* and is now dependent of former rules and procedures. DG ECHO is adopting a wait-and-see approach, avoiding detrimental moves to its respective balance of power.

The second main explanation also points towards resistance within the Commission (DG BUDG and DG ECHO). This resistance is a result of a foreseen consequence: the number of yearly contracts and the monitoring burden would increase. Nowadays, the Commission must handle around 300 contracts yearly for humanitarian aid projects with 200 certified implementing partners. Interviewees expect this number to increase significantly if local partners are considered in the equation (Int. 8; 14). This would raise the administrative workload for the budget administration of the Commission.

There are thus no extensive incentives for the Commission to modify its decision-making process (Int. 10; 13). Indeed, in comparison with a mid-sized donor with relatively small staff in charge of humanitarian policies, the EU enjoys a strong and extensive administration. Consequently, and linked to reporting and control mechanisms put in place, the current capacity of oversight upon implementing partners discourages reforms (Int. 10). Increasing the bureaucratic workload could, in the end and in some cases, prevent them from properly monitor the use of the funds. Referring to our analytical framework and more particularly to SI and RCI, DG ECHO (as a Principal) would thus prefer maintaining a relatively high level of control upon implementing partners (as Agents), transparency of the use of funds is seen as a desirable utilitarian norm (Int. 8; 10; 13). Referring now to HI, DG ECHO would also prefer maintaining existing rules and procedures, thought in 1996. It seems so that DG ECHO is now locked-in *historical, rational* and *normative* choices and is not able nor willing to change its policymaking. This is in line with our three expectations.

The third explanation of inertia is still linked to internal resistance and points towards the European Commission's concern that direct funding would increase the risk of misuse (Int. 12; 13). Misuse being that fundings are used for other purposes or towards other recipients than originally decided, and thus not complying with DG ECHO's principles or interests; or quite simply that the funds are lost, and no traces of the use may be found. The latter in parallel of a '*utilitarian and corporatist approach'* that recognizes the professionalism and efficiency of IOs/INGOs is not conducive to reform (Int. 1; 3; 4; 13). Although this may indeed be the case, and future research should be conducted on specific crises to examine if additional risk may occur, development aid policy serves as a counterexample. In

[80] *Ibid.*

the latter, direct funding towards local partners in the field already exists and no observed increased risk was reported (Int. 8; 14). Yet, this also provides evidence in line with E2 and E3 where the fear of agency slack and the weight of norms (humanitarian principles) hinders DG ECHO's will to work directly with local partners.

5.2 SHARING THE CAKE …

One last obstacle was mentioned by interviewees both in and out of the EU (4, 8, 13, 14) pointing towards tensions between international partners and DG ECHO. To recall, DG ECHO is collaborating with around 200 certified implementing partners. Within these, interviewees mentioned ten main implementing partners that '*share the cake*' and concentrate the yearly funding. It this thus all naturally that these international partners would like to maintain the high level of EU funding, their 'survival' depending on this external contribution.[81] Indeed, their institutional functioning is usually quite costly with highly experienced civil servant and resulting wages (Int. 4; 8; 13; 14). Interviewees (4; 8; 11; 13; 14) thus advance that international actors demonstrate, through lobbying, resistance for further sharing of the 'cake'. Additional direct funding towards local partners would divide the yearly funding, and thus decreasing institutional contributions.

These results come quite as a surprise as IOs and INGOs were active contributors of the discussion in and around the Grand Bargain. However, *pressure groups* were depicted as an explanation of *inertia*. Indeed, HI argues that active creation or nurturing of coalitions in support of a regime may explain the maintenance of the latter.[82] Furthermore, this resonates with Deborah Doane's work that established that INGOs '*act as barrier to further shifting power and resources to local civil society*'.[83] Further research should be undertaken to analyse the lobbying tactics and reasons behind in this specific case. This yet provides evidence supporting our first expectation with DG ECHO favouring historic procedures and trustworthy partners, following a corporatist approach (Int. 13). It is also in line with our E2 where the cost of quarrelling with historic and efficient partners does not outweigh the benefit of sharing the cake.

To conclude this section, and going back to the article's expectations, it is possible to confirm but also bring nuances: firstly, the article expected (E1) that historic, established rules and procedures would hinder the EU's will to reform.

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[81] Int. 4 mentioning for instance '*Norwegian Refugee Council*', '*Action Contre la Faim France*' or the United Nations Agencies.

[82] Mahoney & Thelen, *supra* n. 44.

[83] Deborah Doane, *The INGO Problem, Power, Privilege, and Renewal* (Practical Action 2024).

The latter was confirmed. DG ECHO as an early winner wishes to protect its flexible and relatively independent decision-making process. Secondly, the article expected (E2) DG ECHO to prefer maintaining its current balance of power towards implementing partners, in a cost-benefit rationalism. The latter is overall confirmed, while providing further insights: control of the use of funding remains a positively seen norm at the Commission's level, providing DG ECHO a position of power over implementing partners. This bridges RCI and SI, demonstrating the relevance of *analytic eclecticism*. Thirdly, the article expected (E3) to encounter scepticism from the EU on the adherence to humanitarian principles. This scepticism was confirmed by interviewees and seems to hinder the EU's will to empower the latter. Nonetheless, the result was nuanced with the development aid policy as a counterexample. Finally, one result was yet not foreseen and opens to further research: tensions between DG ECHO and historic implementing partners IOs and INGOs, the latter wishing to maintain the current regime.

6 WHAT IF? … DISCUSSION IN THE EVENT OF A REFORM

The questions that arise from these results are the following: *what if the EU reforms its legislative framework? Would local partners, NGOs for instance, be willing or even capable to collaborate with the EU and implement humanitarian projects in the field?* The following section questions the capacities of these local partners to collaborate with DG ECHO, should this be made possible. The article finds that these local partners would potentially exclude themselves from this process due to heavy '*reporting burden*' and the lack of capacity to cope with DG ECHO's requirements.

Firstly, it seems that small implementing partners do not have the capacity to approach DG ECHO for funding (Int. 1; 2; 4; 9). Indeed, and for already certified implementing partners, '*it is very hard to nowadays negotiate (with DG ECHO) for less than a million*'. (Int. 4). One main consequence of this (i.e., DG ECHO concentrating funding for projects of several millions) is the setting aside of smaller implementing partners (in size and budget-wise). The largest, the more likely it will receive the contract and important budget (Int. 1; 2; 4). Main implementing partners with important budget can invest in large and experienced staffs, that will then be able to advocate towards DG ECHO. Not only they are able to advocate, but they are also capable to cope with the administrative burden of collaborating with DG ECHO (Int. 4; 11). Large staffs thus enable these implementing actors to approach DG ECHO and comply with this '*heavy bureaucratic*' request for yearly funding (Int. 1; 11). The latter contravenes with the idea to provide easy access for local partners to international donor funding mechanisms.

Secondly, interviewees (1; 2; 4; 7; 8; 13) point towards another obstacle for small implementing partners: the '*reporting burden*'. DG ECHO expects a periodic

assessment of the use of funding. This monitoring is described as heavy and fastidious for the implementing partners, thus discouraging small NGOs that do not have the capacity to meet this reporting request. This encourages centralized important (in size) implementing partners, in contrast with decentralized and smaller partners. All this pushes towards concentration of the funding, also quite the opposite of localization (Int. 4; 13).

Overall, should the EU initiate in the near future a legislative reform, even though the results of this article point towards the unlikeliness of it, the EU should consider the above obstacles for local implementing partners. Historical institutionalists demonstrated the importance of considering feedback, positive as well as negative.[84] If the EU pursues in this way, avoiding institutional reforms, negative feedback of the humanitarian sector could put further pressure and undermine DG ECHO's legitimacy. Funding would remain in the hands of the biggest, whilst automatically excluding local partners in the field, the actual target of this reform.

7 CONCLUSIONS

Several findings can be summarized as followed: (1) internally, the Commission is resisting, preventing any changes in the legislation for several advanced logics: (a) the Council Regulation of 1996 is described as flexible and enabling a relative independence in DG ECHO's decision-making process. Launching a new legislative proposal that could be amended by the European Parliament and the Council of the EU was described as a possible 'suicidal move', or as opening the 'Pandora Box'. It seems so that historical choices made originally in 1996 failed to properly equipe DG ECHO, *early winner* at the time; (b) enabling direct funding towards local partners would increase in numbers the yearly contracts, thus raising the bureaucratic workload for the budget administration of the Commission; (c) there are still concerns that the funding would be misused and the reporting lacking transparency. Additionally, (2) there is also resistance coming from important implementing partners of DG ECHO that 'share the cake', generally highly dependent of this institutional funding. If DG ECHO increases the number of certified implementing partners, this would in turn disperse the cake, thus decreasing the slice. The overall main explanation therefore comes down to the incentives and cost-benefit calculations: in terms of bureaucracy, relations with traditional partners, misuse of funding, and most importantly the independence of DG ECHO in an increasingly securitized environment.

The first set of results did not come as a surprise. Indeed, and considering our analytical framework and what it teaches us on continuity in procedures and rules

[84] Pollack, *supra* n. 55.

of an institution, the EU is reluctant to modify its legislative framework and decision-making. Whether it is DG ECHO or DG Budget, each actor wishes to maintain its balance of power. Historical choices locked-in DG ECHO in its routine and there is no incentive to reform its procedures and norms. DG ECHO will remain, for now, in a policy *inertia* to preserve its *norms* and *cost-benefit rationale*. The second result came more as a surprise, notably the tension between DG ECHO and international implementing partners. The latter was not foreseen as a potential explanation of the lack of modification within the EU. The author encourages further research on such matter to identify the used mechanisms.

Additionally, the article discussed future considerations, should the EU tackle legislative reforms to incorporate direct funding towards local partners outside EU borders. The following concerns were expressed: (1) the access to large funding and important projects is encouraged by DG ECHO, thus favouring large IOs and INGOs; (2) the 'bureaucratic' and (3) 'reporting' burden of collaborating with DG ECHO is described as 'heavy'. Small NGOs and partners with limited capacities (financial and staff-wise) thus would exclude themselves from this process. If the EU initiates in the near future a legislative reform, it should consider the above obstacles for local implementing partners. Otherwise, funding would remain in the hands of the biggest, whilst automatically excluding local partners in the field, the actual target of this reform.

While remaining shielded under the current regulation, a first move from DG ECHO was initiated: it conditions its funding towards IOs and INGOs to the implementation of at least 25% of the amount of the contracts in partnership with local partners. The latter, although remaining 'non-localized' funding, points towards ingenuity from DG ECHO to push for more localized funding, while remaining in its legislative frontier. Acknowledging the above literature on policy inertia and how existing policies are complemented at the margin with new elements that gradually take more importance and come to dominate the former policy principles, one would wonder if this will be enough to face the overall crisis the sector is experiencing. Will this become the new paradigm? Does this correspond to *layering* and will demonstrate how DG ECHO is devising new applications and interpretations to bend the outcome in its preferred direction? In a fast-changing international context, the increased geopoliticization and securitization of EU foreign policies, one may also wonder how long the EU will stay in this inertia? Or whether the EP in the aftermath of European elections would still want a more extended, independent DG ECHO? How long can the Commission continue to keep the Pandora's box closed? Time will provide the answers.

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As so many special issue proposals are received by the journal, the Board runs a competition where the most suitable proposal is selected from the pool of formal submissions in any one year. In order to consider your proposal, a formal submission must be made and a document outlining in detail the underlying theme of the special issue and why it is of relevance and importance should be sent to the following e-mail: europeanforeignaffairsreview@gmail.com. This document should also list all likely contributors, a short biographical note on each and the provisional or working title of each paper.

This proposal package must be received at the editorial office no later than **15 October 2025**; the final decision will be announced by **15 November 2025**. Publication will occur in the following year.

Please note that all special issues are required to be topical and interdisciplinary in nature (historical themes will not be considered). They must also remain within the space budget of **150 pages (64000 words)**. The managing editor can help with this assessment.

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