### **BRIEFING PAPER FOUR**

# GOOD HUMANITARIAN ACTION IS LED BY THE STATE AND BUILDS ON LOCAL RESPONSE CAPACITIES WHEREVER POSSIBLE







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# The Global Forum Briefing Papers: What are they for and what do they tell us?

The aim of the Global Forum is to identify recommendations that will help the international system become more adaptable to different crisis contexts, thereby making overall humanitarian action more effective. To support these discussions, these Background Papers:

- Outline how the international system is performing against various criteria of effective humanitarian action
- Identify the key obstacles to improvement on each criterion of effective action
- Present the recommendations that have been put forward around the World Humanitarian Summit (WHS) process to address these obstacles

Each paper's title describes a **success criterion** for humanitarian action. These are different ideas of what effective humanitarian action looks like. The seven success criteria were identified through a two-stage review of the evaluative research on humanitarian performance and the recommendations put forward for the World Humanitarian Summit process (for more detail, please see the accompanying paper: 'The Global Forum Briefing Papers: What are they for and what do they tell us?').

# WHAT IS THIS SUCCESS CRITERION ABOUT? WHY DOES IT MATTER?

These sections give a brief description of the success criterion and the different views on why this is important for good humanitarian action.

# HOW WELL DOES HUMANITARIAN ACTION PERFORM AGAINS THIS SUCCESS CRITERION?

This section provides an overview of what is going well and what is not with respect to each success criterion. It draws on evidence to identify the degree to which the criterion is being met in current humanitarian action. The primary source of evidence for this section in each paper is the 2015 State of the Humanitarian System

(SOHS) report, and it should be assumed that this is the key reference unless cited otherwise. This section also introduces the key obstacles to improvement, which are bolded in the text. These key obstacles are also derived from the 2015 SOHS, as well as from other research and evaluation on humanitarian action.

#### KEY OBSTACLES

This section is a summary list of the key obstacles described in each paper as inhibiting better performance against the criterion.

# RECOMMENDATIONS

This section provides a list of the recommendations which seek to address the key obstacles and so to improve humanitarian action with respect to each success criterion. These recommendations have been synthesised from over 700 recommendations across 39 position papers, WHS consultation reports and the work of the WHS Thematic Teams (see 'The Global Forum Briefing Papers: What are they for and what do they tell us?' for more detail). They reflect the different recommendation areas external organisations have put forward and have been clustered according to the obstacles they seek to address. The aim of the synthesis is to accurately reflect the range of views and ideas for reform, and to connect these ideas to an evidence base on how the humanitarian system is performing. This means some synthesised recommendations may conflict with one another, or may not be mutually achievable, as there remains a lack of consensus among humanitarian actors on how best to improve humanitarian action.

#### ANNEXES

The annex to each paper (provided in a single-bound document to Global Forum participants) provides the full set of raw recommendations used in the synthesis, showing where these recommendations were clustered.

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# **GOOD HUMANITARIAN ACTION** IS LED BY THE STATE LOCAL RESPONSE CAPACITIES WHEREVER POSSIBLE

#### 1. WHAT IS THIS SUCCESS CRITERION **ABOUT?**

- The degree to which:
  - National and local governmental authorities
  - National and local civil society organisations (CSOs) (including non-governmental organisations (NGOs))
  - · National Societies of the Red Cross and Red Crescent Movement
  - The private sector at the national and local level ... are engaged in emergency preparedness and response.
- The role of international humanitarian actors in support, coordination and capacity-building to allow national and local actors to fulfil a leadership role wherever possible.
- This paper does not consider the role of crisisaffected people in humanitarian preparedness and response, which an important component of good humanitarian action. This is addressed in Paper 2.
- This paper does not consider the issue of articulating the relationship between humanitarian and development programming. While this will invariably require close coordination with the state, this is the focus of Paper 3.
- This paper does not consider actions to be taken when a state is causing a humanitarian crisis. This topic is addressed in Papers 3 and 5.

#### 2. WHY DOES IT MATTER?

Under UN General Assembly (UNGA) Resolution 46/182, governments are responsible for leading and coordinating humanitarian assistance. The role of the international system is to provide additional support where the state does not have the capacity or the willingness to fulfil these obligations. In armed conflicts and other situations of violence, the state will often not be in a position to meet the needs of its affected population and should allow humanitarian assistance and protection where it is necessary. In general terms, however, there are clear potential benefits in state leadership of disaster response, including stronger links between humanitarian work and broader development activities, and increased government legitimacy and accountability.

The engagement of national and local civil society, as well as supporting the dignity of those in crisis, has the potential to provide for more effective, relevant and efficient responses. However, there is a need for further research and evaluations to provide a better understanding of the comparative advantages and capacity gaps in national and local CSOs in humanitarian contexts.

Perhaps more than any other issue, the need to respect and enhance the role of national and local actors has emerged as a key theme in the World Humanitarian Summit (WHS) consultation process.

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The international humanitarian system does not take sufficient account of national actors, and should change to ensure it does so.

National actors are not effectively represented in governance mechanisms of the humanitarian system.

Governments are not fully meeting their obligations to provide humanitarian assistance in all cases.

These discussions highlight that localising humanitarian action is not as much a goal as it is an increasing reality to which international actors are not adequately adapting.

# 3. HOW WELL DOES HUMANITARIAN ACTION PERFORM AGAINST THIS SUCCESS CRITERION?

In general, discussions around the WHS have suggested the international humanitarian system does not take sufficient account of national actors, and should change to ensure it does so. In particular, participants at regional consultations suggested the interests of affected states (and other national actors) can be overlooked in policy discussions, because national actors (disaster-affected states and civil society) are not effectively represented in governance mechanisms of the humanitarian system such as the Inter-Agency Standing Committee (IASC) and the Good Humanitarian Donorship (GHD) initiative.

### The role of national governments in humanitarian action

A large body of law, international declarations, documents and frameworks makes it clear the state has the primary overall responsibility and must take the primary role in terms of leading and coordinating humanitarian assistance within its territory.

Significant decreases in natural disaster mortality over the past 40 years, while driven primarily by overall improvements in the socioeconomic status of vulnerable people, are also related to more ambitious and effective state action in development policy, emergency preparedness and emergency response. ii An increasing number of states are responding to crises without recourse to international assistance; however, while many states have significant capacity, they may still rely on external resources for large-scale response. Where both state and international actors are involved – and where the state has the capacity – there are clear benefits to state leadership: in research for the 2015 State of the Humanitarian System (SOHS) report, state-led responses tend to be evaluated as being more effective. In WHS consultations for North and South-East Asia, 35% of respondents said national or local government responded 'most effectively to the needs of affected communities' compared with 15% who felt international actors responded most effectively.iii

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Despite this, the international humanitarian response system - which was arguably designed for situations where the state was unable or unwilling to respond effectively to humanitarian crises<sup>iv</sup> – has often overlooked, displaced or undermined the state. Where international organisations fail to participate in state-coordinated activities - quite apart from the important issues of law and sovereignty - humanitarian response can fail to connect with broader development programming, hamper recovery activities and potentially decrease the legitimacy and accountability of the state in the eyes of the crisis-affected population.<sup>v</sup> Many governments have been frustrated by international organisations, which can appear 'overresourced, unaccountable, and donor-driven'.vi

The situation has improved a little over the past five years. In the practitioner survey for the latest SOHS report, government respondents were more positive about most elements of response activity (ability to access crisis-affected people; needs assessment; monitoring; capacity-building) than were international actors. A total of 57% of government respondents thought international cooperation with the host government was good or excellent (compared with 42% of all respondents) and 21% of host government respondents thought international cooperation with national actors was the area where humanitarian response had improved most in the past two years.

However, there are a number of constraints to improved government leadership - and international coordination with this leadership - in emergencies.

From the international perspective, governments are not fully meeting their obligations to provide humanitarian assistance in all cases. They may be slow to declare emergencies out of a concern for the political and economic consequences of doing so.vii In some circumstances, governments may also be a party to conflict or the creation of the humanitarian crisis, and, as a result, be unable or unwilling to provide assistance and protection in an impartial manner (Papers 3 and 5 consider this problem in greater depth).

Where government response is not constrained by political motivations, it may well be constrained by **limited government capacity**. This is often particularly true at a local level.viii Limited capacity can reflect government spending priorities,ix lack of effective frameworks and structures and an overall lack of resources. The absence of legal frameworks to facilitate the entry of international personnel and goods in an emergency has been a particular challenge in several contexts. While the Organisation for Economic Cooperation and Development (OECD) Development Assistance Committee (DAC) donors have carried out little serious exploration of the potential feasibility of funding disaster affected governments or national NGOs directly, newly acknowledged donors from emerging economies and Islamic states are more likely to provide support directly to governments of affected states. Governments may also suffer from corruption (although this is in no way exclusive to government relief efforts). In the SOHS survey of crisis-affected people, corruption was seen as a major constraint to the receipt of assistance.

At the same time, international actors do not approach responses with existing state structures in mind. Governments and international actors often have only a limited understanding of their relative capacities and roles. While the SOHS 2015 interviews suggest relationships between states and international actors are improving, problems remain, particularly in 'surge' type environments, where some officials feel 'pushed aside'. It is notable that, in the recent response to the Ebola crisis, the UN Mission for Emergency Ebola Response (UNMEER) did not invite government representatives to the first (Accra) planning conference held in September 2015.xi Some observers have noted that IASC's use of the 'Level 3' designation in emergencies may exacerbate the problem. As one interviewee noted, 'The system defaults to going in heavy with no regrets, which makes a certain sense in terms of helping victims, but can be damaging for government's reputation and risks overwhelming local capacity.'xii



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Governments and international actors have limited understanding of their relative capacities and roles.

Coordination mechanisms on the ground can often duplicate or displace national coordination mechanisms.

Despite the latest operational guidance to humanitarian clusters,  $^{\mbox{\tiny xiii}}$  coordination mechanisms on the ground can often duplicate or displace national coordination mechanisms. International actors are seldom used to operating according to incident command principles, which form the basic approach of many governments to crisis response. International coordination systems tend not to work in, or make real allowance for, the language of the affected country, and may assume national actors have access to computer and IT equipment that they do not, in fact, possess. They may also not articulate well with the government structure for emergency response: IASC clusters, for example, may not 'fit' with government ministries, while a focus on coordination at the country level (in the shape of humanitarian country teams (HCTs) and country clusters) may not work in a situation where local, rather than national, government is making key decisions about response.

# The role of national and local civil society/NGOs in humanitarian action

International humanitarian actors, in general, do poorly at working with and supporting national and local CSOs. In the SOHS survey of humanitarian practitioners, 68% of respondents thought national NGOs' involvement in assessment and prioritisation of needs was only fair or poor, 74% that national NGOs' involvement in coordination mechanisms was only fair or poor, 70% thought capacity-building for local NGOs was only fair or poor and 81% thought national NGOs' access to funding was only fair or poor. Interestingly, international NGO respondents tended to be more negative than national NGO respondents.

National NGOs would appear to have the potential to improve humanitarian activities in a number of ways. There is still only limited research in this area, but one recent report\*\* suggests national NGOs can increase the relevance and appropriateness of the response, improve accountability to affected populations and align humanitarian action better with longer-term perspectives.\*\* However, the same research suggests many of these NGOs are fairly small and localised, and can find it difficult to achieve large-scale coverage.\*\* In the WHS consultations for North and South-East Asia, 10% of respondents said national NGOs responded 'most effectively to the needs of affected communities', and 10% felt local civil society responded most effectively.\*\*

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In situations of conflict, local and national NGOs may also find it difficult to remain neutral and impartial: on the other hand, they may also be the only humanitarian actors with any presence on the ground.

Currently, direct international funding for national **NGOs** is 'unpredictable, volatile, difficult to access, insufficient and is not sufficiently enabling to support the strengthening capacity'. xvii Between 2009 and 2013, local and national NGOs received (directly) 1.6% of the amount received by international NGOs, and 0.2% of total funding for humanitarian action. They received 12% of funding from country-level emergency response funds (ERFs) – less than might be expected given the intent of ERFs to provide funding to NGOs. xvii Constraints to increased funding include donors' procedures, financing regulations and attitude to risk (particularly when considering the potential for success of programmes undertaken by new partners), and foreign banks' willingness to transfer funds to Islamic charities and organisations working in the Middle East.

Instead, many national NGOs receive funding through partnerships with international agencies. Some international NGOs are structured around a 'partnership model', passing on over 70% of their humanitarian funding to national NGOs. These 'partnership-based' organisations have tended to work in long-term relationships with national actors, frequently engaging in capacity-building and joint learning activities. In other cases, though, partnership more closely resembles sub-contracting, with the international agency providing very little longer-term support. Although a large amount of capacity-building has been undertaken across the system, funding for capacity-building is limited and approaches to capacity-building have not always been effective.

In addition to limited access to funding, national NGOs often have only limited access to coordination mechanisms and decision-making fora. Constraints to access include language (including the technical language used by many international humanitarians); location of meetings, which are often in capitals or provincial centres some distance from the offices of local NGOs; and the sheer cost, in staff time, of attending the very large number of coordination meetings that often take place as part of a crisis response.

**Direct** international funding for national NGOs is insufficient, and overly complex procedures and risk aversion prevent local NGOs from receiving direct funding.

**Funding for** capacity-building is limited and approaches to capacity-building have not always been effective.

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# National NGO networks receive only limited support.

In some cases, networks of national NGOs have served as an effective way of linking national NGOs to decision-making fora, \*viii and there is potential for networks to allow smaller NGOs to coordinate to improve coverage. However, national NGO networks tend to receive only limited support.

Staffing provides a further challenge to many national NGOs. In some places, fairly low levels of formal education can make recruitment for certain posts difficult. Many CSOs also complain it is very difficult for them to retain staff when international organisations provide much higher rates of pay. Finally, in some circumstances, the attitudes of the government may make it difficult for national or local NGOs to conduct activities.

## The role of the Red Cross and Red Crescent in humanitarian action

The 189 national societies of the Red Cross and Red Crescent Movement 'are recognized by their respective Governments as auxiliaries to the public authorities in the humanitarian field on the basis of the Geneva Conventions of 12 August 1949'. \*\*xi\* As such, they occupy a unique legal and operational position in national humanitarian response – simultaneously part of an international movement and of national civil society, with the formal status of auxiliaries to government, complementing the government's emergency response.

The Red Cross and Red Crescent Movement plays a significant role in humanitarian response. In 2013, national societies had 451,000 paid employees and benefited from the efforts of 16.7 million volunteers. They reached 85 million people through disaster response and early recovery programmes. \*\*xi\* These figures include employees and responses in high-income countries, but a good proportion of them are from low-or low-/middle-income countries: 30.6 million of the people who received support were in three countries: Colombia, Syria and Kenya.

The unique relationship between national societies and government ensures they generally have clear roles and responsibilities in crisis preparedness and response, close relationships with political and administrative leaders and direct access to government decisions. As the structure has extensive experience of managing volunteers, national societies also have the potential to scale up rapidly. \*xxii\*

At the same time, the relationship with the state can be problematic: 'all countries, to say the least, do not interpret the concept of auxiliary the same way'xxiii and 'the independence and credibility of the National Societies have sometimes been put in danger in the name of good relations between States and National Societies'.xxiv Some national societies also face problems similar to those of national NGOs: challenges around technical capacity; low levels of staff retention; and difficulties around accessing international coordination fora.

#### The role of local and national private sector actors in humanitarian action

Most interest around private sector engagement in humanitarian action has focused on international, corporate actors; the local private sector has often been overlooked in discussions of emergency response. However, as crises can have a significant impact on the market and operations, private sector actors often have a strong rationale for engaging in preparedness and response work – a rationale supported, in many cases, by feelings of moral, religious or national obligation.xxvi

The role of private sector actors has recently been enhanced by a focus on cash distribution, and a subsequent interest in markets and the availability of goods. However, lack of understanding and engagement with local and national private sector actors appears to present a missed opportunity for improving aspects of humanitarian work.

International actors have, to date, often found it difficult to engage effectively with the local private sector. The transaction costs involved in establishing a partnership with private business are typically high, so aid agencies generally prefer to collaborate most closely with larger private sector entities with a wide geographical presence. Additional barriers include those faced by national NGOs: use of specialised humanitarian vocabularies; requirement to engage in multiple sets of meetings; and decision-making for a often being located some distance from the offices of the business.

Lack of understanding and engagement with local and national private sector actors.

1

The international humanitarian system does not take sufficient account of national actors, and should change to ensure it does so.

2

National actors are not effectively represented in governance mechanisms of the humanitarian system.

3

**Governments** are not fully meeting their obligations to provide humanitarian assistance in all cases.

4

**Governments** have limited capacity (funding priorities, legal frameworks and structures, resources).

5

**Governments** and international actors have limited understanding of their relative capacities and roles.

6

Coordination mechanisms on the ground can often duplicate or displace national **government** coordination mechanisms.



Direct international funding for **national NGOs** is insufficient, and overly complex procedures and risk aversion prevent local NGOs from receiving direct funding.



Funding for capacity-building in **civil society** is limited and approaches to capacity-building have not always been effective.



National and **local NGOs** have limited access to coordination mechanisms and decision-making fora.



National NGO networks receive only limited support.



Lack of understanding and engagement with local and national **private sector** actors.

# 5. KEY OBSTACLES AND SYNTHESISED RECOMMENDATIONS

The WHS Thematic Teams' Bonn recommendations reflect the most recent thinking of the WHS Secretariat and Thematic Teams on the key areas for reform to be addressed by the Summit. These recommendations are italicised below.



#### **KEY OBSTACLES**

The international humanitarian system does not take sufficient account of national actors, and should change to ensure it does so.

#### **RECOMMENDATIONS**

- a. Engage in clear and transparent dialogue at a country level on comparative advantages of national and international systems.
- b. The international system should take on a more facilitative role.
- c. Establish compacts in selected pilot countries for new models of humanitarian action.



#### KEY OBSTACLES

National actors are not effectively represented in governance mechanisms of the humanitarian system.

#### RECOMMENDATIONS

- a. Include representatives of national actors in the IASC.
- b. Regionalise the IASC.
- c. Include national actors in reform processes to re-design the governance of the humanitarian system.



#### **KEY OBSTACLES**

**Governments** are not fully meeting their obligations to provide humanitarian assistance in all cases.

#### RECOMMENDATIONS

a. Humanitarian actors should advocate for states to fulfil obligations, including ratifying and implementing regional humanitarian frameworks and creating a legal and policy framework favouring humanitarian action.



**Governments** have limited capacity (funding priorities, legal frameworks and structures, resources).

#### RECOMMENDATIONS

- a. All disaster-prone countries should have legally-binding regulations in place covering engagement with regional and international humanitarian organizations by a certain target year.
- b. States and national institutions should increase the revenue they allocate to preparedness and response.
- c. States should establish or strengthen legal frameworks that support humanitarian action.
- d. States should strengthen data collection and analysis capacities.
- e. States should establish national risk/disaster management agencies.
- f. Regional organisations should monitor states' adherence to regional disaster risk management standards and develop inter-state training.
- g. States should adopt Core Humanitarian Standards (CHSs) for their humanitarian work, and encourage those working on their territory to do so.
- h. Encourage civil society to hold government to account for disaster preparedness and response.
- . Increase direct funding to governments.
- j. Tackle corruption.



#### **KEY OBSTACLES**

**Governments** and international actors have limited understanding of their relative capacities and roles.

#### RECOMMENDATIONS

- a. Develop an inventory and deployment mechanisms for national deployable capacities and assets at regional level, building on the 2009 evaluation of the central registry.
- Establish relationships and create contingency
  plans before the crisis. These plans should have
  scaled levels of response, with clear roles for
  different actors at each level and clear exit criteria for
  international humanitarian actors.
- c. Monitor the situation continuously.



Coordination mechanisms on the ground can often duplicate or displace national **government** coordination mechanisms.

#### **RECOMMENDATIONS**

- a. In situations of natural disasters, nationally owned coordination and response mechanisms should be the default approach with bilateral/multilateral forms of support becoming more disciplined in engaging only when required and on the basis of needs. Potential targets could include [by target date] all disaster-prone countries have legally binding regulations in place covering engagement with regional and international humanitarian organisations.
- b. Allocate senior roles in coordination mechanisms to national NGOs.
- c. Develop common operating procedures (similar to ICS) to support interoperability.
- d. Ensure local-level coordination structures exist, particularly in cities.



#### **KEY OBSTACLES**

Direct international funding for **national NGOs** is insufficient, and overly complex procedures and risk aversion prevent local NGOs from receiving direct funding.

#### RECOMMENDATIONS

- a. Reform current international funding arrangements in order to recognise and support the lead role played by local and national humanitarian actors in preparedness and response, including in conflict situations. Potential targets could be set.
- b. Create preparedness and response funds for national NGOs.
- c. Simplify access to funding opportunities.
- d. Simplify compliance, reporting and risk management frameworks.
- e. Establish accreditation system for southern NGOs.



Funding for capacity-building in **civil society** is limited and approaches to capacity-building have not always been effective.

#### **RECOMMENDATIONS**

- a. Reform current international funding arrangements so that by [specified date] x% of international humanitarian funding will be dedicated to strengthening the capacity of national and local actors.
- b. Build expertise in capacity-building.
- c. Include capacity-building in all programmes and benchmark capacity. Ensure the inclusion of women's groups.
- d. Recognise capacity-building is a long-term activity.
- e. Research to identify successful approaches.
- f. Allow local NGOs to determine their own capacity-building needs and support a results-based approach; invest more where capacity is built successfully.
- g. Focus on organisational structures and processes.
- h. Support peer reviews between local responders.



#### **KEY OBSTACLES**

National and **local NGOs** have limited access to coordination mechanisms and decision-making fora.

#### RECOMMENDATIONS

a. See recommendations under 'Coordination mechanisms on the ground can often duplicate or displace national coordination mechanisms', above.



#### **KEY OBSTACLES**

**National NGO** networks receive only limited support.

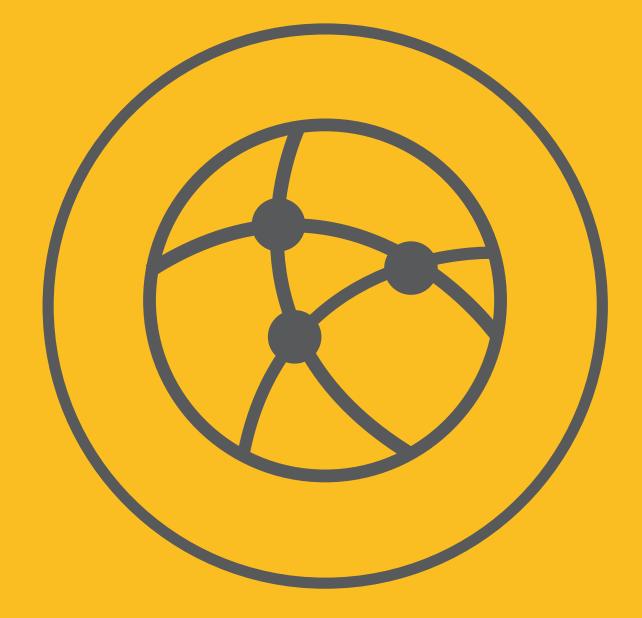
#### **RECOMMENDATIONS**

a. Use networks to pool resources and coordinate large-scale responses between many smaller organisations (using online technology, common principles and assessment methodologies).

Lack of understanding and engagement with local and national **private sector** actors.

#### RECOMMENDATIONS

- a. Countries [should] create the coordination and regulatory frameworks for engagement with the private sector in preparedness, response and resilience at national and subnational levels.
- b. Support local private sector networks in national- and regional-level preparedness efforts through training.
- c. Remove institutional barriers and create frameworks to ease engagement with private through a revision of relevant UNGA resolutions by 2020.
- d. Promote the understanding of humanitarian principles and norms for private sector engagement.
- e. Identify key areas where local private sector is essential to resilience and response, and work on these areas.
- f. States should identify best practices in public-private partnership.



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### 4. ENDNOTES

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- v. Harvey, P. (2010) 'The Role of National Governments in Humanitarian Response'. London, ALNAP, ODI.
- vi. Harvey (2010): 10.
- vii. Saavedra, L. and Knox Clarke, P. (2014) 'Working in the Field for Effective Humanitarian Response'. London, ALNAP, ODI. The SOHS notes that this also occurred in the response to Ebola in West Africa.
- viii. Knox Clarke, P. and Campbell, L. (forthcoming)
  'Effective Coordination in Humanitarian
  Response'. London: ALNAP, ODI.
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- x. Such as Typhoon Haiyan in the Philippines.
- xi. Banbury, in International Press Institute webcast 'Ebola and the UN's First Emergency Health Mission', 3 February 2015: https://www.youtube.com/watch?v=Tv5Vx63N6To. 'We had to get so much done in that 2.5 day period, had the governments been there I don't think we could have accomplished it. So yes there was a lost opportunity [...] but in terms of crisis management and being focused on the results, I think notwithstanding the downsides, I think we had to do it because we would not have gotten out of it what we really needed.'
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  CAFOD, Christian Aid, Oxfam and Tearfund.
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  National and Local Partnership-Based
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  CAFOD, Christian Aid, Oxfam and Tearfund.
- xvi. See also Healy, S. and Tiller, S. (2014) 'Where is everyone? – Responding to emergencies in the most difficult places'. London: Médecins Sans Frontières.

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- xviii. Compared with local government: 20%; national government: 15%; affected communities: 14%; national Red Cross/Crescent: 10%; international NGOs 9%; UN 6% Regional Steering Group; WHS (2014) 'Regional Consultation for North and South-East Asia. Preparatory Stakeholder Consultation'. World Humanitarian Summit (WHS).
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