Humanitarian Exchange

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The Humanitarian Practice Network at the Overseas Development Institute is an independent forum where field workers, managers and policymakers in the humanitarian sector share information, analysis and experience. *The views and opinions expressed in HPN's publications do not necessarily state or reflect those of the Humanitarian Policy Group or the Overseas Development Institute.*

Commissioned and published by the Humanitarian Practice Network at ODI

This issue of *Humanitarian Exchange* focuses on the emergency response to the devastation caused by the earthquake and tsunami in the Indian Ocean on 26 December 2004. As a natural disaster, the tsunami was unparalleled, hitting 13 countries in Asia and east Africa. The unprecedented scale of the destruction and the immediacy of the images beamed around the world led to an outpouring of funding by governments and individuals, with aid pledges to affected countries topping $11 billion.

Within the humanitarian community, there are diverse views about whether all that money has been wisely spent. This issue of *Humanitarian Exchange* includes articles on the response from international and local NGOs, donors and the Red Cross movement, highlighting the challenges, opportunities and risks the emergency response encountered. The volume of funds donated to humanitarian agencies enabled them to deploy resources and staff quickly, but it also placed pressure on aid actors – agencies, donors and governments – to be seen to be doing something, at times leading to projects not based on assessments, to poor coordination and to unhealthy levels of competition. The articles in this issue also focus attention on the nature of accountability, and the need for the humanitarian sector to invest more time and energy in ensuring that affected populations are at the centre of our accountability practices.

The tsunami response demonstrates the rapidity with which local governments and organisations and the international community can galvanise human and financial resources.

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This casts in stark relief the failures of preparedness and response that attended the Hurricane Katrina disaster in the United States in August. In their article, Ben Wisner and Peter Walker explore the social, racial, political, administrative and economic factors which magnified the impact of the hurricane. If nothing else, Katrina reminds us that the developed world has much to learn from the standards and practices of the humanitarian community.

Other subjects tackled in this issue include the relationship between international law and 'humanitarian space', an analysis of some of the practical implications of the International Criminal Court (ICC) for humanitarian organisations, and an exploration of perceptions of security in crisis states. In addition, there are articles focusing on the development of SMART indicators, sexual violence in emergencies, real-time evaluation methodologies, the restitution of land and property and the application of satellite technology in emergencies. We hope you find this an interesting and useful issue of *Humanitarian Exchange*, and as always we welcome your feedback.

The international tsunami response: showcase or circus?

Caroline Nursey, Oxfam GB

A common practice amongst agencies seeking to improve their response to disaster is the 'simulation exercise', in which a fictitious but typical scenario is prepared about a disaster in 'Country X', and a group of practitioners is asked to mount a response. Readers may have their own experiences of these exercises. A colleague told me of one where, after incredible levels of activity and so-called coordination, a week after the disaster had struck, the response leader had still not boarded the hypothetical aeroplane to take them to the hypothetical site of the response.

The Indian Ocean tsunami could have been a case study for such an exercise:

- Several million people were affected simultaneously, with no advance warning.
- The disaster affected seven countries, leaving an estimated 280,000 people dead and two million displaced.
- There were conflicts in two of the three-worst affected countries, and humanitarian access was limited.
- The humanitarian community was already at its most stretched for years responding to a combination of disasters around the world.
- And it was Christmas, and most headquarters staff were on holiday.

Imagine the likely outcome of such a scenario. There is a mad scramble to reach the scene, but governments block entry, visa applications are 'pending', supplies get stuck in customs and a staffing shortage means that some very inexperienced staff are on the ground. Conflicts escalate, affected people are forced to relocate and communities are split up. An incompetent response fails to stave off outbreaks of disease, there are media scandals about corruption keeping food aid from hungry people, channelling it to military forces instead, and funding is halted abruptly, forcing many agencies to pull out before they have barely started work. Wealthy governments drop their commitments, blaming the UN for incompetence, a UN sex exploitation scandal surfaces and the humanitarian community spends the next five years recovering from the media and public relations disaster. And, of course, the beneficiaries suffer.

In fact, this is not what happened. Indeed, far from a circus the tsunami was, I would argue, a showcase response. There were mistakes, of course; in the start-up phase, the coordination centre in Aceh 'lost' two Oxfam trucks carrying water equipment, and aircraft could not land at the airport because it was clogged by well-meaning representatives from what seemed like every agency in the world, coming to hand out their particular brand of chlorine tablet. In South India, there were 300

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Baiturrahman mosque, Bandha Aceh, 27 December 2004

organisations in one district of Tamil Nadu alone. But these problems were overcome and the results have been better than any of us could have foreseen.

far from a circus, the tsunami was a showcase response

The response

No public health emergency occurred and, within days, the majority of people affected were getting food, water, sanitation, shelter and healthcare. Within a month, the emergency response phase geared to saving lives was completed, and the focus moved on to helping people recover their livelihoods and get children back to school. Plans for multi-year responses were designed, not just to help people back to where they were before, but to break out of the poverty that made them so vulnerable to disaster in the first place.

The UN CAP was fully funded, and publics around the world – from the wealthiest to the poorest nations – empathised and gave at unprecedented levels. In the UK, 80% of all adults donated something. This public generosity stimulated government giving, and a sort of bidding process drove up the 'highest offer'. This generous funding gave agencies and governments enough stability to plan long-term, quality programmes that met Sphere minimum standards. The public endorsed the flexible use of funds to include indirectly affected people and prevention and preparedness work. Large agencies shared funds, and sought new and diverse alliances and partners with whom to work.

National governments responded immediately. Actions ranged from calling a state of emergency and welcoming help to waiving visa requirements and bringing massive national resources to bear, military and financial, to do the job themselves, drawing on support and technical expertise from the UN. Action was seen as an election issue. Affected people took charge of public spaces such as schools, stayed in their communities and demonstrated strong coping capacity. Beneficiaries and local agencies insisted on making their voices heard. Agencies advocated strongly for the rights of internally displaced people and on protection issues, and this had a tangible influence on government action. Accountability to beneficiaries became a 'growth industry'.

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The key issue: resources

Clearly, the tsunami was better resourced than the majority of humanitarian crises. Within two weeks of its launch, the UN flash appeal was 53%-funded by commitments or paid contributions. Some may feel the response was over-resourced, while others may claim that it matched the scale of need. The majority of the money from the general public was 'new' money that would not have been available had it not been for the tsunami, and therefore did not take funds from any other crisis. The same may not apply to funds from donor governments, and if the result of generosity in one region is increased suffering in another, then this should be challenged. That said, the goal should be to improve responses elsewhere to the point where they match the standards of the tsunami response.

Humanitarian agencies are accustomed to operating on a shoestring, and it was remarkable to see a situation where the necessary resources were clearly available, and quickly. We at Oxfam became a little light-headed as we watched the appeal funds mount, realised we could recruit who we wanted and only had to mention potential interest in a hovercraft on the BBC for people to offer to ship one out the next day. Two results of this level of resourcing are an unusually high level of competition; and an emphasis on accountability.

Competition

The abundance of funds led to an influx of agencies into some tsunami-affected areas, and there were instances where agencies competed over communities and beneficiaries. An Indian colleague related how his friend's daughter had nearly been commandeered by an agency worker; 'Where did you get the little girl?', the staffer demanded to know. At the same time, competition had some healthy effects.

- It drove up standards. For example, in South India initial hastily-constructed 'sheds' were replaced by standard houses with palm-leaf roofs, built to Sphere standards.
- Partners had much more power to negotiate terms. For example, I know one colleague enjoyed a very polite presentation by a local partner who outlined the long-term commitment they wanted, while showing who else was supporting them, and explaining why they had chosen to come first to Oxfam to ask for support – the clear message being that if we could not commit, they could go elsewhere.
- Beneficiaries were able to exercise choice. For example, in Sri Lanka a fisherman told a colleague that his community did not want their boats mended, nor did they want new ones like the ones they had before. Instead, they wanted fibreglass boats.
- Beneficiaries could voice complaints. This happened at local government offices in Sri Lanka. While there was room for improvement in efficiency, the fact that there is a demand for action to resolve complaints can potentially improve quality.

Accountability

The tsunami event has allowed us a glimpse of what it looks like when the givers and recipients of aid (Western publics and affected populations) are centre-stage and call the shots – putting pressure on the actors in the middle (governments and aid agencies) to do the job right. For more than 50 years, Western countries have committed themselves to a pact of mutual solidarity to alleviate suffering around the world. In reality, the fulfilment of this commitment is heavily dependent on political interests. In this response, we have seen the power ordinary citizens – both the giving public and recipient populations – can have in shaping and influencing that political interest, and ultimately demanding a decent response.

It is important not to overstate what has been achieved. This power is still nascent. Clearly, many of the individuals affected by the tsunami are still not satisfied; many remain in temporary accommodation, for example, and will do so for years. However, we must not discount the positive influence of increased visibility, and its potential to enhance the voice of affected people. With a concerted effort to realise this potential, we could improve accountability and facilitate a direct, compassionate understanding among Western publics of the plight of disaster-affected people. It could become the norm that the givers and receivers of aid exercise their power and demand that those in the middle – the governments and aid agencies entrusted with the response – deliver systematic, fair and professional responses, or risk being fired or voted out.

Critical readers may dismiss this argument as a simplistic market model; others may agree with it, but wonder how it is relevant to Darfur, to Northern Uganda or to the Democratic Republic of Congo. In the case of the tsunami response, the main countries affected all have relatively effective governments and administrations with a long reach, resources and expertise of their own, large educated middle classes and strong civil societies. The foundations are already there on which to build the accountability to aid recipients that helps drive the quality

of the response. Moreover, in conflicts, civil society often prioritises a political response, such as ending the war, over a humanitarian one.

While Darfur, Kitgum and Ituri are a world away from the tsunami response, the key issue of 'missing stakeholders' is still fundamental. Governments, UN agencies and NGOs can proclaim all they like that Darfur (for example) is a priority concern, but until individuals and communities in donor countries are engaged, and until beneficiaries can make themselves heard, none of these crises will ever be the number-one issue, there will not be the funding we need to deliver the programmes that people deserve and we will never be held to account to deliver a 'showcase' humanitarian response.

Showcase, not circus
The tsunami response is more showcase than circus, based simply on the facts of what has happened and the humanitarian disaster that has been averted. Depending

> Darfur, Kitgum and Ituri are a world away from the tsunami response, but the key issue of 'missing stakeholders' is still fundamental

on the lessons we apply now about adequate resourcing and accountability, it could come to be seen as a clear demonstration of what is possible. As such, it could mark a key step towards more accountable, better-quality responses – responses that elicit more pride than shame.

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Linking preparedness and performance: the tsunami experience

Anisya Thomas, Fritz Institute

The devastating Indian Ocean tsunami in 2004 prompted an unprecedented response from the humanitarian sector. International relief organisations, including the UN, the Red Cross and NGOs, sprang into action, often in collaboration with new or existing partners. Within affected countries, national governments, the armed forces, corporations, social groups and citizens all responded. The resources raised for the humanitarian effort were also unprecedented.

While the relief community began their assessments, assembled their supply chains and began to deliver assistance, the Fritz Institute developed a strategy to study the relief effort. We contacted our international and local partners, convened a cross-section of local and global private-sector and humanitarian experts in New Delhi and Mumbai, and sent teams of researchers and practitioners to the field in India, Indonesia, Thailand and Sri Lanka. Over the next 90 days, we collected qualitative and quantitative data on various aspects of the relief operation. In all we interviewed:

- 100 logisticians with 18 international organisations (UN, Red Cross, NGOs);
- 806 affected families from 100 villages in India;
- 600 affected families from 97 villages in Sri Lanka;
- Emergency Relief Directors from 225 NGOs operating in India;
- Emergency Relief Directors from 150 NGOs operating in Sri Lanka;
- 49 district-level government personnel in India;

- 40 corporations that participated in or contributed to the relief effort; and
- 20 journalists who covered the relief efforts.

Several distinct findings emerged from the research. First, we found that accurate assessments were critical to accurate relief coverage. Second, experiences on the front line were significantly influenced by the quality of 'back-room' preparedness and capacity (in areas such as logistics). Finally, the voice of affected people can be an important indicator of the effectiveness of aid.

> only 38% of the international organisations we surveyed participated in joint assessments

The importance of assessments
Assessments are critical to understanding the number of people affected and their needs. Most large agencies have a protocol for assessments, and use the findings to guide their procurement and programming. However, few share their assessments, and the information gathered from these multiple sources remains fragmented. Only 38% of the international organisations we surveyed participated in joint assessments. In the absence of accurate assessments, relief delivery can be disproportionately influenced by the media.

Tsunami-ravaged Banda Aceh, Indonesia

©Fritz Institute

The survey of logistics professionals focused on Aceh in Indonesia. It indicated that, while 72% of the organisations surveyed had an assessment process, 62% of those that did said that their plan did not meet their needs. Some of this had to do with the sheer magnitude of the disaster, but some of it related to a lack of local presence, with few trained local staff and access problems (only 38% of the assessment teams included local people).

At the local level, only 20% of the NGOs in India and 30% in Sri Lanka performed a needs assessment, and most of them were simply trying to arrive at an order of magnitude on estimates of the damage. In these cases, the assessments were based on primary interviews conducted with the local community, mainly fishermen, community leaders, village and district government officers and other NGOs. These assessments were also limited by geography: local NGOs only assessed needs in the areas where they had a presence.

As a consequence of incomplete and partial assessments, some villages received many more supplies than they needed, and others far less. In India, even 60 days after the disaster, there was wide variation in the availability of basic relief supplies and services. While 80% of all respondents said that they received food on time, coverage varied by village. Every single respondent in Ramanathapuram reported receiving adequate and timely food aid, but only 31% of the respondents in Pudhukottai said the same. Similarly, districts like Nagapattinam, widely reported to have suffered the most damage, had over 500 NGOs registered as providing relief; other areas received no, or sporadic, assistance.

Assessments also guide the appropriateness of the relief supplies, and are critical to the creation of effective supply chains. For example, understanding the food and clothing preferences of affected people or the number of children, infants and women who need help is important in determining the content of the assistance that is mobilised. Knowing what is available in the local markets and what needs to be procured overseas determines the

transport and tracking systems that have to be set up.

In the future, agencies should consider sharing information about their assessments to get a better idea of on-the-ground needs. They should also consider creating standardised assessment protocols, which include mechanisms that will allow them access to local experts and local assessments. This will enable them to leverage individual resources and local knowledge, facilitate more accurate and even coverage and enable more appropriate aid.

Back-room readiness and front-line failure

The tsunami experience demonstrated once again that a lack of back-room capacity results in front-line failures. This was particularly true for the supply chain (the process of assessing, mobilising, transporting, tracking, warehousing and distributing supplies and relief items). Our survey of relief organisations, which focused primarily on those operating in Aceh, found that there was a severe shortage of logisticians in the field. In fact, 88% of the organisations we surveyed had to reallocate their most experienced logisticians from other assignments. Furthermore, only 26% of the logisticians in the survey had access to software with track-and-trace capabilities to anticipate and prepare for the receipt of procured and donated goods. As a consequence, supply lines were clogged, huge amounts of goods piled up at airports and transport and warehousing were inadequate. The lack of automation meant that donor reports were very time-consuming to prepare, and provided only minimal data on the performance of organisations.

This finding was reinforced in the survey of 375 NGOs in India and Sri Lanka. In India, 60% of organisations did not have adequate warehouse facilities, and 40% lacked transport to carry relief supplies to affected areas. In Sri Lanka, 58% lacked warehousing and 52% reported inadequate transport.

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there was a severe shortage of logisticians in the field

There were wide disparities in the services received by those affected across India and Sri Lanka. While approximately 60% of the families surveyed said that they received timely and adequate aid, 40% said that they did not. The lack of transport and warehouse capacity forced immediate unloading and distribution at those points that were easiest to access, leaving the beneficiaries there with the feeling that materials were simply being dumped: 'They came in trucks and gave in excess … We didn't take much, they [supplies and clothes] were piled up on the road'.

For the future, we recommend that humanitarian organisations regularly evaluate their supply chain processes,

Table 1: Type of help affected families said they received in the first 48 hours (Sri Lanka)

Help received	Hambantota	Kaluthara	Colombo	Matara	Baticaloa	Ampara	Jaffna	Trincomalee
Rescue operations	33	24	24	52	61	15	3	1
Identification & burial of the deceased	29	0	3	7	39	13	1	0
Clearing debris	24	0	0	15	18	2	0	0
Ready-to-eat food	81	94	100	82	58	59	98	96
Drinking water	48	100	93	74	70	72	99	3
Materials for temporary shelters	19	12	31	45	13	56	47	1
Arrangement for relocation	10	0	3	5	4	0	0	0
Bedding, toiletries	10	41	31	14	19	26	72	0
Clothes	33	94	86	25	72	66	78	1
Infant food	19	41	48	2	28	11	75	0
Counselling services	0	0	10	0	4	4	26	0
Other responses	0	0	3	0	2	0	0	0
Not specified	0	0	0	2	1	0	0	3

technology and human resources. Standardised processes supported by flexible technologies across organisations can facilitate coordination, collaboration and resource sharing at the field level. Technology can also increase the visibility of the entire relief chain, allowing staff on the ground to prepare better for the flow of supplies.

Training, particularly at the field level, will help to build competency and skills, enabling logisticians to create common processes. We also recommend alliances at the country level with private individuals and organisations who have transport and warehousing capacity which can be utilised during a major relief operation. For example, each country affected by the tsunami has professional associations of private-sector logisticians. They have an understanding of local conditions, customs rules and private-sector capacity. After the tsunami, many of these associations contacted the Fritz Institute, offering to help. Creating exchanges between these organisations and humanitarian logisticians could be mutually beneficial in preparing for the (inevitable) next disaster.

Recipient opinions are a strong indicator of aid effectiveness

Despite much discussion, the humanitarian sector has yet to widely establish or implement benchmarks for aid effectiveness. Effectiveness is usually determined by what was done: throughputs and outputs, not outcomes. Comparisons between the services of one aid provider and another, or the outcomes of one donor versus another, are rare. It becomes impossible to assess effectiveness or efficiency in any meaningful way.

New models and methods are being explored. One effective measure of aid effectiveness could lie in the opinion of the recipient of humanitarian assistance. In the view of the recipient, did the aid that was provided achieve its intended outcomes in terms of alleviating suffering?

Table 2: Affected families' recall about relief service providers in the first 48 hours (Sri Lanka)

Agency	% recalling receiving relief services
Armed forces	39
Medical	23
Religious groups	20
International organisations Local/regional/national	14
NGOs/private sector	12
Political parties	8
Government	4
Fire rescue	1

Sixty days after the tsunami, we interviewed large numbers of families affected by the disaster across all the impacted regions in India and Sri Lanka. We asked them about the types of assistance that they received in the first 48 hours and in the first 60 days. We explored their opinions about the content and adequacy of the aid, as well as the process of aid distribution. The results were revealing.

Not surprisingly, there was wide variation in the type of help received by affected villages and districts. To illustrate, Table 1 provides the services affected families in Sri Lanka said they received during the first 48 hours. Table 2 lists who they received these services from.

Data such as this, collected for multiple disasters, could provide insights into where gaps lie, as well as information on the role of first responders, government, international agencies and local NGOs.

Sixty days after the tsunami, more than two-thirds of respondents in India and Sri Lanka reported that they were satisfied about the aid they had received, but once

again this varied across the affected districts. We also asked recipients about the timeliness of aid, and whether they felt their dignity was maintained during the distribution process. The data revealed that perceptions of inequity stemmed from the different approaches used by different aid agencies. While some had to queue for aid, some received it from the village heads, and some received food for work. There were also cultural sensitivities about the appropriateness of the clothing received, wearing used clothing and living in temporary shelters (which were associated with gypsies, travelling performers and itinerant salesmen). If recipient-driven aid is to be meaningful, then those most affected by the tsunami should have a say in what it contains, and how it is distributed.

> **more than two-thirds of respondents in India and Sri Lanka reported that they were satisfied about the aid they had received**

Our case studies also revealed systematic exclusion because of local politics, caste, village hierarchy and social norms. The most vulnerable were made even more so: handicapped people, widowed women and the lowest social strata in the villages reported being kept out of the distribution process, or not being able to reach the sites where aid was distributed.

In the long term, data such as this, combined with reports of where donor dollars were spent, can begin to provide insights into the effectiveness of relief. If collected objectively and consistently across providers, this type of data can begin to form an evidence base of good practice, and good providers.

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Managing private funds – maintaining a humanitarian perspective

Johan Schaar, IFRC

Our memory is short: we think that the next major humanitarian emergency will be like the last, and prepare accordingly. The Indian Ocean tsunami was, however, atypical. A regional disaster affecting 13 countries, three of them in armed conflict, its shocking force was documented on the digital cameras of hundreds of Western holiday-makers, some of whom became its victims, along with local hotel staff, teachers, nurses and fishermen. Unique too was the scale of the global public reaction. Other recent disasters may have claimed more lives, but none has triggered such a massive international response.

The tsunami was also unusual in that it was followed by other events that enabled us to better understand what had happened. Occurring less than a month before the World Conference on Disaster Reduction (WCDR) in Hyogo, Japan, the tsunami turned a conference which, in its preparatory phase, had attracted at best lukewarm interest from many governments into a world event. Delegations that were to be led by the heads of technical agencies were suddenly led by ministers. The world's media gathered and debates, resolutions and NGO comments made international headlines. The tsunami gave meaning to the somewhat abstract concept of disaster reduction with immediate and cruel clarity. Seven months later, when Hurricane Katrina hit the southern coast of the US, the world saw the richest country in the world struggling to cope, and failing to protect its most vulnerable citizens. A point of reference for the tsunami had been created.

What lessons are there to learn this time? What can we conclude from the experience of the tsunami response and the early recovery phases? What needs to change? This article looks at two questions. First, what are the implications for humanitarian and recovery action and accountability when, over a very short period of time, very large sums are donated by the public, not by governments, to implementing organisations? Second, how can the international aid community and affected governments manage the transition from emergency aid to recovery? One important lesson from the tsunami response is that overwhelming private funding of relief and recovery responses to a major natural disaster can lead to unbalanced accountability, and can undermine good practice. If that is the result, we will have failed both our donors, and those we seek to assist.

So much money in so many hands

The enormous attention and publicity the tsunami attracted meant that aid organisations had to do very little to raise a great deal – unprecedented sums, in fact. Hundreds of organisations rushed to Sri Lanka, Indonesia, Thailand and the Maldives. Fewer went to India, which declined international assistance, while the response in Myanmar, Somalia, Malaysia, Kenya, Tanzania and the Seychelles was mainly carried out by national and international organisations already active in these countries.

The resulting chaos has been discussed in this year's *World Disasters Report*, independently edited and published by the IFRC. There seems to be overall agreement that immediate needs for shelter, water, sanitation, health services and food were met, and there were no outbreaks of disease. The immediate objective of safeguarding the lives of the survivors was met, helped by the fact that there were relatively few severely injured people among them.

But the large amounts of money available to so many organisations seemed to have a strong influence on how they understood accountability, which in turn also affected their willingness to coordinate and cooperate with other actors. There are many stories of organisations 'competing' for beneficiaries, providing relief items to people who had already been helped, while distant communities, whether in Aceh or Somalia, were neglected. Some of this is probably due to lack of experience, but there seems to be a stronger underlying cause because even some experienced and well-known organisations reportedly behaved in this way. It seems that, when organisations receive so much money from donors, and when the strong urge to provide immediate help is the sole rationale for their action and that of their donors, the sense of accountability towards the people who donated money takes precedence over the need for accountability to the people that money is helping. The balance inherent in the Red Cross/Red Crescent Code of Conduct principle that states that 'we hold ourselves accountable to both those we seek to assist and those from whom we accept resources' seems to have been lost.

This accountability imbalance was confirmed in a study by the UN Development Programme (UNDP), carried out in Aceh in August 2005.[1] This found that there was insufficient 'systematic effort by those working in tsunami relief to keep communities abreast of what is available to them'. This lack of information was 'having a huge impact on their ability to make the right choices about their future'. Women in particular were found to be suffering from this lack of information.

Individual organisations seem to understand accountability as requiring *them* to be the implementing agency,

1 Imogen Wall, *'Where's My House?' Improving Communication with Beneficiaries: An Analysis of Information Flow to Tsunami Affected Populations in Aceh Province*, UNDP, 23 August 2005.

Residents begin clean-up operations, Pottuvil, Sri Lanka, January 2005

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even if this means going into areas where they have little experience, or where other more experienced actors are already working. This leads to a plethora of organisations, rather than pooled funding for fewer specialised actors, or for the local government. The challenge for the many agencies with private funding is to revisit their understanding of accountability, and to find the balance between accountability to their donors and adherence to good professional practice.

Transition – with a gap

The Indonesian government declared the emergency over by 26 March 2005. Yet more than six months later, on 7 October, the head of Aceh's reconstruction agency, Kuntoro Mangkusubroto, appealed for continued emergency food aid, warning that the province could otherwise face a 'humanitarian disaster of immense proportions'. 'There is a perception that the emergency conditions have passed because we're now in the reconstruction phase. This is wrong. The problems are so great, the humanitarian needs are so immense, that the emergency continues.'

The eagerness of organisations to engage quickly and deliver recovery and reconstruction results seems to have distracted attention away from continued humanitarian needs, leading to a 'transition gap'. In addition to Kuntoro's plea for food aid, no consistent action was taken to meet the need for transitional shelter in Aceh. The lesson that it's a long road from early emergency shelters to permanent homes has not been learned. In October, almost all of those displaced by the tsunami were still living with host families, in rapidly deteriorating tents, makeshift shelters or barracks built by the government. In Sri Lanka and India there have also been reports of inadequate shelter. In addition to the quality of shelter, poor water and sanitation standards where IDPs live are a serious problem.

In Aceh, the UN Office of the Recovery Coordinator (UNORC) replaced the UN Office for the Coordination of Humanitarian Affairs (OCHA) in August. Although a humanitarian coordination mechanism was established in the shape of the Humanitarian Action Forum, UNORC found it difficult to get

organisations to commit to meeting humanitarian needs. Many seemed reluctant to provide transitional shelter, as this was seen as giving the impression that efforts were being directed away from the construction of permanent homes. There were also rumours among IDPs that receiving better transitional shelter would make them ineligible for a permanent home. In September, UNORC and the IFRC jointly developed an action plan, with IFRC accepting the lead role in providing transitional shelter. Other organisations were asked to assist in implementation.

Before the tsunami hit in 2004, the International Strategy for Disaster Reduction (ISDR), UNDP and other agencies launched the International Recovery Platform, supported by the Japanese government and endorsed by the World Conference on Disaster Reduction. The paucity of recovery lessons learned, of policy and guidelines and of dedicated coordination structures was identified as a key weakness in post-disaster response. As illustrated in Aceh, there is also a lack of leadership in the shelter sector, a gap that the Emergency Relief Coordinator and the Inter-Agency Standing Committee (IASC) have invited IFRC to fill. The creation of recovery coordination mechanisms, such as UNORC in Aceh and, at the global level, the Global Consortium for Tsunami-affected Countries, led by former US President Bill Clinton in his capacity as UN Special Envoy, both warrant study and follow-up. The Consortium includes UN agencies, the international finance institutions, IFRC, NGOs and tsunami-affected governments.

How has the Red Cross/Red Crescent Movement fared?

The Red Cross/Red Crescent Movement (the national societies, the Federation and the ICRC) received over $2 billion, most of it collected by individual societies in their own countries. This means that the Movement faced exactly the same challenges as those described above. Its solution was to develop a Regional Strategy and Operational Framework (RSOF) for the emergency and recovery phases, followed by an IFRC five-year plan. The large funding volumes have enabled the Movement to take a long view in fostering partnerships between its member societies and their governments in the affected region, working closely with UNDP, ISDR and the Intergovernmental Oceanographic Commission (IOC), in order to do its part in strengthening national disaster reduction, including multi-hazard early warning.

The basic elements of the RSOF are its accountability framework, including monitoring and evaluation, reporting, audits and an external advisory group, its communication strategy and its coordination framework. The latter, established in Indonesia, Sri Lanka and, with a lighter structure, in the Maldives, includes a body for policy decisions, a task force to review projects and ensure coordination and technical working groups to develop and monitor standards in the different sectors. A number of national society teams are working with host societies within the coordination framework. The Federation also implements projects together with the host society on behalf of those societies that have contributed multilateral funding.

With this broad but coordinated approach, the Movement has the potential to mobilise a range of skills and capacities among its members, from livelihoods to construction to psychosocial support, thereby providing a multifaceted approach to recovery. It also makes it possible to address lingering humanitarian needs. The challenge is to avoid building an overly heavy and bureaucratic structure: investing too heavily in internal coordination risks neglecting the critical task of coordinating and collaborating with other actors – particularly in areas where the Movement has less experience.

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Diversity in donorship: the changing landscape of official humanitarian aid
Adele Harmer and Lin Cotterrell

HPG Report 20

September 2005

More and more governments are becoming involved in the response to complex crises and natural disasters. This growth in the number of official donors presents the humanitarian community with significant opportunities, not least in challenging perceptions that the countries of the industrialised West are the only providers of assistance to the developing world. These changes signal a growing pluralism in the foundations of official giving. The engagement of a wider range of donors in humanitarian action also presents significant challenges to the way in which the international humanitarian system is financed, managed and coordinated.

Despite considerable changes in humanitarian donorship, there has been little independent research or analysis on the growing diversity of governmental donors, and how this influences international humanitarian action. This report aims to contribute to filling this gap. It explores the role of these donors in international humanitarian action. It details their history of aid-giving, financing trends and institutional and policy frameworks, as well as the implications of their efforts for the international humanitarian system. It concludes that, at a time when the international humanitarian system is faced with a significant reform agenda, there is a vital opportunity to assess the way in which current debates might involve a broader range of donor governments.

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Accountability lessons from the tsunami response in India

Sandhya Venkateswaran, CARE India

The emergency response to the 2004 tsunami in India demonstrates once more that, while disasters are class- and caste-neutral, those on the margins feel their impact much more severely. Marginalised people live in precarious conditions that increase their vulnerability to disasters. When viewed in this light, accountability to affected communities needs to go well beyond the provision of relief and rehabilitation, so that they regain their pre-disaster level. Accountability needs to *empower* them – socially and economically – to build their resilience and protection from future disasters.

Accountability should not just be about the final outcome, but also the degree of responsiveness of donors, the state and implementing agencies to the local context and the needs of the community, including ensuring that communities have control over the rebuilding process. Since affected communities are the 'reason' for raising the funds in the first place, any accountability to the giver of those funds is incomplete without establishing accountability to the beneficiary of them. These two objects of accountability are linked, in the sense that an absence of accountability to the community increases the risk of ineffective programming, and potentially undermines the relevance, quality and sustainability of the outcome. To explore the nature of accountability in humanitarian crises, this article examines the role of the media, donors, implementing agencies and the state in the tsunami response in India. It concludes with some suggestions for how accountability can be ensured.

Emergency shelter in Tamil Nadu

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Accountability and the media

About 10,000 people died and more than two and a half million were affected by the tsunami in India. Homeless, and grieving the loss of loved ones, survivors had to rebuild lives and livelihoods from scratch. Disasters such as the tsunami are dramatic in their nature and extensive in their geographical spread. They make for very visible emergencies. Unlike the many silent, and seemingly invisible, emergencies across the globe, in which as many, if not more, people die or suffer, such high-profile disasters attract the attention of the media, resulting in a large public outpouring of empathy and funds. The manner in which the media profiles and packages an emergency has a direct correlation with the scale and depth of public support, and hence the funds that are raised. The tsunami response vividly illustrates this, with total aid amounting to around $11 billion. Similarly, the floods that hit Mozambique in 2000 attracted significantly more media attention than the flooding that affected Venezuela and Orissa in India in 1999. Even though far fewer people died in Mozambique, the disaster there attracted more attention, and more funds.

Clearly, media attention can generate substantial public, and hence financial, support for a particular disaster response. But this may well be at the expense of other, less visible but no less deadly, emergencies elsewhere. The availability of large amounts of funding for a particular emergency may also undermine responsive and responsible spending. With overall funds for aid limited, the irresponsible or wasteful utilisation of funds in one emergency comes at the expense of others elsewhere. This may result in a situation where the media, indirectly or inadvertently, governs the level of funding a particular emergency gets. But to what extent is the media a legitimate actor in determining the level of funding that goes to different disasters?

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Accountability, programming and the state

Media attention, combined with funds in abundance, often creates a compulsion for quick results. The experience of the Gujarat earthquake in 2001, in which some 25,000 people died, highlighted the negative implications of spending within a quick timeframe. The tsunami response has underscored these lessons. In some cases, funds for rehabilitation activities had to be spent in as little as six months. The imperative to build temporary shelters within a very short period of time resulted in shelters that were unusable or unused. A recent multi-agency evaluation in India and Sri Lanka found that many shelters were uninhabitable due to excessive heat, and others were already

showing signs of cracks and damage.[1] The evaluation found them unfit for a family to live in with dignity. When large resources are spent on shelters that are not used, where and with whom does accountability lie?

Furthermore, when funds are raised entirely at the outset of a disaster, the links between fundraising and a needs-based assessment become tenuous. Understandably, the initial stages of an emergency are not the most appropriate time for an in-depth, informed assessment of needs; the attention of aid workers is directed at responding to immediate survival imperatives, and many longer-term needs only unfold over time. Experiences from the tsunami-affected areas of India show this clearly. The initial focus in India was almost exclusively on fishing communities, and there was little if any attempt to assess the impact on other sections of the community, such as agricultural workers and ancillary workers within the fishing economy. In some circumstances, funds were raised based on the assumption that all of those affected needed new boats. Fundraising that does not lead to programming that reflects an understanding of the context undermines accountability, both to communities and to donors.

The quality of programming is also undermined by poor policy directives. One example from the Indian tsunami response concerns the Tamil Nadu government's shelter policy. Because the government did not use construction materials that were appropriate to the local climate, shelters are in need of considerable repair. Little attention was paid to the size, design and location of the shelters, nor was community participation sought. While less than optimal quality has in many cases been justified on the grounds that the shelters are only temporary, past experience suggests that they will be needed for at least two years.

Accountability and equity

Exclusion from social, economic and political spheres based on social, ethnic, religious, gender and other lines has been a dominant feature of Indian development. In a disaster, these exclusions are often exacerbated. For a variety of reasons, vulnerable populations are often marginalised from the processes of relief and reconstruction. Equity issues come into play when socially vulnerable communities, such as specific castes in India, tribal groups and women, are unable to secure relief and rehabilitation packages. Norms within traditional local governance structures in Tamil Nadu, for example, prevented women-headed households from obtaining relief; groups belonging to a certain caste (the *dalits*) have reported being unable to get *anything* after the initial relief period. Policies and detailed programming strategies need to be sensitive to such exclusions.

While exclusions based on caste, gender and ethnicity are recognised and visible, albeit they often go unaddressed, others, such as those relating to livelihoods, are much less obvious. Initial relief entitlements in Tamil Nadu were based primarily on the loss of physical assets such as boats, and

1 A. Bhattacharjee et al., *Real Time Evaluation of Multi Agency Tsunami Response in Sri Lanka & India*, unpublished draft, 2005.

so failed to recognise the losses of people such as fish vendors, many of whom are women, whose livelihoods were not based on a central physical asset. Appropriate relief and rehabilitation policies and packages need to include all those whose lives have been affected, whether or not they have suffered a tangible loss.

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The Tamil Nadu resettlement policy illustrates how post-disaster programming can further marginalise affected people, with traditional rights often compromised in favour of commercial interests. In Tamil Nadu, government regulations forced coastal communities away from the coast. This was apparently for safety reasons, but other government policies mandated ecotourism in the areas from which local communities were being pushed out. Basic logic suggests that, if coastal areas are safe for tourism, then they are safe for coastal communities.

Towards greater accountability

Post-disaster rebuilding that is not carried out in partnership with affected communities, building on their knowledge and opinions; that does not involve a flow of information on entitlements, policies and processes; and which is not accountable is often misplaced, ineffective and iniquitous. The media, donor agencies, implementing agencies, the government and civil society all have a role to play in creating an environment where people's rights to information, participation and informed choice, and their right to accountability, are respected and realised.

If the accountability issues encountered in the tsunami response in India are not to be replicated in other contexts, emergency response systems need to prioritise and value (1) greater transparency; (2) greater participation; and (3) greater community monitoring. The Sphere Standards recommend that disaster-affected people actively participate in the design, implementation, monitoring and evaluation of the disaster response. Not only would this reinforce people's dignity, but it would also ensure that rehabilitation is responsive and in line with people's needs.

Participation is meaningless if it is not accompanied by a *transparent* system that makes available all forms of information at all stages of the disaster response. Thus, when coastal communities are asked to 'participate' in decision-making related to their resettlement options, but are not told what might happen to coastal areas were they to vacate, this is not 'real' participation.

The essence and impact of transparency and participation are diluted if they are not based on systems of community

monitoring. Community monitoring contributes to ensuring that the circle of participation is complete, and that decisions taken through a participatory process are implemented appropriately.

Accountability to the community needs to be seen as a continuum, from needs assessments carried out in a participatory manner to participatory planning, monitoring and final outcomes.

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'People to People': an alternative way of delivering humanitarian aid

Azwar Hasan, Forum Bangun Aceh

The tsunami of 2004 struck Aceh in Indonesia with particular force. Some 130,000 people were reported dead and 37,000 missing, and over half a million lost their homes. Economic losses across Indonesia have been put at nearly $5 billion. In response, the Indonesian government estimates that some $7 billion in international aid was committed to Aceh and the island of Nias, off Sumatra's eastern coast.[1] If this sum were divided by the number of victims who lost their homes and property, each affected person in Aceh would get about $14,000. With this money, you can build a very good family house. Almost a year after the tsunami, however, it is difficult to see where the billions of dollars have gone. With so much money pouring into Aceh, why are people still living in tents? Where is the shelter, clean water and schools that were promised? Is the money stuck in some bureaucratic bottleneck somewhere? One programme officer working for a UN agency complained to me that they were 'exhausted' having arranged more than 200 visits for potential donors following the tsunami, and had little time to design and implement programmes. Is this an aid organisation, I wonder, or a travel agent?

The delivery of aid and the rebuilding process in Aceh have been uncoordinated, inefficient and slow. As a result, the Acehnese people are becoming impatient with the promises of international donors. They also wonder why the local social and cultural context and capacity of the Acehnese themselves are being ignored. Is there any way to directly deliver aid to the affected population, rather than funnelling funds through numerous international aid organisations and governments?

1 According to the Indonesian government, by June 2005 $1.8 billion of the pledged $7 billion had been received. See Tom McCawley and Scott Baldauf, 'Six Months After Tsunami, Aceh Rebuilds Slowly', *Christian Science Monitor*, 24 June 2005, www.csmonitor. com/2005/ 0624/p07s01-woap.html.

'People to People'

I was born in Pidie, a small town 120km from Banda Aceh. Although I moved to Jakarta when I was 18 to attend the University of Indonesia, my family remained in Pidie. A day after the tsunami struck, desperate and in shock, I returned to Aceh to search for my family. I arrived at midnight and found the entire city blacked out. There was no electricity, no clean water and no transport, just dead bodies and debris spread along the roads, and scattered across rooftops. What I witnessed was horrific. It looked like something unimaginable, perhaps the end of the world.

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Banda Aceh after the tsunami

After finding my immediate family alive I spent the next few days assessing the situation. I thought about ways to help the survivors. I knew I couldn't help everyone, but I was sure I could do something to make someone's life better. I remembered one of my life principles – to do what I can and never give up. I noticed that many of the survivors chose not to take shelter in temporary barracks and tents, but instead found food and shelter from their surviving friends and relatives. I met one family housing over 30 people. I decided to live with this family of survivors and help them. I began by carefully assessing and writing down their needs. Many people had been given rice but no pots to cook it with, others lacked proper underclothes and many needed mats to sleep on. I bought these items and gave them to the family.

After this family, I moved to another. I found that, by directly providing aid, I was effectively serving the needs of these people. I decided to ask ten of my friends from Jakarta to come and help the survivors. Later, more and more friends and volunteers joined me. By living with affected families and evaluating their needs, we could provide them with what they needed to survive.

Learning from this experience, I began thinking of ways to help more survivors directly. My idea was to have a small but significant impact on survivors so that they could restart their lives. I knew there were generous people around the globe, concerned people who wanted to help. The only way most people know how to help is to donate to well-established aid organisations, and hope that they deliver the aid in good time. My thinking was that, if one of these generous people could help one survivor directly, perhaps the recovery process would be much faster. Even though so much money has poured into Aceh since the tsunami, it takes a long time to reach the survivors. I felt that there must be another way to deliver aid – a way that links generous people directly with those in need, with fewer transaction and administrative costs.

With this in mind, I started the 'People to People' approach. A colleague of mine from Ireland gave me €1,000, which bought a motorcycle pedicab for a man called Syarwan. Syarwan, like many of the affected people in Aceh, had to wade through muddy and polluted water to his house (which he had rebuilt himself out of debris). As a result of this small donation, Syarwan now has an income and he can support his family. It did not take long for Syarwan to earn enough money to repay part of the money he had been given for the pedicab. He thanked me, and asked me if I could help other pedicab drivers. I took his advice and began linking individual donors directly with affected people. As a result, we were able to provide another 20 pedicab drivers with motorcycles. By channelling funds quickly and efficiently directly to where they were needed, these small actions proved very effective, both physically and psychologically.

The people of Aceh need practical help to pick themselves back up. They want to return to their villages and start working again. In emergency situations, survivors need real action. Even if the donation or the act of assistance is small, as long as it gets delivered quickly, it helps. Sue Kenny, from the Centre for Citizenship and Human Rights at Deakin University in Australia, makes a similar point:

The lack of small practical forms of help was brought home vividly at our next stop, an Islamic School in the foothills of Banda Aceh, the capital city of the Aceh Province. The school was operating out of five large tents. Over three quarters of the students and nearly all the teachers had been killed. The new teachers were volunteers. We had come there to deliver books. The books were provided, not by international governments, the Indonesian Government, or international aid, but by local Acehnese NGOs that scrambled together small amounts of money from various individuals who brought the books from Jakarta.[2]

Syarwan's experience, and the experience of the Islamic school that Kenny describes, inspired me and my colleagues to set up a local non-profit organisation, Forum Bangun Aceh (FBA). The Forum's employees and volunteers are themselves survivors. The concept is currently expanding into 'Communities to Communities' and 'Organisation to Organisation'. The one-to-one approach has become our focus in delivering aid.

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By providing interest-free loans from a revolving fund, FBA has helped to restart over 200 businesses, helping about 800 people. All of the families that FBA has supported now earn a daily income and can support themselves and their dependants as they did before the tsunami. Many of them have begun to help others to rebuild their lives. With a donation of between $150 and $1,200, a man or woman can be back in business as a chip farmer, fisherman, street vendor, kiosk owner, salt maker, car mechanic or pedicab driver. When they repay their loan, the money goes straight to helping the next person. Our list is long and there is never enough money, but FBA seeks to help one person at a time. Every donation goes directly from the donor to the person in need, bypassing 'strategic integrated participative planning processes', redundant and inaccurate assessments and unnecessary administrative and bureaucratic bottlenecks.

Conclusion

The reconstruction and rehabilitation of a society should come from within. The people of that society should be empowered and supported to rebuild their own lives and communities. Therefore, Aceh must be rebuilt by Acehnese. Any intervention from the international community should seek only to facilitate and to assist the Acehnese people in

2 Sue Kenny, 'Reconstruction in Aceh: Building Whose Capacity?', *Community Development Journal*, 2005. See also Bill Canny, *A Review of NGO Coordination and Aceh Post-Earthquake/Tsunami*, 8 April 2005, http://www.humanitarianinfo.org.

reconstructing Aceh. The strength and resilience of the survivors themselves is the most valuable asset for recovery. One should never underestimate the durability of the social fabric of a community. Aid delivery, particularly in an emergency situation, is most effective when local stakeholders are involved as much as possible. Importing unqualified expatriates into Aceh is a waste of money. Instead of the Acehnese people becoming objects and victims, they should be utilised as active and capable members of the aid delivery industry.

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Donor issues in the tsunami response: the view from DFID

Peter Troy, DFID

I was at home in London when I heard the news of the tsunami disaster on the morning of 26 December. It quickly became clear that this was a serious emergency, and that the DFID disaster response machinery was going to have a busy Boxing Day. But it was not immediately apparent how challenging the response would prove to be.

DFID's response
The UK's Department for International Development (DFID) normally responds through its financial support to NGOs, the Red Cross Movement and UN agencies. But it also has the capability to undertake direct bilateral response actions when deemed necessary and appropriate. Its Crisis Response Unit provides this capability. Because DFID is a government department, a request for bilateral or international assistance from an affected government is required before we send human or material resources. Once a specific request had been received (from the Sri Lankan government), mobilisation was triggered.

Despite the media glare that attended the tsunami, it was not a question of being the first to send a relief flight, or the first country to get supplies to the affected area. Obviously time is crucial in relieving suffering, and the quicker aid arrives the better. There is also an element of professional pride in sending one of the first relief flights to bring assistance. But the primary motivation is to meet humanitarian need as quickly as possible; if other donors

The Sri Lankan town of Hikkaduwa after the tsunami

are able to respond quicker, that's to be welcomed.

DFID takes the Good Humanitarian Donorship (GHD) process very seriously (it is currently the chair). GHD, agreed in Stockholm in June 2003, reminds donors that humanitarian action should be guided by the principles of humanity, impartiality, neutrality and independence. Specific principles address the allocation of humanitarian funding in proportion to needs and on the basis of needs assessments; the involvement of beneficiaries in design, implementation, monitoring and evaluation; and providing humanitarian assistance in ways that support recovery and long-term development. When there is immense pressure to respond quickly and visibly – as was the case with the tsunami – there is a risk that the GHD principles will become a secondary concern. Good assessment, prioritisation and coordination can be sidelined.

Applying GHD principles and practices poses a number of challenges in responding to sudden-onset emergencies. Seeking to ensure that the response is based on assessed needs and is effectively coordinated with other actors – implementing agencies, donors, affected governments – can be difficult in the early hours and days of any response. In the hours after the news of the disaster, I had approved British support for the UN's Disaster Assessment and Coordination team and UK funding for the World Health Organisation (WHO) to enable it to send disease monitoring

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and surveillance teams to the tsunami zone. Although it was clear that standard relief materials were immediately needed, it was also important that we supported the needs assessment process. DFID has Country Offices in Sri Lanka and Indonesia, but the expertise for formulating an appropriate UK response to the disaster primarily rested with the Crisis Response team in London. This necessitated sending teams out to the region, and establishing links with the humanitarian organisations working in-country. The Country Offices supported the Crisis Response teams and helped to provide links with the Sri Lankan and Indonesian governments.

As the disaster response developed, DFID's people in both Sri Lanka and Aceh provided daily reports of the situation, of what humanitarian organisations were planning and undertaking and the intentions of other donors. These reports moulded our response strategy. In parallel, in London we liaised with other donor headquarters, and with humanitarian organisations. Over the first couple of months of the relief phase, I hosted regular meetings with NGOs to explain our response, and to keep ourselves informed of NGOs' plans. We also placed daily updates on the DFID website, and kept parliamentarians and diaspora groups informed. As information came in, our response developed to include a range of relief and recovery interventions, such as financial support to the UN, the Red Cross and NGOs, direct bilateral action including through the use of UK military assets, and the provision of human resources in the form of secondments to the UN.

The public response

This response was significantly different to previous ones because of the extraordinary generosity of the British public to the appeal by the Disasters Emergency Committee (DEC), the umbrella organisation for 13 leading UK aid agencies. We were unsure if the DEC NGOs would come to us for funding given the level of public money (some £350m) donated to the DEC's tsunami appeal. However, having decided our response strategy, we put out a call for NGOs to submit concept notes for interventions that we might support. As the DEC agencies were going to be well-funded from the public appeal, we offered to meet the costs of their flights in order that the money raised by the public could be spent on material assistance rather than on getting it to the affected areas. This arrangement seemed to work well, and has been repeated following the earthquake in Pakistan in October 2005.

DFID's good relations with the DEC meant that the public response did not present an operational problem. It did however become a representational issue, with the media seeing the public response as in competition with what the UK government was doing. In particular, as the DEC appeal total rose, the media asked whether the government was going to match it. Managing public expectations and media reporting became onerous daily tasks, in addition to managing DFID's contribution to the immediate response. On one occasion, I spent a full day researching the background to a story in a newspaper that a charity's relief deliveries were being blocked by bureaucracy in DFID and by disagreement between DFID and the Ministry of Defence about the cost of using a military flight to transport these goods. There was no truth in the reports linking DFID or the MOD with the story, but valuable time was lost checking into and contesting the story, and having to answer subsequent public and parliamentary correspondence on the matter. The newspaper concerned never corrected the inaccuracy in its story.

The media also focused attention on governments failing to meet their pledges. In fact, the UK has a very good record in fulfilling the pledges it makes, but this did not stop all manner of questions coming our way. What did we pledge for the Bam earthquake in 2003, and how much was spent? (That was an easy one.) Others asked for full details of pledges to disasters for the past 20 years and figures on what was actually spent. If pledges were not met in full, why was this? For most responses, the UK funds proposals or appeals from humanitarian organisations by making a contribution to a programme of action. This is not strictly speaking in the nature of a pledge. Governments make pledges in response to a UN Appeal, when a pledging conference is arranged at which donors announce the contribution they intend to make in support of the Appeal. In the tsunami response, the UK pledged a specific sum (£40m) in response to the UN Flash Appeal, as part of the overall sum DFID had allocated for the relief phase.

Public and media concern have a place in the response. Both are part of being accountable to the public and parliament, and constitute opportunities for us to inform people about why specific actions are being taken, and others are not. There are important lessons from the response, but overall I believe that the relief phase was generally effective. Some have highlighted ineffective coordination among organisations providing assistance. The fact that the scale of the public response freed agencies from reliance on donor government support no doubt played a role in this, as organisations found themselves with sufficient funds to act as donors themselves. It also meant that organisations that usually play a supporting role were able to undertake direct action in-country. DFID traditionally supports organisations with an established track record, particularly those that are already in-country before the disaster strikes, and that will still be there long after others have delivered their relief and left. In the UK, including through the DEC, we are fortunate that the key responders fit this description, and that they coordinate and share information among

themselves. We also need to look at how donors coordinate among themselves, and at how military assets are deployed.

Whilst the GHD initiative is progressing in some emergencies in Africa (Burundi, the Democratic Republic of Congo (DRC)), it has yet to reach all parts of natural disaster response. From the donor perspective, we need to look more critically at the way we respond to natural disasters, especially those, like the tsunami, where there is huge public and media interest. It is at times like these that pressure to react bilaterally, and to be seen to be providing a *British* response, as opposed to being part of a coordinated international response, is greatest, and where there is a greater risk of donors acting inappropriately, either responding without assessing and prioritising needs, or in uncoordinated and disproportionate ways.

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Cash-based transfers – and alternatives – in tsunami recovery programmes

Lesley Adams, Tsunami Cash Learning Project, HPG

The tsunami response has allowed international humanitarian agencies to test and develop new approaches to disaster recovery. One such approach is the use of cash in place of traditional commodity transfers. Projects include government cash transfers to households in Aceh, Indonesia; a World Food Programme (WFP) cash transfer pilot programme in Sri Lanka; a cash and voucher pilot in Aceh, run by CARE; cash for work projects in Aceh, Sri Lanka and India; and cash grants for livelihood recovery in Aceh and Sri Lanka. There are also some examples of cash grant/loan 'hybrid' programmes. As part of its Cash Learning Project, the Humanitarian Policy Group at the Overseas Development Institute is undertaking research into the use of cash in the tsunami response. This article reports on some of the preliminary findings.

The project
HPG's Cash Learning Project is funded by Mercy Corps, the British Red Cross, Save the Children and Oxfam. It covers Aceh in Indonesia (where the lead agency is Save the Children), Sri Lanka (lead agency Oxfam) and India. The project seeks to promote best practice in cash interventions through the development of guidelines for planning, implementing, monitoring and evaluating cash projects. It is also investigating the development of learning resources around these themes.

The project also explores when cash is *not* the best option. It seeks to help agencies to determine the most appropriate form of assistance for a given context and – for cash and voucher transfers – the best transfer mechanism. The questions facing implementers can be grouped as follows:

- the *type* of economic assistance provided (cash, vouchers and in-kind assistance);
- the *way* the resource is provided (direct disbursement of cash/vouchers or through a financial institution); and
- the *conditions* attached to the transfer: none ('grant'); behaviour change (such as schooling); expenditure restricted to specific items; labour exchange; compulsory savings; repayment plus interest (loan); pay forward to someone else (revolving fund).

All these issues are determined by the *context* and the programme *objectives*.

Planning
While many assessments covered how people had been affected by the tsunami, few agencies analysed what their lives had been like before it struck. During implementation, agencies found that they lacked critical information about many issues, including:

- pre-tsunami access to credit and levels of pre-tsunami debt;
- groups: membership criteria, village development funds;
- power dynamics, leadership structures at community level, intra-household roles and decision-making;
- traditional forms of self-help and social welfare;
- the seasonality of livelihoods activities (including agricultural labour); and
- the cost of living and profiles of vulnerability.

Lack of information at the planning stage on these and other issues has limited the effectiveness of some interventions and caused problems in others. Save the Children is one of the few agencies to have conducted and made public livelihoods analysis based on the household economy approach – useful as a benchmark for evaluating programmes, and for planning.

Monitoring and evaluation
While many agencies have undertaken evaluations of cash for work projects, most agencies providing cash grants for livelihoods are still developing a monitoring and evaluation system. Cash grant programmes are difficult to monitor because, unlike credit programmes, repayment rates cannot be used as an indicator of success.

Agencies are struggling to develop realistic and informative systems for monitoring households' progress after receipt of the grant. Perhaps the biggest challenge lies in the sheer scale of the interventions: most projects have given out thousands of grants – should we monitor them all or just a sample? Should we look at all types of beneficiary, or just certain types? There is also a difference of opinion over whether beneficiaries even need to be monitored.

Cash/vouchers or in-kind assistance?

Determining the appropriate type of transfer entails assessing what people need, and determining whether the market can supply it – usually through a livelihoods or rapid food security assessment. Guidelines are emerging from a number of agencies, but there remains a considerable gap between the contents of these guidelines and staff knowledge and skills.

There are some situations when in-kind assistance, rather than cash, is beneficial to both the agency and the beneficiary. Examples from the tsunami project include:

- When cash might pose an additional risk to the environment (for example, wood for shelter will be sought from environmentally sustainable sources if the agency procures it).
- When cash provision might result in lower standards of safety or quality (for example, earthquake-proof building standards can be enforced if the agency provides the materials and sub-contracts the work).
- When the desired commodity is not available in the market and there is little chance of organising traders to supply a weak and disparate market (for example, improved seed varieties can be provided by an agency when they are not present in local markets).
- When an agency can exploit economies of scale to get a better rate for services or goods.

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The relatively small-scale cash-based programmes that have been implemented by aid agencies are dwarfed in comparison to the large and continuing food aid programmes in Sri Lanka and Indonesia. While government cash relief has been significant, particularly in Sri Lanka, concerns have been raised about the appropriateness of international food aid in the context of recovering markets and locally available food. An Aceh assessment report from World Food Programme (WFP) headquarters suggested 'a number of innovative approaches' (food or cash vouchers) in Aceh which would 'contribute in a small way to re-energizing the trading sector'.[1] However, a market study commissioned by the WFP in July 2005 did not consider market-based alternatives,[2] and WFP Aceh therefore plans to provide food to households for a further year, despite the availability of functioning markets.

There are two notable innovations in the food relief sector. In Sri Lanka, WFP is providing cash to targeted households through the government's social welfare banking system on a pilot basis. In Aceh, CARE is assisting beneficiaries on the outskirts of Banda Aceh to meet their food needs through a combination of food vouchers and cash supplements. WFP Sri Lanka hopes to test a number of issues, including impact on households and the community, cost-efficiency, acceptability and timeliness, as well as the impact on markets. CARE is focusing on testing the practical challenges associated with cash/voucher disbursement. Both initiatives should be closely watched, as their outcome could have far-reaching consequences for future food security responses.

Cash for work

Agencies noted that beneficiaries had reported psychosocial benefits from cash for work projects implemented in the immediate aftermath of the tsunami. Projects encouraged people to go back to destroyed villages, to mourn, to take stock and to think. The physical activity was welcomed, particularly as work was focused on cleaning up villages. In the early stages, putting cash into people's pockets was the main goal for many organisations. However, as work projects continued agencies became aware of the risk of disrupting local labour markets (as NGO wages were higher than local rates). To reduce the problem, some NGOs limited the number of days people could work, and others suspended the entire project during important agricultural periods. Areas for improvement in cash for work interventions include:

- Lack of attention to child care and work opportunities for women.
- Child protection meetings often focused on the 'rules' banning children from working, and failed to consider assistance for labour-poor households (no agency provided an unconditional cash grant to such households).
- Some project outputs were of substandard quality. Representatives of the International Labour Organisation (ILO) in Sri Lanka argued that, if the idea is to give people cash and if the output is unimportant, then agencies should simply give people cash grants and let them look for other opportunities.

Mechanisms for cash disbursement

Cash disbursement options vary by context, by project type and also over time. In most situations (cash for work, cash grants to communities, cash grants for livelihoods) agencies have transferred the cash by vehicle using agency staff, and have encountered no problems. However,

1 WFP, *WFP's Emerging Recovery Strategy and Activities in Tsunami-affected Areas of Aceh Province: Mission Report of the Emergencies and Transition Unit (PDPT)*, WFP PDPT, Rome, February 2005.
2 ICASERD (2005), *Food and Labour Market Analysis and Monitoring System in Nanggroe Aceh Darussalam (NAD)*, 2005, http://www.humanitarianinfo.org/sumatra/reference/assessments/doc/livelihood/WFPFoodAndLaborMarketAnalysisReport.pdf.

Table 1: Use of banks in cash transfers

Project	Reason
Save the Children (SC) used a local bank to pay cash for work. The Swiss Agency for Development and Cooperation (SDC) issued one-off payments by banks to host families in Banda Aceh.	The agencies did not have sufficient organisational capacity to handle payments on its own (SDC's project followed a tried and tested formula of quick intervention and withdrawal). SC also wanted to promote links between banks and villagers.
The British Red Cross (BRCS) opened bank accounts and provided opening balances for project beneficiaries from rural areas in Aceh. Accounts were opened in banks in two main towns.	BRCS policy did not allow volunteers to carry cash; BRCS also wanted to promote access to bank accounts.

there is considerable diversity in policies, systems and procedures between agencies. Some agencies started to use banks, while others did not, regarding them as too complicated or not desired. The rationale for using banks in the early stages of the response is given in Table 1.

Cash grants or loans? Assistance options for livelihood recovery

Livelihood recovery assistance has been provided to beneficiaries as grants (no repayment required), loans (repayment required), or a mix of the two. Sometimes funds intended as grants for households have 'turned into' a loan because the partner selected for the relief intervention is a microfinance institution (MFI) suffering liquidity problems. Some humanitarian agencies – Mercy Corps is one – argue that, in the post-tsunami context, poor people who have lost their assets should have them replaced for free. Others believe that extending aid to include replacing lost assets encourages 'dependency', making people reliant on handouts and undermining cultures of borrowing and repayment. In the same vein, microfinance bodies warn that grants may damage MFIs if there is inadequate distinction between grants and loans. Mercy Corps makes a distinction between grants and loans by providing grants to poorer households, and loans to those who had medium-sized businesses prior to the tsunami. In Aceh, Save the Children distinguishes between its grants for poor households and its grant/loan packages for others by handling the grants itself, but subcontracting the loans to a bank. Microfinance agencies that do not offer grants should also consider whether promoting loans to people who cannot repay them is appropriate in disasters on the tsunami's scale: what risks might this bring for the future of microfinance in the area?

Issues for further investigation

The Cash Learning Project has identified a number of issues for further work.

- More information is needed about the impact of the tsunami and subsequent assistance on the functioning of debt and credit markets.
- The lessons of the pilot projects being implemented by CARE and WFP should be documented.
- Support should be given to agencies designing monitoring systems for cash grants, and there needs to be further investigation of the issues involved in the grant versus loan debate.

> microfinance agencies should consider whether promoting loans to people who cannot repay them is appropriate

- Aid agencies need a better understanding of government cash disbursement systems and the potential links between government and NGO assistance and long-term social welfare.
- There is scope to explore the potential for using banks and other financial institutions to transfer cash.

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Emergency malaria and dengue fever control: lessons from the tsunami in Aceh

Richard Allan and David Muriuki, MENTOR Initiative

Malaria and dengue fever quickly became the major threat facing survivors of the tsunami in Aceh, Indonesia. The rainy season immediately followed the tsunami, and extensive flooding quickly turned many areas where survivors were sheltering into vast brackish breeding sites for mosquitoes. At the same time, much of the local health system had been lost, and there was a lack of capacity to prevent or respond adequately to the likely needs. Widespread resistance to the main drug treatment (chloroquine) further complicated the crisis.[1] Instigating a timely response was a daunting task.

Strategy and response

On 7 January, following 48 hours of intensive coordination with key NGOs, donor orgnisations and UN and commercial partners, the MENTOR Initiative launched one of the largest malaria and dengue fever emergency control operations ever undertaken. The emergency team included international vector control experts, senior tropical medicine specialists from Kaiser Permanente, seconded Acehnese specialists from the Provincial Health Office (PHO), over 40 local civil engineers and approximately 150 vector control community workers. The spirit of cooperation between all agencies on the ground was extraordinary. Over 60 NGOs and foreign military health teams provided emergency health care, the World Health Organisation (WHO) undertook disease surveillance and outbreak investigation and the MENTOR Initiative took responsibilty for supporting the PHO, NGOs and district health networks to control malaria and dengue fever and prevent epidemics. Initial support focused on ten tsunami-affected districts of Aceh. However, this was quickly expanded to all 21 districts.

> the malaria and dengue fever emergency control operation in Aceh was one of the largest ever undertaken

Building capacity

Access to standardised supplies in an emergency is vital, but so too is the need to ensure that all health care deliverers can use protocols and effectively put the new tools for malaria case management into practice. To achieve this, the MENTOR Initiative, in partnership with the PHO, designed and conducted intensive training sessions for provincial and district national staff and international NGOs. Training sessions for senior district health staff were held twice-weekly in Banda Aceh from the second week of the operation, and later expanded to Aceh Besar, Aceh Jaya, Aceh Barat, Nagan Raya, Aceh Barat Deya, Pidie and Aceh Utara.

Summary	
Agency staff trained	748 (from 60 organisations)
District health teams trained	All 21 districts teams
District health managers trained	80
Senior district health workers trained	130
Total number of healthcare workers trained	**3,296**

Ensuring standardised materials

The immediate need for drugs, rapid diagnostic tests (RDTs) and prevention materials was met through careful coordination between UN agencies, NGOs, donors and private partners. Shipments of drugs and prevention materials arrived in Aceh very rapidly.

Standardised disease materials were made available for all trained partners through a carefully managed storage and distribution system. These stocks also ensured an immediate supply of essential materials for agencies responding to a major earthquake on Nias island in March 2005. In June, provincial and district health teams and the MENTOR Initiative recalled and destroyed 24,500 artemisinin-based combination therapies (ACTs) and 18,710 IM artemether ampoules that were approaching their expiry date. These stocks were replaced with new materials with extended shelf lives.

Summary	
Districts provided with essential materials	All 21 plus Nias island
Rapid diagnostic tests distributed	›450,000
Uncomplicated malaria treatment blister packs distributed	280,000
Severe malaria treatments	12,000 IM artemether (total of 88,000 ampoules); 5,000 IV quinine sets (including drugs/ giving sets and fluids/ infusions); 65,000 syringe kits

THE TSUNAMI RESPONSE

Vector control and emergency shelter

The MENTOR Initiative's 40 indoor residual spray (IRS) supervisors trained, equipped and supervised community volunteers across ten districts to implement targeted IRS campaigns in areas hosting displaced people. Teams worked as far afield as 500km along the coast from Banda Aceh, and others travelled inland by boat to reach people who had fled deep into forested areas. The community approach that was adopted resulted in wide acceptance and support for IRS.

Insecticide-treated plastic sheeting (ITPS) ensured that the combined shelter and vector control needs of many homeless families were rapidly met. Larviciding was used to control dengue and malaria vector breeding sites. Of 581 barracks built to house displaced people, 48 were near, or in, areas of standing water; these sites, ideal breeding grounds for malaria and dengue vectors, were treated with a safe WHO-recommended larvicide.

larviciding was used to control dengue and malaria vector breeding sites

A small, targeted supply of 874 family-sized, long-lasting insecticide-treated nets was provided to the International Committee of the Red Cross (ICRC), NGOs and military health teams to protect pregnant women and young children from malaria infection during inpatient stays in the main emergency hospital facilities in Banda Aceh, and in other west coast locations.

Summary	
Houses sprayed (IRS)	52,000, including 34,319 homes in Banda Aceh (93% of inhabited structures), housing 340,000 people
Barracks and camps sprayed	581 barracks and 1,019 camps (housing 200,000 people), with over 85% coverage of most targeted areas
ITPS (5m x4m) provided	15,000 (covering 75,000 people)
Bodies of water treated	48
IDPs protected	At least 3,500
ITNs installed in hospitals	874
Total population protected	**619,374**

Monitoring malaria

Malaria monitoring is typically based almost exclusively on clinical symptoms. Unfortunately, the clinical sysmotoms of malaria are shared with many other common diseases, making this method highly unreliable. Globally,

about 95% of falciparum malaria is reported in Africa, and Asia is believed to have predominantly the non-fatal vivax form of the disease. However, in many parts of Asia, including Aceh, the precise malaria epidemiology is unknown due to the lack of reliable surveillance data.

Two key issues seemed important in Aceh. First, reporting was poor, with only a small minority of NGOs regularly recording all cases. Second, utilisation of health facilities was low among fever patients. Many patients with malaria fever do not consider themselves to be sick. A large proportion of malaria cases do not present at health facilities, and so go unreported. In 2004, 900 suspected malaria cases were reported in Aceh. The proportion of falciparum to vivax malaria was reported as 50:50. In the first six months following the tsunami, over 3,000 confirmed malaria cases were reported, despite only very partial surveillance coverage.

To develop more accurate malaria data for Aceh, the MENTOR Initiative undertook a series of standardised community prevalence surveys and clinic-based fever surveys with health authorities along the west coast in June and July 2005 (reportedly the low season for malaria). The results of the surveys show a much more complex malaria epidemiology than previously reported:

1. Despite being the low season, ongoing malaria transmission was significant in some of the worst tsunami-affected areas on the west coast.
2. The distribution of falciparum to vivax was not 50:50, as had earlier been suggested by official published reports. Our surveys clearly showed that falciparum malaria predominated in half of the eight sub-districts surveyed. In three other affected sub-districts, vivax malaria predominated. On Nias island, falciparum malaria was responsible for three-quarters of all cases in one sub-district (Lahewa), and for a quarter of cases in another (Hiliduho).
3. Men were at more risk of infection than women and children. This was probably because of the social or economic activites that men were involved in.
4. The surveys showed a very large variance in malaria prevalence between villages grouped within the same sub-districts. Across the 31 villages covered in the main sub-districts in Aceh Barat (Woyla Induk and Woyla Timur), prevalence ranged from zero to 31% (equivalent to many African countries).

Our surveys suggest that the malaria risk in Aceh appears to be much greater than previously reported; in the event of an epidemic, very high mortality could result in some areas. MENTOR plans to repeat its surveys to capture transmission patterns and gain a more comprehesive understanding of malaria risk, so that we continue to improve control efforts across Aceh.

Successful response and challenges ahead

Thanks to the inter-agency response, over 700,000 people at risk of malaria and dengue fever were supported and given access to effective prevention and case management services across Aceh. Epidemic risk

was successfully controlled, and doubtless many lives were saved. However, the limited malaria surveillance data available prior to and during the crisis made it difficult to target resources effectively and determine full health impacts accurately. Traditional paper-based surveillance systems are not adequate in emergencies, nor do they reliably cover remote and marginalised areas, where epidemics often begin and heavy disease burdens are often overlooked. Improving surveillance systems through the use of innovative technology and approaches is a vital task.

Implementing minimum standards for education in emergencies: lessons from Aceh

Allison Anderson, INEE, and Dean Brooks, IRC-Indonesia

In December 2004, the Inter-Agency Network for Education in Emergencies (INEE) launched a handbook entitled *Minimum Standards for Education in Emergencies, Chronic Crises and Early Reconstruction*. Modelled on the Sphere Project, the Minimum Standards are both a handbook and an expression of commitment that everyone, young or old, has a right to education during emergencies. This article describes the use of the standards to develop education and child protection responses in the immediate aftermath of the tsunami in Aceh.

About the Minimum Standards

The Minimum Standards were developed with the participation of over 2,250 individuals from more than 50 countries under the aegis of the INEE, a global network of NGOs, UN agencies, donors, practitioners, researchers and individuals from affected populations working together to ensure the right to education in emergencies and post-crisis reconstruction. They cover five categories:

- *Minimum standards common to all categories*. These focus on community participation and on ensuring that responses are based on an initial assessment followed by an appropriate response, with continued monitoring and evaluation.
- *Access and learning environment*. The focus here is on intersectoral linkages and partnerships to promote access to safe learning opportunities.
- *Teaching and learning*. This category focuses on the elements that promote effective teaching and learning (curriculum, training, instruction and assessment).
- *Teachers and other education personnel*. This category focuses on the administration and management of personnel, including recruitment, conditions of service, support and supervision.
- *Education policy and coordination*. The focus in the fifth category is on policy formulation and implementation and coordination.

The INEE's Working Group on Minimum Standards for Education in Emergencies, comprising NGOs, UN agencies and government representatives, is facilitating the dissemination, promotion, training, piloting, monitoring and evalu-ation of the Minimum Standards. Demand for the handbook has been high, and over 17,000 copies have been distributed globally. Evaluation feedback from an initial assessment reveals that the standards are being used extensively – in over 60 countries – and have relevance for project planning, assessment, design, implementation and the monitoring and evaluation of programmes and policies. Users report that the framework provides a common language among staff, agencies, members of affected communities and governments, and thus constitutes a common starting point for action. The Standards are being used for capacity-building and training, and to promote education as a priority humanitarian response. The widespread distribution, promotion and use of the Minimum Standards highlights the growing interest among humanitarian agencies in education in emergencies.

the Standards are being used in over 60 countries

Case study: Aceh, Indonesia

The tsunami's effects on the education system in Aceh were devastating. Over 40,000 students and 2,500 teachers and education personnel were killed. Some 2,135 schools were damaged, including kindergartens, primary, junior and senior high schools, technical and vocational schools and universities, and 150,000 students lost access to proper education facilities. Schools opened again on 26 February, two months after the tsunami. In many locations, makeshift tents were used, or students and teachers from destroyed schools were absorbed into surviving ones.

Three agencies involved in the INEE Working Group – the International Rescue Committee (IRC), Save the Children and the UN Children's Fund (UNICEF) – distributed the Minimum Standards handbook to their staff in Aceh, who used it to develop and coordinate their education and child protection response. UNICEF translated the handbook into Indonesian, and shared it with all the

Teachers participating in small-group work at Syiah Kuala University, Aceh

agencies attending Education Coordination Meetings in Banda Aceh. UNICEF also sponsored Minimum Standards Working Group meetings in Banda Aceh throughout February, March and April. At these meetings, Save the Children provided orientation on the Minimum Standards, and facilitated discussion on them. The need to fully understand and build upon the education system that existed prior to the tsunami quickly became apparent. IRC took up this issue and, using the Minimum Standards handbook, developed a 'Focused Conversation' template. This was used to better understand the education situation and design interventions, with an emphasis on learning from communities themselves.

Due to the dire lack of teachers in Aceh, an emergency teacher certification programme was initiated in March with the support of UNICEF and Save the Children, and in collaboration with the Ministry of Education. Although the Ministry of Education had created 4,500 new teaching posts, around a third of new recruits had no formal training. In early May, following community assessments using the 'Focused Conversation' tool and discussions in the MSEE Working Group, the idea began to germinate to revitalise the system of clustering schools, known as *Gugus* in Indonesian. The *Gugus* system had been shut down prior to the tsunami because of the conflict in Aceh. Within a cluster, one main school served as a meeting/training place for teachers and administrators from surrounding schools. In coordination with the Ministry of Education, and in partnership with Syiah Kuala University and the University of Pennsylvania, IRC began training teachers from the *Gugus* schools who could later act as mentor teachers to new, untrained teachers. As a result of this initiative, 100 teachers have been trained as mentors. The Teacher Training Coordination Group meets regularly, and is now looking at approaching various agencies to support a longer-term initiative to sustain the *Gugus* system.

In addition to these coordinated inter-agency responses, IRC drew on the Minimum Standards to guide the design and

implementation of its Emergency Education Program. In its emergency support to schools, IRC staff used the handbook's Information Gathering and Needs Assessment Questionnaire in its needs assessments. The assessment tool also helped in developing a safety assessment form, which IRC used to conduct structural assessments of damaged schools.

INEE's Minimum Standards provided a valuable and relevant design, implementation and coordination tool during the emergency phase, both for IRC and for other agencies. Copies of the handbook were also requested by the Aceh Provincial Ministry of Education. The standards were widely accepted, and provided a common framework, shared between all agencies, enabling a greater level of coordination and improved practice. The framework guided early discussions and actions, leading to more effective emergency education responses that laid the groundwork for long-term quality education systems.

There were nonetheless challenges in implementing a coordinated, quality emergency education response. The continual state of flux inherent in the emergency phase made it difficult to schedule meetings, and scheduling conflicts were common. High staff turnover in international agencies meant that several MSEE Working Group meetings had to focus on orientation. In addition, several key advocates for the INEE Minimum Standards have left Aceh, thus decreasing momentum and increasing the burden on staff that remain. This highlights the need for a training module to be developed to train practitioners and policymakers to effectively implement the Minimum Standards.

Lessons learned

- Discussions on implementing the INEE Minimum Standards should be introduced in coordination meetings right at the outset of the response, including dissemination of the handbook and discussions on how to best utilise this tool within the local context.
- Staff need to be familiar with the INEE Minimum Standards, and also advocate within their organisations and to partners on implementing the standards.
- Translating the handbook into local language(s) is a priority.
- Staff continuity is important for maintaining the pace of coordination and implementation.
- Training materials and workshops are needed.
- Through in-depth discussions on implementing the INEE Minimum Standards, actors can gain a better understanding of how to strengthen or build upon previous systems of education.

Next steps

IRC is continuing to raise awareness with other NGOs and community-based organisations about the INEE Minimum Standards in Aceh. For example, in September 2005 the Jesuit Refugee Service invited IRC to facilitate a session

introducing the standards. In addition, sub-districts in Aceh have requested more information from IRC on the standards. As a result, IRC staff in Meulaboh have begun to meet partner agencies to constitute MSEE Working Groups at field sites. These groups discuss the content of the Minimum Standards, and their possible use in those communities, helping community members as well as education staff to better understand how to most effectively implement them to reach a higher level of quality education.

Because key staff involved in the MSEE Working Group in Banda Aceh are no longer working in the country, an important next step for IRC is to regenerate the MSEE Working Group in collaboration with UNICEF, Save the Children and the Ministry of Education. Once that is completed, the MSEE Working Group in Banda Aceh will resume awareness-raising with local partners, NGOs, Ministry of Education staff and teacher training institutions. The MSEE Working Group will also follow up on the mentor training that was completed in July.

Globally, a next step for INEE's Working Group on Minimum Standards, which follows from the lessons learned in Aceh, is developing training materials and implementing a process for training on the Minimum Standards. A series of regional Training of Trainers workshops will be held between January and May 2006 in Africa, Asia, Latin America, Europe, North America and the Middle East and North Africa. Approximately 30 trainers will be trained in each region to train others to apply the Minimum Standards in their work; consequently, each region will have a cadre of trainers who will use training and other organisational and individual learning strategies to institutionalise the Minimum Standards within their agencies and partner organisations.

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The Tsunami Evaluation Coalition: an update

Humanitarian Exchange readers first heard about the Tsunami Evaluation Coalition (TEC), facilitated by the TEC Secretariat, in Humanitarian Exchange 31. Since then it has made considerable progress.

Recent activities include:

1. A Geneva pre-fieldwork workshop for the five TEC evaluation teams and the first field workshops in Indonesia and Sri Lanka.
2. The start of fieldwork for the studies. A Synthesis Report from the five studies will be published in April 2006.
3. A Core Management Group (CMG) meeting in Geneva which included a two-hour 'after action review' of the first six months of the TEC process. This AAR can be found at: http://www.alnap.org/tec/pdf/tec_cmg_aar_050909.pdf.
4. Significant progress with TEC Secretariat products, including the Online Forum (www.alnap.org/tec).
5. A meeting of TEC members in Copenhagen in October to discuss and develop the TEC's communications strategy.

The independence of the TEC from individual agency agendas is guaranteed by its transparent processes; the use of independent evaluations teams; and the multi-agency nature of both the Core Management Group and the evaluation Steering Committees. In the interests of transparency all meeting minutes are listed in the open forum of the TEC Online Forum: http://www.alnap.org/tec/meetings.htm#minutes.

For more information please contact Rachel Houghton, TEC Researcher and Deputy Coordinator, on: r.houghton@odi.org.uk.

An IHL/ICRC perspective on 'humanitarian space'

Johanna Grombach Wagner, ICRC

The enemy, our real enemy, is not the neighbouring nation; it is hunger, cold, poverty, ignorance, routine, superstition, prejudice.

Henry Dunant*, L'Avenir Sanglant*

Fears that 'humanitarian space' is shrinking, particularly in integrated UN peacekeeping missions, have led the humanitarian community to call repeatedly for its preservation. Yet most debates about humanitarian space make no mention of International Humanitarian Law (IHL). This article aims to fill that gap by offering an IHL perspective on the concept of humanitarian space. It argues that it is 'populated' by a variety of very diverse actors. Within this diverse space, the International Committee of the Red Cross (ICRC) has a mandate that refers to a specific sub-part, wherein humanitarian action, which is specifically neutral and independent, is needed.

Defining humanitarian space

The term 'espace humanitaire' was coined by former Médecins Sans Frontières (MSF) president Rony Brauman, who described it in the mid-1990s as 'a space of freedom in which we are free to evaluate needs, free to monitor the distribution and use of relief goods, and free to have a dialogue with the people'.[1] The UN Office for the Coordination of Humanitarian Affairs (OCHA)'s *Glossary of Humanitarian Terms* has no specific entry for humanitarian space, but it does mention the term as a synonym for 'humanitarian operating environment': 'a key element for humanitarian agencies and organisations when they deploy, consists of establishing, and maintaining a conducive humanitarian operating environment'. The Glossary goes on to state that:

adherence to the key operating principles of neutrality and impartiality in humanitarian operations represents the critical means, by which the prime objective of ensuring that suffering must be met wherever it is found, can be achieved. Consequently, maintaining a clear distinction between the role and function of humanitarian actors from that of the military is the determining factor in creating an operating environment in which humanitarian organisations can discharge their responsibilities both effectively and safely.[2]

The authors of the OCHA/Department of Peacekeeping Operations (DPKO) report on integrated missions, published in 2005, also address the apparent need to 'preserve' humanitarian space, and focus on the distinction between civilian and military functions.[3]

> ## most debates about humanitarian space make no mention of International Humanitarian Law

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IHL and humanitarian space

What does IHL have to say about humanitarian space? Under the 1949 Geneva Conventions and their Additional Protocols, the primary responsibility for the survival of the population lies with the authorities or, in the case of occupation, with the occupying power.[4] If the responsible authorities do not provide the supplies the civilian population needs for survival, they are obliged to permit the free passage of relief consignments. Relief action – 'which is humanitarian and impartial in character and conducted without any adverse distinction' – may be undertaken. Additional Protocol II, relating to non-international armed conflict, also explicitly stipulates that 'if the civilian population is suffering excessive deprivation owing to a lack of supplies essential to its survival, relief actions which are of an exclusively humanitarian and impartial nature and conducted without any adverse distinction shall be undertaken', subject to the consent of the warring parties. Article 70 of Additional Protocol I adds that offers of relief 'shall not be regarded as interference in the armed conflict or as unfriendly acts', and that the parties to the conflict 'shall allow and facilitate rapid and unimpeded passage of all relief consignments, equipment, and personnel'.

To make plain the intention, Article 70 also states that this is the case 'even if the assistance is destined for the civilian population of the adverse Party'. The right of people affected by the conflict to have 'every facility for making application to … any organisation that might assist

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1 In French, 'un espace de liberté: la liberté d'avoir la possibilité d'évaluer librement les besoins; de suivre l'acheminement et l'usage des secours; la liberté de dialogue avec les gens'. Interview with Rony Brauman, published in *ENA Mensuel*, January 1995. This definition has since been used mainly by the 'French School', in particular MSF. See also Jacques Forster, 'Challenges to Independent Humanitarian Action in Contemporary Conflict', in *'Human Security for All': A Tribute to Sergio Vieira de Mello* (New York: Fordham University Press, 2004).

2 *Glossary of Humanitarian Terms in Relation to the Protection of Civilians in Armed Conflict*, OCHA, New York, 2003, p. 14.

3 Espen Barth Eide, Anja Therese Kaspersen, Randolph Kent and Karen von Hippel, *Report on Integrated Missions: Practical Perspectives and Recommendations*, Independent Study for the Expanded UN ECHA Core Group, 2005.

4 See also Jelena Pejic, 'The Right to Food in Situations of Armed Conflict: The Legal Framework', *International Review of the Red Cross*, vol. 83, no. 844, December 2001.

them' reaffirms this principle. Common Article 3 of the Geneva Conventions – sometimes called 'elementary considerations of humanity' – asserts that individuals taking no active part in hostilities (i.e., civilians) or those who are *hors de combat* (prisoners, the sick or wounded) are in all circumstances entitled to 'humane treatment without any adverse distinction'. Access to relief and assistance necessary for the survival of civilian populations suffering undue hardship is surely included in the notion of humane treatment. The Article also specifies that 'an impartial humanitarian body, such as the ICRC may offer its services'. It is generally recognised today that such offers cannot be arbitrarily declined.[5] IHL also accords the parties the 'right to prescribe technical arrangements' for the delivery of relief. Most provisions specify that the assistance provided by relief organisations is subject to the parties' consent. Thus, while IHL recognises the parties' security requirements, it also seeks to ensure that relief reaches those who need it, and stipulates that the parties shall 'in no way whatsoever divert relief consignments ... nor delay their forwarding'.

Pakistani military personnel load relief goods onto a US helicopter following the Pakistan earthquake, October 2005

In the case of occupation, 'the Occupying Power has the duty of ensuring the food and medical supplies of the population'. It may requisition foodstuffs and medical articles 'only if the requirements of the civilian population have been taken into account'. If the occupying power is not in a position to provide sufficient supplies, it must allow relief to be provided by outside sources. Additional Protocol I adds that an occupying power must 'ensure the provision of clothing, bedding, means of shelter, other supplies essential to the survival of civilian populations of the occupied territory and objects necessary for religious worship'. If the supplies provided by the occupying power are inadequate, relief action must be authorised.

> **if the occupying power has a duty to provide for the survival of the population, it is difficult to exclude the military from the provision of relief**

Customary international humanitarian law (i.e., practices generally accepted as law) leaves no doubt that parties to both international and non-international conflicts must allow and facilitate the rapid and unimpeded passage of humanitarian relief, which is impartial in character and conducted without any adverse distinction, subject to their right of control. They must also ensure the freedom of movement of authorised humanitarian relief personnel so that they can exercise their functions.[6]

Taken together, these provisions provide a solid ground for humanitarian space that is impartial in character, in the sense that they intend to create, as per the *OCHA Glossary*, an 'environment in which humanitarian organisations can discharge their responsibilities both effectively and safely'. What these provisions do not say is that providing assistance is exclusively the preserve of civilian actors. If the occupying power has a duty to provide for the survival of the population, it is difficult to exclude the military. The phrase 'relief action of an exclusively humanitarian and impartial nature', however, means that the military must not disguise itself as a civilian humanitarian actor in order to deceive the population and collect intelligence for future military action. To do so would pervert the intention of the law, and lead to uncertainty as to the respective roles of civilian humanitarian actors and the military. Generally, military personnel have combatant status and, as such, constitute legitimate military targets; civilian humanitarian actors do not. If the military engages in relief activities in a non-transparent manner, warring parties may no longer be able to make this distinction.[7] In addition, 'impartial humanitarian action' means not expecting humanitarian actors to serve as force multipliers, or to work for the benefit of one party to the conflict. A distinction between military and humanitarian actors needs to be clearly maintained at all times. This does not, however, preclude military actors from providing relief.

5 See Jean-Marie Henckaerts and Louise Doswald-Beck, *Customary International Humanitarian Law* (Cambridge: Cambridge University Press, 2005), p. 195.
6 *Customary International Humanitarian Law*, pp. 193–202.

7 Roberta Arnold, 'The Legal Implications of the Military's "Humanitarisation"', *Revue de Droit Militaire et de Droit de la Guerre*, vol. 43, no. 3–4, 2004.

PRACTICE AND POLICY NOTES

The ICRC and humanitarian space

IHL and other international norms provide for something that could be called 'impartial humanitarian space'. Most actors carrying out relief programmes within the parameters set by IHL (be they civilian or military, state or non-state) comply with, or at least try to comply with, the principles of impartiality (needs-based and non-discriminatory aid) and humanity (a concern for the humanity and dignity of those suffering from the effects of war). Yet the drafters of the Geneva Conventions, and the states that endorsed them, had an additional concern. They recognised the need for a neutral and independent organisation, which could, when needed, act as an intermediary between the parties, an organisation that would be accepted by all parties, and recognised as having a specific role apart from any political project or military goal. As it was not expected that all humanitarian actors would be neutral and able to move from one side of the conflict to the other (indeed, to have expected this would have been ill-advised), this function was, and still is, specifically expected of the ICRC.

Through the adoption of the Statutes of the Red Cross and Red Crescent Movement, the state parties to the Geneva Conventions formally confirmed their expectation that the ICRC will be neutral and independent. The exact wording of the principle relating to neutrality states that 'in order to continue to enjoy the confidence of all, the Red Cross may not take sides in hostilities or engage at any time in controversies of a political, racial, religious or ideological nature'. The ICRC therefore does not distinguish between 'good' and 'bad' protagonists; it is not 'for' one side and 'against' the other. It does not ascribe fault to a party for having started a conflict, nor does it support any kind of justification for a war. It takes the conflict as a fact, and expresses views only on the application of IHL. These views are addressed first and foremost to the relevant actors directly. Neutrality is a means to an end, and not an end in itself. It is a tool to keep channels open for better and more effective humanitarian action in the midst of an armed conflict. The Statutes also stipulate, in simple terms, that the ICRC shall be an 'independent humanitarian organisation'. Why is this important? No belligerent in their right mind would consent to the ICRC's presence if they could not trust the organisation, or if they felt that the ICRC was being used as a Trojan horse to promote the enemy's wider political agenda, even if the perceived 'enemy' is a properly mandated UN peace-keeping mission.

From a legal point of view, these principles apply only to the Red Cross. Other actors within the humanitarian community are not under the same obligation to apply the principles of neutrality and independence as defined by the Red Cross. It would not be realistic to demand that UN humanitarian agencies, for example, should be independent from political decision-making processes, or that they could be perceived as neutral – i.e., not taking sides – in the context of an integrated UN peace-enforcement mission. In such a situation access to all parties will prove difficult, if not impossible, for UN actors.

What this all means is that 'humanitarian space' may be open to a range of actors – both civilian and military. The ICRC, by virtue of its mandate and the will of the state parties to the Conventions, claims a specific 'sub-part' of this 'space'. The ICRC has repeatedly insisted that its neutrality and independence must be respected because, among other reasons, that was the intention of the parties to the Geneva Conventions. This mandate was meant to allow the ICRC to reach and protect those who often bear the brunt of armed conflict. This is why the ICRC cannot fully participate in integrated missions that combine political, military and humanitarian objectives. Space for neutral and independent humanitarian action must be preserved at all times, within a larger and more diverse humanitarian space.

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International troops, aid workers and local communities: mapping the perceptions gap

Larry Minear and Antonio Donini, Feinstein International Famine Center

The pages of *Humanitarian Exchange* and *Disasters* bear witness to the fact that the interaction between international military forces and aid workers has become a subject of great fascination.[1] Amid the heated discussions of the issue, however, little attention has been paid to how local communities and vulnerable populations perceive their own security and survival prospects. These perceptions are the subject of recently concluded research contrasting local views of peace and security with the views of foreign troops and aid agencies. This article highlights the findings of the research, examines its reception to date and explores its implications for future international engagement in complex emergencies.

The research

In mid-2005, the Feinstein International Famine Center at Tufts University released a study entitled *Mapping the*

1 The most recent set of guidelines, which bear the marks of extensive consultation, come from the Canadian government; see *Guidelines on Humanitarian Action and Civil-Military Cooperation* (CIMIC), undated.

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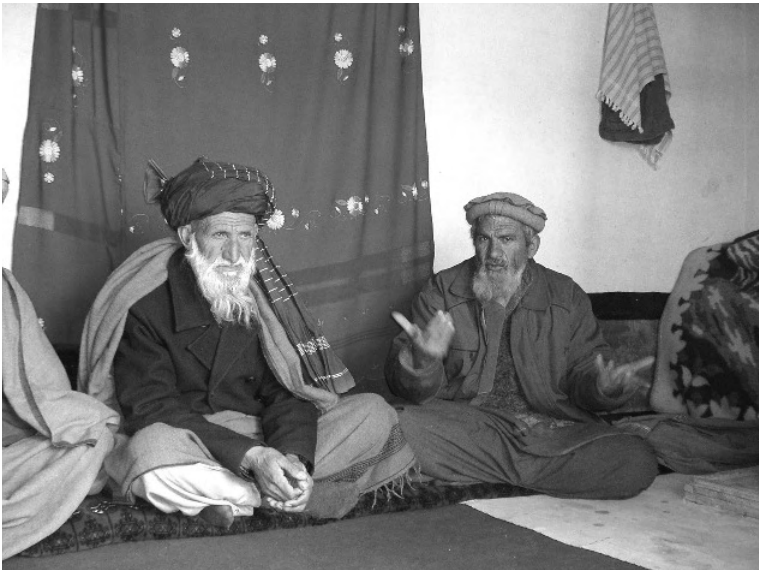
Focus group meeting, Chenar Village, Sarobi district, Kabul province (Afghanistan), February 2005

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Security Environment: Understanding the Perceptions of Local Communities, Peace Support Operations, and Assistance Agencies. Funded by the UK Department for International Development (DFID) and organised by the UK NGO–Military Contact Group, the study was based on individual and focus group interviews with some 350 people in Afghanistan, Kosovo and Sierra Leone. The research was conducted in January–February 2005 by an international interdisciplinary team.

The study did not seek to assess the performance of international military or humanitarian aid personnel in the three settings, but rather to document the understandings of local interlocutors of peace and security. Local viewpoints contrasted sharply with those of foreign military and aid personnel. The research confirmed the working hypothesis that outsiders define peace and security in their own terms, with little reference to the aspirations and priorities of local people.

In an effort to interpret the data collected, the report distinguishes between physical security (the protection of life and limb) and human security (a wider concept with economic, social, and cultural dimensions). It also differentiates between negative peace (the absence of outright conflict) and positive peace (the sense that the underpinnings of the conflict are being addressed, and that local people feel empowered to participate in this process). Several specific findings stand out.

First, neither international military nor aid personnel put security as understood by local communities at the top of their own agendas. Both were concerned first and foremost with their own security. In the case of the military, 'force protection' was the controlling reality, amplified to a degree by the rules of engagement of the respective military missions. For aid agencies, the prevailing security concern involved the safety of staff and operations, although aid groups seemed somewhat more attuned than their military counterparts to the expressed needs of communities for

human security in the form of jobs, electricity, education and other essentials. Some military contingents (e.g., the British and the New Zealanders in Afghanistan) and some aid groups cultivated close working relations with local communities, believing that their own security was enhanced by that interaction. Other militaries sought security not by interacting with the local scene and 'blending in', but by keeping their distance and their distinct identity. For both sets of international interveners, however, ensuring security as understood by local communities remained a second-order concern.

Second, local communities were more concerned that aid was delivered, and less concerned about *who* delivered it. When assistance was needed, it did not much matter whether it was provided by military personnel or civilians. Yet local people were quite able to distinguish among international institutions. In Sierra Leone, they made clear distinctions – and value judgments – between the various UNAMSIL contingents (e.g., between Pakistani, Nigerian and Ukrainian troops). In Kosovo, they drew a clear distinction between the NATO-led KFOR force and the UN mission, UNMIK (the former was regarded more highly). In Afghanistan, people made fewer distinctions among NGOs, perhaps reflecting comments by a senior government official that all NGOs were corrupt, and a growing disenchantment with the aid effort.

Third, local communities were overwhelmingly appreciative of foreign military operations and personnel. Military power was seen as particularly indispensable when conflict was raging. The 'B52 factor' in Afghanistan and the intervention by British troops in Sierra Leone received high marks. KFOR was valued in Kosovo not only among Kosovar Albanians, who saw NATO troops as liberators, but also – and notably – by the Kosovo Serb minority, which viewed KFOR personnel as protectors, if also occupiers. For their part, Romas tended to view KFOR as their only protection. In all settings, humanitarian actors themselves acknowledged the central role of the military in providing physical security, and made no pretence of being able to do this themselves.

local communities were overwhelmingly appreciative of foreign military operations and personnel

As conflicts abated and the need for physical security gave way, in the eyes of local communities, to a priority for human security, international military personnel were also seen as moving more quickly to reconstruction work than their aid counterparts. In Sierra Leone, people expressed particular

appreciation for the work of the Pakistani contingent of UNAMSIL for rebuilding mosques, an activity not taken up by aid groups. In Afghanistan, while the behaviour of ISAF and Coalition forces was not beyond reproach, the overall assistance effort, and NGOs in particular, was often criticised. In post-conflict settings, there was also more argument between military and aid personnel on the division of labour. In Kosovo, as an example, there was confusion when otherwise under-occupied KFOR military personnel embraced tasks such as collecting garbage and directing traffic. In Afghanistan, local communities seemed appreciative of assistance as long as it addressed their felt needs.

In sum, if local people had been writing the script for soldiers and aid workers, their emphasis would have been on strong military involvement to provide protection during conflicts, followed promptly by a pragmatic, all-hands-on-deck approach to rehabilitation. While destitute widows and unemployed workers obviously could not have designed national post-conflict reconstruction plans, they were in no doubt that, whatever division of labour was established, they would have liked to see the delivery of essential goods and services expedited. At the same time, local communities wanted more of a say in establishing priorities and in ensuring that the international presence contributed to enhanced human security and, ultimately, to peace.

How the study was received

During the six months since its completion, the report of the research has circulated widely. Copies have been provided to many of those interviewed in the three settings. Its findings and recommendations have also been discussed with some 300 people in debriefings in London, Geneva, New York, Washington, Copenhagen and Ottawa. Several important themes emerge from these discussions.

First, progress is being made in moving the civil–military debate into more constructive, and less ideological, terrain. The verdict of local communities is in fact shared by many aid operatives: foreign military forces provided welcome security in each of the three settings. In the view of one commentator at the London debriefing, this conclusion should encourage aid workers to look past their often almost visceral antagonism towards the military. There is less unanimity, however, on the matter of the direct provision of assistance by the military. One participant in the Washington debriefing attached great importance to what he saw as a key conclusion: that assistance is not necessarily less valuable or less appropriate simply because it is dispensed by uniformed troops, rather than by card-carrying humanitarians. On the other hand, the study confirmed the existence of major and unresolved differences in approach. The British and New Zealand militaries have a policy of keeping out of the realm of assistance, to the general satisfaction of aid agencies, while the US and some of its NATO allies are more engaged – in the case of the US-led provincial reconstruction teams (PRTs) in Afghanistan, to the point of merging security and assistance objectives.

Second, the sponsorship of the research by a joint military–NGO grouping reflected a desire among military

whether NGOs like it or not, the military is here to stay in the humanitarian arena

and aid personnel in the UK to find practical ways of working together. There is an implicit acknowledgement, in the UK and beyond, that, whether NGOs like it or not, the military is here to stay in the humanitarian arena. The research seminar in London, sponsored by the British Ministry of Defence, was very receptive to the data assembled by the research team. The gathering of 100 people, which included substantial representation from the armed forces, proposed an Action Plan with some 30 individual elements. These included specific recommendations on planning, operations, assessment and doctrine. The most significant items were calls for greater attention to comparative cost-effectiveness and transparency in funding military and assistance activities, and for ongoing research on the issues identified in a wider range of countries and at more varied stages of the response. The seminar itself was a European affair: North American militaries and NGOs were largely absent.

The implications

The study has several wide-ranging implications. First, it noted a stark inequity between funds available for the military and for assistance purposes. In the case of UN peacekeeping operations, funding for military personnel is 'assessed', while contributions for assistance activities are 'voluntary'. During a conflict, favouring the military seems logical; as the situation evolves after the conflict, however, this focus arguably becomes dysfunctional. Several years after the end of the war in Sierra Leone, the UNAMSIL budget was almost as high as all other bilateral and multilateral aid combined. (Locals, however, expressed concern about the negative economic consequences of planned reductions in the peacekeeping mission.) In Afghanistan, expenditure on foreign militaries exceeds international recovery and reconstruction assistance by a factor of ten. In promoting positive peace, are such highly skewed allocations a cost-effective use of resources?

Second, 'security' is an overriding concern to all three sets of actors. However, the perspective of the international actors reflects the perceived security needs of donor governments. While NGOs as a group may be more in tune with the needs of local communities than foreign military contingents, NGOs' modus operandi and funding structure, and the values that they represent and transmit, make non-governmental groups an intrinsic part of a 'Northern enterprise' which is variously welcomed, accepted with suspicion or kept at arm's length. The funding available and the activities underwritten reflect objectives more related to 'global ordering' than to the expressed needs of local communities.

The three case studies exemplify in different ways the broader global trend towards 'the securitisation of aid'. While having their own national security writ large may

serve donor government objectives in the short term, ignoring or marginalising local perceptions may in the longer term undermine the potential for peace, and compromise the safety of international personnel. A major rethinking of peace support and assistance operations will be required if local perceptions are to become the entry-point, or at least a more important element, in the interventions, programme planning, evaluation and accountability of outsiders.

Third, local voices for the most part are not being heard, much less 'privileged' by outside actors. The dominant perspectives in post-conflict environments are those of the outsiders. Even host governments are often ignored. Interviews with international military and assistance actors in all three settings highlighted a lack of systematic devices for taking local perceptions into account. Collecting timely data on the views of local communities on the direction of the aid effort, how it affects them and the extent to which it corresponds to their needs and aspirations should not be an insurmountable challenge. The study provides examples of how such consultation can take place through simple tools like focus groups and semi-structured interviews.

Finally, the study underscores the need for international institutions, military and humanitarian alike, to treat their contributions in such settings as modest, and the gains made as highly provisional. Although international agencies can take credit for progress in all three settings examined, the political situation in each remains precarious. If negative peace does not segue promptly into positive peace, local perceptions of the military and its erstwhile positive role may sour. That was the unfortunate trend in Afghanistan. In February, Coalition troops were eliciting critical comments in focus group interviews for search-and-destroy missions undertaken without local consultation. By September, President Hameed Karzai was publicly insisting on such consultation, to the evident discomfiture of the internationals.

Thus, the jury is still out on the relative contributions of military and aid actors to security as it is perceived by local communities in the three settings examined.

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The development of the International Criminal Court: some implications for humanitarian action

Kate Mackintosh, MSF

Before the International Criminal Court (ICC) became a reality in 2002, most humanitarian workers thought it was a good thing. Many humanitarian organisations called for an end to the impunity enjoyed by the people who cause the misery that humanitarian workers try to alleviate, and some joined formal campaigns for the establishment of the ICC. There was what seemed an obvious commonality of interest between those campaigning for justice and those trying to supply food, shelter and medical care to the victims of violence and armed conflict. The court does indeed have the potential to benefit the people humanitarians try to assist. At the same time, however, it could make our job more difficult, and more dangerous. This article explores why.

The ICC as a problem

In what would have seemed an almost laughably utopian outcome only five years earlier, states met and agreed on the Statute of the ICC in Rome in 1998. On 1 July 2002,

after the sixtieth state had bound itself to the ICC treaty, the court came into existence. A year later, in July 2003, the Prosecutor announced that he was looking into the situation in Ituri in the Democratic Republic of Congo. In July 2004, an investigation was opened in northern Uganda. Investigators are on the ground in both of these locations. The UN Security Council referred the situation in Darfur to the ICC in March 2005, and the Prosecutor is currently analysing seven other 'situations of concern', including the Central African Republic and Côte d'Ivoire. The ICC, in other words, is real. It may also be a problem.

In May 2005, the Sudanese authorities arrested the Médecins Sans Frontières (MSF) Head of Mission and Darfur coordinator over the publication of a report detailing the high number of rape victims that MSF had received in its clinics. Coming only two months after the referral of the Darfur situation to the ICC, the intimidatory intent of this action was clear. At the end of October, two aid workers were killed in attacks on humanitarian NGOs in northern Uganda that have been linked to the ICC indictments. These events remind us that the people being brought to justice may well be part of the same group granting us access or guaranteeing our security. On a pragmatic level, and sometimes on a principled one, humanitarian organisations are feeling the need to put some distance between themselves and the agents of international justice.

This might prove difficult. Earlier in 2005, humanitarian staff working in northern Uganda were startled to find representatives of the ICC Prosecutor's office addressing them at the regular OCHA meeting in Kampala. For the ICC investigators, in search of victims and witnesses to alleged crimes, contacting humanitarian organisations at the OCHA meeting was a logical step. As a UN agency, OCHA has an agreement to cooperate with the ICC, and it was part of its role to facilitate this meeting. For the organisations that work in areas where the Lord's Resistance Army (LRA) is active, this encounter was alarming. Would the LRA hear distorted reports that agencies had been in a meeting with the ICC? The perception that agencies were cooperating with the court could be dangerous. And, as one humanitarian organisation is generally indistinguishable from another to the majority of people we work with, the actions of one are likely to affect us all.

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humanitarian organisations are feeling the need to put distance between themselves and the agents of international justice

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Cooperating with the ICC or other international justice mechanisms raises the same issues for humanitarian organisations that arise from any other form of speaking out about the atrocities they may have witnessed in the field. Such acts bring us into confrontation with powerful and dangerous people, and may challenge perceptions of our neutrality. We can find our access to people in need denied, and our staff put in danger. Nonetheless, some see coopera-

tion with the ICC (or other international justice mechanisms) as significantly different to other forms of speaking out. It can be seen as more risky, because of the severity of the consequences for indicted individuals, although it is possible to imagine situations where simply publicising what we have witnessed could lead to more immediately challenging outcomes for perpetrators – such as sanctions, or even military intervention – than cooperation with a tribunal, which will inevitably take years to bring a few individuals to trial. It has also been characterised as participation in a fundamentally political and inevitably controversial process, and so as straying too far from neutrality.

Both these views presuppose that we have a choice about whether or not to cooperate with international courts. The question would be different in our home countries, or in the national systems of the countries in which we work, where justice mechanisms have the full force of the state behind them, and a decision not to cooperate could result in a significant penalty. Lying outside a national framework, the ICC is in a weaker position. But do we really have a choice about whether or not to join in? Although the International Committee of the Red Cross (ICRC) has negotiated a specific exemption from the obligation to testify before the court, other humanitarian organisations are not covered. As the law stands it seems that, as in any national jurisdiction, if we are ordered to cooperate we are legally bound to do so. It may be that we can narrow the scope of the issues upon which we could be ordered to testify; for example, a case could be made for exempting humanitarian organisations from the obligation to testify unless the information they provide is of direct and important value in determining a core issue in the case, and cannot reasonably be obtained elsewhere.[1] More significantly, however, we are unlikely as a matter of practice to be forced to cooperate. The ICC has no police force, and must depend on states to enforce any orders it issues. It is hard to imagine a state arresting and transferring a humanitarian witness, especially one of its own nationals, to the ICC in The Hague. For that reason, the ICC is unlikely to make such an order – no court wants to look ridiculous, after all.

We should not lose sight, meanwhile, of how reluctance to cooperate could appear to the victims. There is a moral trade-off involved in trying to keep out of the justice process. We may justify this stance to ourselves because it protects our ability to carry out our core mission, but it may be hard to explain to the people we are feeding and treating why we refuse to stand up and talk about the crimes we have seen committed against them. This becomes clearer if we look at some hypothetical examples.

In July 2004, the International Rescue Committee (IRC) published a mortality survey for the DRC. In the course of that survey, IRC workers must have interviewed hundreds of people about difficult events in their and their family's lives. Would it be legitimate, hypothetically speaking, for the IRC to refuse to repeat that information in court, even though this might spare hundreds of individual victims the necessity of going through a traumatic courtroom experi-

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1 See 'How Far Can Humanitarian Organisations Control Co-operation with International Tribunals?', *Journal of Humanitarian Assistance*, May 2005, http://www.jha.ac.

ence?[2] To take another example: MSF sometimes provides medical certificates to survivors of violent trauma, including rape, in the belief that these patients can use them, if they wish, to pursue legal proceedings. What if some of these victims testify before the ICC, and MSF is asked to confirm the authenticity of the medical certificates? Could MSF legitimately refuse to do so, even though this might undermine a former patient's claim?

If we are obliged to cooperate, either for legal or moral reasons, it should be possible to arrange some degree of confidentiality, so that only the defendant knows the name of the witness and the humanitarian organisation, for example. The ICC judges can order this kind of measure in order to protect the 'safety, physical and psychological well-being, dignity and privacy of victims and witnesses', and similar provisions have been used to protect humanitarian organisations and their staff in the international tribunals in Yugoslavia, Rwanda and Sierra Leone. It is also possible to pass on information on a strictly confidential basis to the prosecution or, potentially, the defence, which cannot be used in evidence but may help them with their investigations.[3]

The ICC as part of the solution

Legitimate concerns about the problems the ICC may pose for humanitarian operations should not blind us to its potential to improve the situation for the people we try to help, both directly and through the protection of humanitarian assistance. After all, if the ICC manages to fulfil its promise and provide some kind of deterrent to abuse, we could see more respect for international humanitarian law, even – possibly – fewer wars.[4]

On a practical level, the ICC could give us leverage in negotiating with those in control – either for better treatment of the civilians in their power (because they could be prosecuted for any violence or ill-treatment), or for permission to provide humanitarian assistance to those populations. In particular, where there is a blatant attempt to block humanitarian access to civilians as part of a war strategy, this is a crime within the jurisdiction of the court.

Four crimes can be prosecuted at the ICC: genocide, crimes against humanity, war crimes and aggression. Crimes against humanity are defined as widespread or systematic attacks against a civilian population, and can take many forms – murder, torture, deportation, extermination are among those listed in the ICC Statute. Extermination explicitly includes 'the intentional infliction of conditions of life, inter alia the deprivation of access to food and medicine, calculated to bring about the destruction of part of a population'.[5] Thus, if someone blocks our access in order to increase the suffering of the people we are trying to reach,

this is an international crime. If this takes place in a country which has ratified the ICC Statute (and 100 had, by November 2005), that person can be arrested and tried before the ICC. These are sharper teeth than we are used to having at our disposal.

attacks on humanitarian workers can be prosecuted as war crimes by the ICC

The ICC Statute could also increase our own protection. Attacks on humanitarian workers can be prosecuted as war crimes by the ICC, because the ICC can take action in response to attacks on civilians. The Statute lists as a distinct crime attacking 'personnel, installations, materiel, units or vehicles involved in a humanitarian assistance or peacekeeping mission in accordance with the charter of the United Nations', although this only reinforces our existing protection from attack as civilians. This means that, even where we know that the state authorities of the country in which we are working would be unwilling or unable to prosecute those who attack us, we (like the civilians living in the territory) are protected by the ICC. Once the ICC has shown that it can get its hands on some of its indictees, and actually has defendants in the dock, this thought may give our attackers pause.

Conclusion

With the coming into force of the ICC comes a new understanding of the problems it could cause us in the field. It is important to think about how to control relations with the court, but we should not lose sight of the ICC's potential to work for the benefit of the people we try to assist, or of how we can use it as an additional tool to negotiate support for humanitarian action.

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3 For more details on these legal mechanisms, see 'How Far Can Humanitarian Organisations Control Co-operation with International Tribunals?'.
4 Aggression is prohibited under the Statute although, in a political compromise, it was agreed that the crime of aggression would not be defined or prosecuted until at least seven years after the Statute came into force.
5 Article 7(2)(b) of the Rome Statute.

Addressing sexual violence in emergencies

Chen Reis, World Health Organisation

Sexual violence is a worldwide public health and human rights problem, affecting women in every country. Despite this, responses to sexual violence are inadequate, particularly in emergency settings, when risks may increase, response and prevention mechanisms may be weakened and access to services may be disrupted. This article reviews recent initiatives aimed at addressing the problem of sexual violence in emergencies.

The scale of the problem

Violence against women, including sexual violence, has been increasingly documented in crises including armed conflicts. The use of rape and other forms of sexual violence to humiliate and terrorise civilians is now recognised as an international crime. Landmark judgements by the International Criminal Tribunal for the former Yugoslavia and the International Criminal Tribunal for Rwanda have established that sexual violence may be considered an instrument of genocide, torture, a crime against humanity and a war crime. Sexual violence is also included in the Statute of the International Criminal Court. Nonetheless, women and girls continue to face particular risks of sexual violence during emergencies. Conflicts such as those in the former Yugoslavia, Rwanda, West Africa and the Democratic Republic of Congo have demonstrated that sexual violence causes serious immediate and long-term physical and psychological harm. Possible physical consequences include genital and other injuries, sexually-transmitted infections including HIV/AIDS, pelvic pain and pelvic inflammatory disease, urinary tract infections, unwanted pregnancy, unsafe abortion and even death, including from suicide. Psychological consequences may include depression and post-traumatic stress disorder. Women who experience sexual violence may also face social pressure not to report their experience, and may be ostracised or rejected if their experience becomes known.

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sexual violence may be considered an instrument of genocide, torture, a crime against humanity and a war crime

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Sexual violence is generally under-reported. The shame and stigma often associated with it, the feelings of self-blame it can generate, and fear of reprisals make many women reluctant to come forward. This under-reporting can also be a barrier to identifying and addressing the problem. What little data are available come largely from reports by health workers and the police, but these probably represent only a small fraction of cases. The silence around sexual violence makes it difficult to know how many people are affected, and to identify those in need of support and help. Often, sexual violence in emergencies reflects women's subordinate status in society and the discrimination and violence they face in times of relative peace, including in their homes. These aspects of women's status, coupled with political issues, are frequently also barriers to addressing sexual violence during and following emergencies.

Responses

The humanitarian community has recognised that it has a role to play in preventing and responding to sexual violence in crises. Over the past decade, humanitarian agencies have developed programmes to offer medical and psychosocial care, as well as education and skills training to survivors of sexual violence, particularly in refugee settings. Their experiences, and those of international organisations working to prevent and address sexual violence, have informed current thinking about what roles actors in different humanitarian sectors can play in preventing and addressing this problem.

Guidelines on the Clinical Management of Rape Survivors in Emergency Settings

In March 2001, 160 representatives of refugee groups, NGOs, governments and intergovernmental organisations came together to document what had been done and what still needed to be done to prevent and respond to sexual and gender-based violence against refugees. At a conference in Geneva hosted by the UN High Commissioner for Refugees (UNHCR), they shared their experiences and lessons learned. This resulted in a set of guidelines developed by UNHCR and WHO on the clinical management of rape survivors in emergency settings. The revised and updated version of the guidelines, published in 2005, is the result of a collaboration between UNHCR, WHO, the UN Population Fund (UNFPA) and the International Committee of the Red Cross (ICRC). The guidelines address the physical and psychological aspects of care, and identify best practices in the clinical management of women, men and children who have been raped in emergencies.

The guidelines are intended to be used by qualified health care providers (health coordinators, doctors, clinical officers, midwives and nurses), and can be adapted to different legal, policy and resource contexts. They include the most recent technical information on the various aspects of care for people who have been raped, including: making preparations to offer medical care to rape survivors; preparing the survivor for examination; taking the history; collecting forensic evidence; performing a physical and genital examination; prescribing medication to prevent pregnancy and sexually transmitted infections including HIV; counselling; and follow-up care. The guidelines also include special considerations when caring for children, men and pregnant or elderly women.

Inter-Agency Standing Committee guidelines on GBV in emergencies

In 2005, the Task Force on Gender of the Inter-Agency Standing Committee (IASC) published *Guidelines for Gender-based Violence Interventions in Humanitarian Emergencies: Focusing on Prevention and Response to Sexual Violence*. These aim to meet the need for a comprehensive, coordinated and participatory approach to addressing sexual violence in emergencies. The guidelines provide practical information, sector by sector, on how to ensure that humanitarian protection and assistance do not place women at increased risk. They also provide guidance about how to respond to the needs of survivors in emergency settings. Their primary purpose is 'to enable humanitarian actors and communities to plan, establish, and coordinate a set of minimum multisectoral interventions to prevent and respond to sexual violence'.

While the guidelines cover the preparedness and post-crisis phases of a response, their primary focus is on the early phase of an emergency. Each of the actions identified as comprising part of minimum prevention and response is elaborated in an 'action sheet', which includes specific guidance on key actions and who bears responsibility for these actions. The sheets also list the resources which may be used to support key actions.

The guidelines cover interventions in the following sectors: protection, water and sanitation, food security and nutrition, shelter and site planning, non-food items, health and community services and education. There is also information on cross-cutting functions that require action by multiple sectors, including coordination, assessment and monitoring, protection, human resources and information, education and communication.

Sexual exploitation and abuse by aid actors

As well as addressing sexual violence by external actors, humanitarian responses must also ensure that aid workers themselves do not perpetrate abuse, and that such abuse is adequately punished if it happens. In times of crisis and desperation, women and girls may submit to sexual abuse to obtain basic necessities such as food. In response to a growing recognition that sexual exploitation and abuse are committed by humanitarian workers charged with protecting and assisting affected populations, codes of conduct have been promulgated by individual humanitarian organisations, and the issue has been included in the Sphere standards.

The IASC *Guidelines* address sexual exploitation and abuse by providing specific guidance, including on implementing human resource policies that minimise the likelihood of sexual exploitation and abuse, such as reference checks during the hiring process, coordination and information-sharing with other organisations about people dismissed for engaging in abuse, the dissemination of binding codes of conduct and developing systems of accountability, confidential reporting and enforcement.

UN staff, and organisations or individuals entering into cooperative arrangements with the UN, are bound by the Secretary-General's Bulletin (SGB) on special measures for protection from sexual exploitation and sexual abuse. This 'clarifies that such acts, particularly when perpetrated against beneficiaries of United Nations' protection or assistance, constitute serious misconduct and are therefore grounds for disciplinary measures, including summary dismissal. In addition, the SGB obliges all staff to report concerns or suspicions of sexual exploitation and abuse and places the onus on managers at all levels to support and develop systems that maintain an environment that prevents sexual exploitation and abuse, including through the appointment of senior focal points responsible for receiving complaints'.

Conclusion

Much remains to be done to achieve effective prevention of sexual violence in emergencies, and to provide appropriate support and assistance to survivors. The tools described above represent positive steps to increase attention to sexual violence in emergencies, and to consolidate best practice to improve responses in the field. They also recognise that lasting solutions require cohesive and coordinated action by all key stakeholders. More, however, needs to be done on the ground, including in building capacity to respond to the problem at all levels.

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PRACTICE AND POLICY NOTES

SMART: a collaborative approach to determining humanitarian needs

Anne Ralte, USAID

The way in which humanitarian needs are defined and prioritised can mean the difference between life and death for millions of the world's poorest people. It is, therefore, critical that donors and humanitarian organisations invest effort and resources to ensure that our understanding is as accurate as possible, and programmes are directed to those most in need.

Responses to emergencies require a consistently accurate picture of the scale and nature of the problems people face. Decisions should be informed by that understanding. But until now there has been no system-wide framework for judging the relative severity of situations. This may change with the Standardised Monitoring and Assessment of Relief and Transitions (SMART) initiative.

SMART seeks to improve the assessment and reporting of humanitarian response. Coordinated by the US Agency for International Development (USAID) and the UN Children's Fund (UNICEF), it includes donors, UN agencies, NGOs and universities. It advocates a multipartner, systematised approach to generating timely and reliable information for decision-making, and for improving the targeting of resources so that they reach those most in need. SMART seeks to provide the following:

- A standardised, simple epidemiological methodology that will enable comparison of need among emergencies, in order to prioritise resource allocations.
- A comprehensive technical support system to build capacity at all levels, and to coordinate resources.

The goal is ambitious but essential: to institutionalise evidence-based policy and operational decision-making, and reporting on humanitarian crises.

The origins of the SMART initiative

USAID, in collaboration with the US Department of State's Bureau of Population, Refugees and Migration (State/PRM), the Canadian International Development Agency (CIDA) and other partners, initiated SMART at a workshop in Washington in July 2002. The event gave an official name to work that had started many years earlier. Over the previous decade, donors had come under pressure to demonstrate good use of taxpayers' money, and results-based performance became a priority. USAID was one of the first US government agencies to embrace the Government Performance Results Act (GPRA) of 1993, and began organising itself to demonstrate results. For USAID's humanitarian areas, two measures of performance were selected: crude mortality (or death) rates (CMR/CDR), and the nutritional status of children under five.

According to the World Health Organisation (WHO), CDR constitute the most critical indicators of a population's health status, and are the category of data to which donors

SMART framework

LIVES SAVED

Harmonise

Reform

Understand

Use evidence to make decisions

Systematise

Standardise

Research
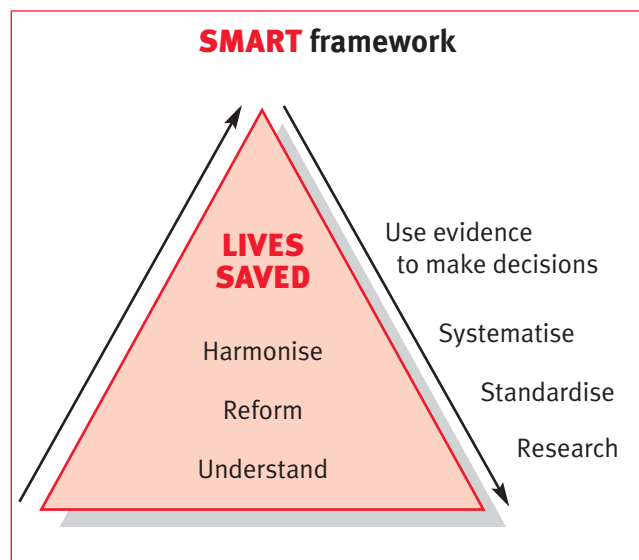
and relief agencies most readily respond.[1] A CDR not only indicates the current health status of a population, but can also provide a baseline against which the effectiveness of relief programmes can be traced. If the CDR is low, people are not dying from the wide variety of factors that relief aid seeks to address, including epidemics or lack of shelter, food, water and sanitation. The second indicator, the nutritional status of children under five, was selected because it is closely associated with risk of death. Since severely malnourished children die without timely and appropriate interventions, it was thought that integrating mortality analysis with nutrition status data would ensure a more realistic profile of nutritional status.

USAID began using nutritional status to measure the performance of its emergency food aid in 1997. Two years later, in November 1999, the agency funded a pilot test of a methodology that combined CDR data collection with existing nutrition survey protocols in Sudan. The pilot, conducted by World Vision, indicated that this was a feasible approach, and that the burden of adding CDR to existing nutrition survey protocols was minimal. Adding mortality rates to nutrition and other indicators improved

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[1] The SMART Methodology recommends using Crude Death Rate (CDR) rather than Crude Mortality Rate (CMR). CDR is defined as the number of people in the total population who die over a specific period of time. A CDR greater than 1/10,000/day indicates a very serious situation.

programme planning and implementation, and enhanced advocacy efforts, as the mortality data proved useful in triangulating and validating the nutrition data.

State/PRM adopted the two indicators in 2000, and in January 2002 a joint State/PRM and USAID mission to Europe found support for the use of the two selected indicators. Organisations consulted included UN agencies (the World Food Programme (WFP), the Food and Agriculture Organisation (FAO) and WHO), the Red Cross (IFRC and ICRC), the European Commission, NGOs (Médecins Sans Frontières and Médecins du Monde), academics (the Centre for Research on the Epidemiology of Disasters (CRED)) and the Sphere Project. These discussions resulted in the landmark workshop in July 2002.

At the workshop, WHO presented a discussion note on the use of mortality and nutrition indicators to assess organisational performance. The note, written in response to a draft proposal by USAID, discussed the views of WHO's various technical departments. The workshop concluded that mortality rates and nutritional status 'are considered the most vital, basic public health indicators of the severity of a humanitarian crisis'. Consensus was reached on developing a generic, standardised methodology to be used in all emergencies for assessing nutritional status, using current best-practice survey methods as a base. It was agreed that the current indicator, CMR, should not be changed until research findings had shown that under-5 mortality rates were a better alternative. It was also agreed that the standard nutrition status indices to be used are wasting (thinness or marasmus) and edema (kwashiorkor). Wasting is to be measured using weight-for-height ratios. Trend analysis, rather than absolute thresholds, was recommended for determining whether a situation warranted intervention.[2]

There is now general acknowledgement of the usefulness of mortality and malnutrition data for overall humanitarian needs assessment and decision-making. Performance measurement experts believe that, if mortality rates and nutritional status are improving, the humanitarian response system is by and large working. These data provide a means for measuring effectiveness, outcome and performance.

Actionable activities
To translate what is a complex concept, involving many agencies, into tangible actions, SMART developed actionable activities that could be managed independently by various partners as part of the whole. Each component is critical, but in itself limited. The collaborative approach brings all the components together to form a comprehensive support system.

Develop standardised SMART methodology
The first priority was to develop a generic methodology, including a survey protocol and an analytical software programme for standardised data collection, analysis and reporting. UNICEF/USAID coordinated this work, which was carried out by a team of technical experts in various sectors, drawn from several organisations.

[2] The WHO classification on wasting prevalence is as follows: ‹5% of population = acceptable; 5–9% = poor; 10–14% = serious; ›15% = critical.

'SMART Methodology Version 1' was developed with funding from CIDA after a two-year process of consultation and pilot-testing in Chad and Somalia. The SMART methodology is iterative, with Version 1 being the most basic. It will be upgraded as research findings validate hypotheses for alternative methodologies. The methodology balances simplicity (for ease of use in acute emergencies) with technical soundness. It should be applicable by NGOs with some technical support. The draft Version 1 was presented to the public at a meeting hosted by UNICEF Executive Director Ann M. Veneman on 23 June 2005.

Establish a complex emergencies database
The Complex-Emergencies Database (CE-DAT) was established in November 2003 by the Centre for Research on the Epidemiology of Disasters in Brussels, with funding from State/PRM. The online, publicly accessible database is a compilation of quantitative and qualitative information from numerous sources, linked to existing conflict databases. It provides data on the mortality, morbidity and nutritional status of conflict-affected populations. In coordination with the Nutrition Information in Crisis Situations (NICS) system of the UN Standing Committee on Nutrition (SCN), which compiles and analyses nutrition data, CE-DAT serves as a data source for trend analysis and policy recommendations.

Develop comprehensive technical support
Once the SMART methodology is finalised, comprehensive technical support will build capacity at all levels, in particular at the country level. The SMART methodology will be tailored to meet training needs: it will be incorporated into existing graduate programmes, such as the Master's Degree in Public Health, offered as a short-term certification course, or as a distance-learning course. Initially pilot-tested by Tulane University in New Orleans, a French-language version will be developed in conjunction with interested African universities. The idea behind a capacity-building system is that it ensures that learning opportunities for SMART methods are widely available and incorporated into on-going programmes. This component is critical for institutionalising the SMART methodology and approach into mainstream humanitarian response.

> donors are attuned to the importance of mortality and nutrition data in crisis situations

Comprehensive technical support will include a virtual library on health, nutrition, food security and related topics, as well as a listserv and a rapid response system maintained by a technical expert group to guide and review surveys, and respond to enquiries from implementing partners.

Establish an operational research agenda
Ongoing research is needed to further advance the methodology and integrate emerging issues. Illustrative activities include using geospatial mapping to determine population denominators and malnutrition prevalence, and the use of alternative methods for determining mortality rates.

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Lessons learned

SMART is addressing longstanding issues important to the international community. It builds on the work of the Sphere Project, which seeks to enhance the accountability of the humanitarian system. It was recognised early on that it would be unrealistic to expect a unanimous commitment among the many organisations involved. That said, the SMART experience has reinforced the notion that it takes only a small critical mass of individuals to achieve major advances. The core vision was held together by a group of talented and credible technical experts, who produced a tool that has received excellent feedback from field practitioners, especially for its ease of use – an important measure of success for the SMART methodology. SMART has also benefited from USAID's internal expertise, and its years of experimentation with results-based performance measurement. The lessons USAID has learned, and which were applied to the SMART approach, include the need to simplify data collection, ensure ease of use and technical soundness, and aggregate results in such a way that they tell a cohesive story that supports funding.

The involvement of donor policy advisors helped to raise awareness of SMART beyond the technical community; SMART was included in the G-8 Action Plan on Famine, and was endorsed at the G-8 Summit in 2004. Senior decision-makers are now attuned to the importance of mortality and nutrition data in crisis situations. It is, therefore, important to improve our understanding of how to apply these data in decision-making, and how to ensure that the information is reliable. The UN Millennium Project has recommended support for SMART to build and strengthen national and local early-warning systems. Countries suffering from chronic food insecurity, such as Ethiopia, should benefit from the multipartner SMART approach.

SMART is contributing to an ongoing effort to enhance how data is used to inform decisions and measure progress in the humanitarian sector. It provides a practical tool that improves understanding of real need. Key indicators, such as mortality and nutritional status, will bolster efforts by humanitarian organisations to define need and measure the impact of humanitarian assistance. A new initiative, led by the UK Department for International Development (DFID), the UN Office for the Coordination of Humanitarian Affairs (OCHA) and WHO, is building on the SMART indicators and identifying others that could assess the collective performance of humanitarian actors. If this work is successful, it should lead to fundamental reform of the humanitarian system.

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Using satellite imagery to improve emergency relief

Francesco Pisano, UNITAR

Mapping has always been indispensable to the progress of humankind. Ancient mapping consisted of drawing by hand the coastline of unknown lands as if observed from above. In 1583, the first Westerner admitted to the court of the Chinese emperor, Jesuit Mattia Ricci, used geographic information to convince the emperor to accept a cultural exchange with the Jesuits. He drew a world map (*mappamondo*) to show the emperor that, for all his power, his country was relatively small compared to the rest of the planet. Ricci's map, with information written in Chinese, told the empire of the existence of a developed culture in the West. Of course, since Ricci's time a lot has changed, but visual images and geographic information hold the same power. If a picture is worth a thousand words, a map can be worth even more.

From global monitoring to personal global positioning systems (GPS), satellites offer a growing range of applications. Remote sensing and other satellite applications are not sophisticated and over-expensive gadgets. Rather, they are becoming common in many professional and consumer domains, and represent an inexpensive instrument to remotely monitor and assess land use and risk reduction policies, to mention just one example. Global initiatives like GMES (Global Monitoring for Environment and Security) and GEOSS (Global Earth Observation System of Systems)

testify to the significant progress space applications have made. Both have a global dimension, and aim to use satellites and applications to help reduce the planet's vulnerability to natural hazards and to support humanitarian relief.

Space-based technologies: an expanding role in humanitarian relief

There is clearly great potential for applying space-related systems to the assessment of damage and the evaluation of the situation on the ground in the aftermath of natural and technological disasters. After their extensive use in the Indian Ocean tsunami and the Kashmir earthquake, rapid mapping and high-resolution imaging have become important support tools in emergency relief operations. In parallel, awareness and understanding of the benefits of space applications for disaster management, beyond the well-known satellite systems devoted to weather forecasting, have grown significantly. Albeit to varying extents, satellite maps and Geographic Information Systems (GIS) are regularly used in emergency response and humanitarian relief, including for logistics, staff security, distribution, transport and the setting up of telecommunication networks and refugee camps.

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if a picture is worth a thousand words, a map can be worth even more

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The UN is stepping up its space-related activities and studies. A number of initiatives are being carried out through inter-agency cooperation, in particular in the areas of environmental research, monitoring and assessment, the management of natural resources, weather and climate forecasting, disaster management, refugee protection and public health, as well as the enhancement of information and communications infrastructure. The Office for Outer Space Affairs (UNOOSA) coordinates a number of policy initiatives and links with the UN General Assembly, while UNOSAT (www.unosat.org) is active within the humanitarian community, with a special focus on capacity-building in an effort to help developing countries use and benefit from space-based technologies.[1] In addition, NGOs are showing growing interest in space-based geographic information. During emergencies, this information is made widely available, at no cost, through mechanisms such as Humanitarian Information Centres (HICs), Reliefweb, AlertNet and the UNOSAT web portal. In major disasters, the UN can, through UNOOSA, invoke the International Charter on Space and Major Disasters, which prompts participating space agencies to release satellite data at no cost.

Space-based technology and the Indian Ocean tsunami response

The Indian Ocean tsunami hit such a large land area that it was at first thought that earth observation (EO) could not

1 UNOSAT is also part of a public–private consortium within GMES called Respond, in which a number of other partners work with the European Space Agency to develop coordinated services for emergency response.

be used to support the response effort. In fact, since Hurricane Mitch in 1998 no emergency has involved such intensive production and use of EO applications as the response to the tsunami. It was also the first tsunami to be recorded from space just as the front wave was propagating through the sea. Some 650 images were produced, using data from 15 different sensors. During the first stages of the crisis, satellite maps were used at headquarters to assess the extent of the emergency. Later, these images were used in the field, distributed by the HIC and other sources, to support relief and coordination. Today, the wealth of information generated at the time of the crisis is at the disposal of different user agencies for the recovery and reconstruction effort.
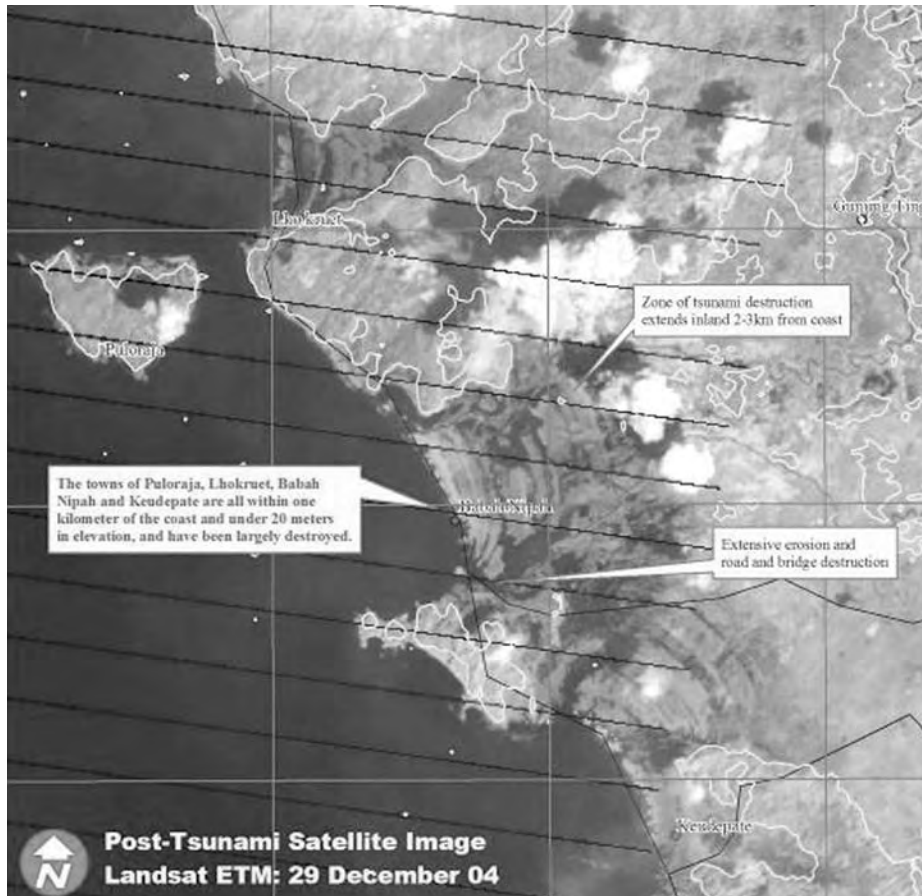
The relatively wide availability of satellite-based products in the tsunami response was made possible by three main factors: the ability of the International Charter to react rapidly and efficiently; the existence of established cooperative links between the UN system via UNOSAT and the space industry; and the capacity to relay products to a wide range of key users, both at headquarters and in the field.

The chronology highlights how efficient the system has become. The earthquake and tsunami hit on 26 December 2004. During the night of 26–27 December, the UN Office for the Coordination of Humanitarian Affairs (OCHA) began to identify affected areas. On 27 December, the UN triggered the International Charter over three locations: Phuket in Thailand, Male in the Maldives and Aceh in Indonesia. Image processing began on the same day. By 29 December, UNOSAT had put its first maps online, and by 14 January 2005 UNOSAT's online image bank was operational. At its peak, the image bank hosted some 650 maps by UNOSAT and a number of partners like Germany's DLR and the French SERTIT, and was accessed by 41 relief organisations. UNOSAT's website recorded 200,000 map downloads during the tsunami crisis – 60% of all downloads recorded in the previous year.

In emergencies such as the tsunami, satellite-based imagery is most useful for relief coordination and information gathering. Indeed, users report that the tsunami maps helped agencies involved in coordination, as well as in logistics and distribution. Data released under the International Charter was used to develop rush disaster impact assessment maps that were used by the UN Inter-Agency Standing Committee (IASC) Task Force on the Tsunami for coordination purposes. Geographic information can also be an important component in fundraising, and can help donors assess the amount of effort required. Here, the power of visual information, maps and geographically referenced analysis is unparalleled. However, the impact of satellite imagery is felt most strongly in operational areas, like urban search and rescue, damage assessment, relief planning and coordination.

Emergencies on the tsunami's scale, entailing massive relief operations, often require diverse types of imagery, including high-resolution maps (although in this case moderate-resolution imagery was enough to reveal the tsunami's destructive force). High-resolution imagery can be particularly useful to operators on the ground:

Figure 1: An impact assessment map showing the tsunami's effects along Aceh's western coast (courtesy UNOSAT)

Pre-Tsunami Satellite Image
Landsat ETM: 5 August 2000

Zone of tsunami destruction extends inland 2-3km from coast

The towns of Puloraja, Lhokruet, Babah Nipah and Keudepate are all within one kilometer of the coast and under 20 meters in elevation, and have been largely destroyed.

Extensive erosion and road and bridge destruction

Post-Tsunami Satellite Image
Landsat ETM: 29 December 04

HUMANITARIAN
exchange

Figure 2: A map of the Pakistan earthquake showing the extent and location of landslides (courtesy Respond, ESA, SERTIT and UNOSAT)
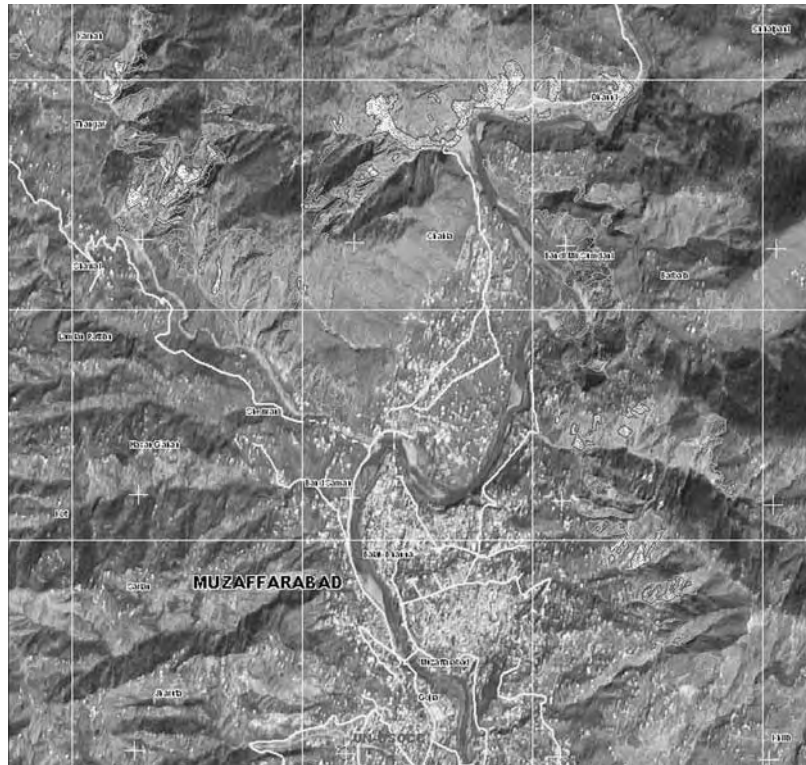
comparing these maps with satellite images taken before the disaster helps relief workers to locate villages that are no longer visible on the ground. This process of comparing pre- and post-disaster images is becoming common, in particular as a way of confirming initial estimates of impact and needs assessments. Cross-checking information derived from space maps with findings from assessment missions is probably the best means of doing this, and could be an important way of improving the efficacy of humanitarian relief.

Satellite imagery and the South Asian earthquake

The devastating earthquake in South Asia in October 2005 confronted the humanitarian community with a difficult challenge. A large part of the problem derived from the difficulty of locating and reaching affected villages. Satellite maps were provided to headquarters and the field to help agencies 'see' levels of destruction and check the condition of roads, thereby allowing them to identify obstacles to access and to prioritise their activities more efficiently. Providing relief was still problematic, but it would probably have been even more so without the support of geographic information. This information enabled an overview of the disaster impact long before information and data became available from the large number of assessment missions on the ground, saving precious time. At the time of writing, a new form of map was being produced by UNOSAT using snowfall prediction data to reveal how long was left before certain villages became inaccessible.

Conclusions

The tsunami and the South Asian earthquake are two examples of emergency relief operations in which geographic information derived from satellite data have made a tangible difference to the relief response. Across the entire disaster cycle, from response to prevention, satellite applications can be well worth the investment. Such investment is going to be necessary one way or the other, as satellites, GPS and GIS (Geographic Information Systems) increasingly become part of everyday life. The conscious, rational integration of these support tools could yield a better return on investment.

To achieve this, we should see geographic applications as analytical instruments rather than simply orientation tools. We should consider moving away from the occasional use of GIS applications towards the elaboration of models applicable to a wider range of crises, thus taking full advantage of the global trend towards integrated information management systems. Finally, we should not underestimate the value of geographic information systems and satellite imagery in helping to fill the gap between relief and development. Efforts in this direction have begun, albeit they are still at an embryonic stage. These efforts need support from across the humanitarian community.

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Land, housing and property restitution after conflict: principles and practice

Conor Foley, consultant, and Ingunn Sofie Aursnes, formerly Norwegian Refugee Council

In August 2005, the UN Sub-Commission on Human Rights approved a new set of 'Principles on Housing and Property Restitution for Refugees and Displaced Persons' (the Pinheiro Principles). The aim of the principles is to provide international standards governing one of the most basic entitlements for the survivors of a humanitarian disaster: the restitution of property.

Until comparatively recently, the land, homes and other possessions of the 'losers' of an armed conflict were widely regarded as part of the 'spoils of war' by the victors. Although the laws of armed conflict expressly prohibit the arbitrary destruction and expropriation of property, the right of people who had fled from their homes during a conflict to have this loss restored was largely ignored in practice. Governments and humanitarian agencies alike concentrated their efforts on finding alternative shelter, and addressing the immediate needs of refugees and the displaced.

While the basic right to land, housing and property restitution is clear, many of the issues involved are complex. Houses have often been destroyed or occupied by others, and these 'secondary occupants' may themselves have been driven from their homes. Official records proving ownership may have been destroyed, or were never entirely accurate to begin with. Ownership and transfer documents are often forged. In some cases, people may have been compelled to 'sell' their land or property under duress. In others, people who have lived in a particular place for years may not have an official title, because it was in the form of social ownership or only recognised through customary law. Sorting out such issues in a post-conflict environment, where there is often little rule of law and legal institutions may be weak or corrupt, is a daunting challenge.

Property restitution in the Balkans

The international community's first serious attempt to tackle the issue of property restitution came during the conflicts in the former Yugoslavia. Forced evictions and

> **while the basic right to land, housing and property restitution is clear, many of the issues involved are complex**

secondary occupations were common practice in the Balkan wars, and all ethnic groups were affected.

A number of humanitarian NGOs, including the Norwegian Refugee Council (NRC), developed programmes to provide refugees and displaced people with practical assistance in recovering their homes, land and other property. In Bosnia-Herzegovina, information and legal aid centres were created to provide people with practical advice about their property rights, and to address some of the legal obstacles – deliberate as well as unintentional – that hindered the restoration of such property to its rightful owners. While some of these efforts were successful, and led to the symbolically important return of minorities to places such as Srebrenica, this must be balanced against the failure of the authorities in Croatia and Kosovo to address the plight of hundreds of thousands of Serbs who remain displaced from their homes, and who now constitute the largest group of refugees and internally displaced people in Europe.

The Croatian authorities have largely confined their efforts to evicting Croatian Serbs who were illegally occupying houses in Eastern Slavonia, while resisting their equally valid attempts to recover their original homes elsewhere in Croatia. NRC's civil rights project (CRP) filed hundreds of cases on behalf of Serbian refugees and IDPs in Croatian courts. A database was developed and a report analysing the way that the Croatian judiciary handled these cases was published. Test cases were also brought to the European Court of Human Rights. However, the cost and time involved makes a test-case strategy

Displaced people return to their heavily damaged home in Mitrovica, Kosovo, June 1999

commissions to hear these claims. However, the Regulation empowering these bodies to start processing claims was not signed until over a year later, and their work was further delayed by organisational problems. A decision was made to verify all claims individually, and the whole process was overseen by international staff (because the impartiality of local staff was considered suspect). This meant that each statement and document had to be individually translated. Efforts to speed up the process and reduce costs resulted in some of the more difficult cases being postponed, and it has taken over five years to clear the backlog.

problematic for humanitarian organisations that often cannot rely on being in a country for more than a few years. For example, it was not until September 2005 that the Grand Chamber of the European Court of Human Rights finally considered the case of *Blecic v. Croatia*, which concerned a woman whose house had been illegally occupied 14 years previously.

Land, housing and property rights were also an extremely sensitive issue in UN-administered Kosovo after NATO's intervention in 1999. Throughout the 1990s, Albanians had suffered discrimination in asserting their property rights, and faced forced and arbitrary evictions by the Serbian authorities. Thousands of houses were destroyed during the conflict, and when the war ended many homes, abandoned by Serbs, were occupied by returning Albanian refugees. At the end of the conflict, in the face of a sustained campaign of discrimination, violence and intimidation, a huge number of Serbs and other ethnic minorities fled the province, and more left in subsequent years.

without adequate security guarantees, simply restoring property to its previous owner will not result in return

The UN imported a model of property restitution that was largely based on its strategy in Bosnia. In Kosovo, however, it met with a singular lack of success. Despite the presence of 40,000 international troops, and a huge international governance mission, minority return has been negligible. NRC's programme in Kosovo initially provided little legal assistance to potential clients, since the new UN administration decided to remove property claims from the jurisdiction of the ordinary courts, instead creating special

NRC's programmes in Kosovo and Serbia were able to pursue some cases of illegal occupation because the properties concerned had subsequently been rented out to members of the international community. Action was also taken against NATO contingents that had illegally occupied people's property. However, even where CRP was able to regain the right to a particular property on behalf of a client from an ethnic minority, he or she usually decided to sell it rather than reoccupy it because returning was considered too dangerous. A major lesson from the CRP in Kosovo is that, without adequate security guarantees, simply restoring property to its previous owner will not result in return.

A desire to reverse the effects of 'ethnic cleansing' in the Balkans undoubtedly gave considerable impetus to efforts at property restitution. However, it was not the only factor. The right of return has since been included in a number of peace agreements concluded under UN auspices, and institutions have been created in a number of countries to strengthen its enforcement. The UN High Commissioner for Refugees has also become increasingly active in supporting such restitution initiatives as part of its voluntary repatriation programmes. Some argue that the growing emphasis on repatriation may partly be motivated by the increasing reluctance of some countries to grant asylum to refugees. Nevertheless, it also provides an opportunity for millions of people throughout the world to return home.

People are also entitled to property restitution even if they are unable physically to reoccupy their homes. This right is underscored by the Pinheiro Principles, which also state that displaced people must be adequately compensated for their losses where restitution is factually impossible. Compensation is often a poor substitute for a proper restitution programme, but governments also sometimes use arguments about return and restitution as a convenient cover for their own failure to respect the rights of the displaced.

Although they are comparatively new, legal aid programmes in post-conflict environments have already helped hundreds of thousands of displaced people to obtain the restoration of their land, housing and property rights. NRC's centres have also helped people to sensitise the authorities about the rights of refugees and IDPs in the areas where they have resettled. NRC's programmes in Azerbaijan, Georgia, Sudan and Uganda spent much of their time helping displaced people in shanty towns and collective centres to improve their living conditions, resist evictions and assert their civil and political rights. Sometimes, the authorities have opposed granting these rights in case it implies acceptance of the permanent loss of disputed territory; it may also be the case that displaced people are simply more vulnerable to attacks on their rights.

Elsewhere in the world – notably in Afghanistan, Colombia, Sri Lanka, Burundi, Sudan and the Democratic Republic of Congo (DRC) – the restitution issues involved are far more complex. While in some of these countries people have been displaced from their homes on ethnic, religious or political grounds, in most instances dispossession has mainly been due to the state's inability to protect the rights of its citizens. This begs the question whether it is possible to establish legal aid programmes in conditions where the rule of law is either strongly challenged by the presence of armed non-state groupings, or is completely absent.

While many of these programmes are still in their infancy, the answer would seem to be a qualified 'yes'. In many of these countries, NRC's intervention has been intended to support a peace process or reconciliation initiatives. In all of them, there is a recognised link between land, housing and property restitution and a strengthening of the rule of law. Lack of security has been the biggest problem in implementing NRC's legal aid programme in Afghanistan, but this is a problem facing all humanitarian agencies in the country. However, in countries like Colombia, where lawyers and land rights activists are often specifically targeted for assassination, the programming challenges may prove particularly acute.

Colombia and Uganda have some of the world's most progressive laws and policies relating to IDP rights. The challenge, of course, is to turn these paper commitments into real ones. In Afghanistan and the DRC, by contrast, people's rights are not worth the paper they are printed on because the legacy of war and destruction means that most courts are unlikely to have a complete record of the state's laws and decrees. Other problems facing the official court system include poorly trained and under-paid, or unpaid, judges; powerful warlords, who have become used to operating with impunity; deeply embedded cultures of corruption; and a lack of effective mechanisms to enforce their judgments.

NRC's programmes have often instead relied on customary law and traditional conflict resolution mechanisms to solve legal disputes, with surprisingly positive results. In Afghanistan and Uganda, NRC's legal counsellors are often called upon to mediate or act as guarantors in disputes that are essentially settled through tribal justice. A similar pattern seems likely in NRC's newer programmes in Sudan, Burundi and the DRC. Again, it is too early to draw hard-and-fast conclusions, but it is clear that customary law is often filling the vacuum created by the collapse of the official legal system, and that legal aid in post-conflict environments can best be implemented through forms of community justice.

Property restitution: humanitarian implications

The humanitarian implications of this are extremely wide-ranging. While in the Balkans it was felt that top-down mechanisms were the best way of implementing restitution programmes, in other parts of the world a bottom-up process might prove more effective. This could require a longer engagement in countries than many humanitarian agencies are prepared to contemplate, and a deeper understanding of the social, cultural and political context in which they are operating. For example, NRC's experiences indicate that Western legal notions about the private ownership of land and property may conflict with more socially-based forms of customary tenure. Care needs to be taken to ensure that well-intentioned reforms, imposed from the outside, do not make things worse.

Land and property rights have been at the heart of many of the world's worst conflicts. The adoption by the UN of a legally-consistent and comprehensive set of restitution principles is undoubtedly a significant advance. The challenge facing the international community remains turning these words into deeds.

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Real-Time Evaluation: where does its value lie?

Maurice Herson and John Mitchell, ALNAP

The practice of humanitarian evaluation has come a long way. Fifteen years ago, evaluations of emergency assistance or 'disaster relief' programmes were rare; today, by contrast, we may be seeing an unprecedented 'evaluation boom'.[1] The evaluative response to the crisis in Darfur and the tsunami emergency suggest that this boom may be getting louder, with many evaluation teams being despatched to both regions. It is incumbent on the humanitarian evaluation community to examine the effects of this boom, and to ensure that evaluation is better able to influence performance.

One significant development in this context has been the growth of Real Time Evaluations (RTE), as opposed to traditional *ex-post* evaluations.[2] The key principle underlying RTE is that it can affect programming *as it happens*. This makes it similar to monitoring, and challenges the conventional categorisation of activities as 'monitoring' or 'evaluation'. This article looks at the practice of RTE, and asks how it relates to traditional evaluation practice and theory, and where its value lies.

RTE: a brief history of concept and practice

In other sectors, one finds In-Process Reviews, Process Evaluations and similar exercises, and RTEs have been common practice in various fields of science and technology. One of the first references to RTE in the humanitarian literature is in Alistair Hallam's Good Practice Review *Evaluating Humanitarian Assistance Programmes in Complex Emergencies*, published by the Humanitarian Practice Network in 1998. It is likely that the immediate desire to save more lives played a significant part in RTE's adoption by front-line agencies concerned that traditional, after-the-fact evaluations come too late to affect the operations they were assessing. Given that institutional memory in many organisations is weak, there was also concern that these evaluations were not influencing future operations either.[3]

In the humanitarian sector, UNHCR's Evaluation and Policy Analysis Unit (EPAU) was for several years the chief proponent of RTE, putting an FAQ page on its website,[4] as well as carrying out RTEs and publishing them on the web. WFP, UNICEF, the Humanitarian Accountability Project, CARE, World Vision, Oxfam GB, the IFRC, FAO, WFP and others have all to some degree taken up the practice. The UK's Disasters Emergency Committee (DEC) carries out similar processes under the title of Monitoring Mission, and Groupe-URD has an Iterative Evaluation Process (L'évaluation itérative avec mini-séminaires (EIMS).[5]

RTE methodology

Although there are diverse methodological approaches to RTE, there are also some perceptible common characteristics.

- The RTE takes place during the course of implementation (EPAU recommends that it starts as early as possible).
- Like monitoring, it may aim to be iterative rather than one-off, hence the idea of on-going evaluation.
- The time-frame is short, with each exercise typically lasting days, rather than weeks.
- The methodology pays the usual attention to secondary sources of information, but is then interactive. Most RTEs are carried out through field visits combined with headquarters meetings, although some have been based purely on telephone interviews with field-based staff.
- RTEs use internal 'consultants' rather than, or perhaps alongside, externals/independents.[6] The number of team members varies from one to many, but may include sectoral or other specialists, local staff or consultants.
- Restricted use is made of the DAC criteria for evaluation[7], with a greater emphasis on process.
- The emphasis is on immediate lesson-learning over impact evaluation or accountability.
- 'Quick and dirty' results enable a programme to be changed in mid-course. This brings RTE closer to monitoring, which primarily tracks progress, than to evaluation, which makes value judgements.

RTE outcomes

An RTE is an *improvement-oriented* review; if it can be carried out with programme or project staff, it can be regarded more as an internal function than an external process. Having said that, it is also important that management initiate and support the RTE, and own the results; as we shall see below, many of the findings are directed at them too.

Unlike the majority of final *ex-post* evaluations, the process and products of an RTE are integrated within the pro-gramme cycle. Interaction with programme staff and managers during the course of implementation means that discussion, which may or may not be reflected in a final document, can help to bring about changes in the programme, rather than just reflecting on its quality after the event. As EPAU notes: 'a real-time "evaluator" is actually a *"facilitator"*, encouraging and assisting ... staff ... to take a critical look at their operation and to find creative solutions to any difficulties they are encountering'.

1 *ALNAP Review of Humanitarian Action in 2004* (London: ALNAP, 2005), p. 12.
2 *Ibid*.
3 *ALNAP Review of Humanitarian Action 2003* (London: ALNAP, 2003), p. 42.
4 See http://www.unhcr.ch/cgi-bin/texis/vtx/research/opendoc.pdf?tbl=RESEARCH&id=3ce372204
5 See http://www.urd.org.

6 EPAU argues that this is not only more conducive to creating 'ownership' by management within the agency, but also 'enables the team leader to have an immediate grasp of [the] mandate, structures and procedures, and it helps to foster a climate of trust and close cooperation with operational staff'.
7 See http://www.oecd.org/document/22/0,2340,en_2649_34435_2086550_1_1_1_1,00.html.

Staff, especially junior staff, often see this as very supportive, as it acts as a kind of catharsis, providing a way of expressing tensions and concerns in a relatively unthreatening setting.[8] Those familiar with the stresses of a full-on emergency response will see that this should be more than an incidental effect; it should be a core outcome of the RTE process. This is not, of course, to deny the challenge of coming in with an 'extra' agenda and working with teams that are under a lot of pressure to scale up, to set up and to deliver results.

The actual report that the RTE produces is, in that sense, not as central a part of the evaluation as it is with a final *ex-post* evaluation. Indeed, by the time the report is produced and circulated it should be out of date, if the process has helped to encourage change. Nevertheless, it should also constitute a written record for longer-term institutional lesson-learning. The difficulty is that the RTE will inevitably capture a snap-shot of the situation, which runs the risk of fixing a picture that, at the time that the report may be read, is no longer valid. It is important to highlight this risk in the report. Alternatively, there is the chance that an ever-changing picture will make it all but impossible to complete the exercise or finalise a report for dissemination.

Terms of reference, findings and recommendations

An *ex-post* evaluation should have terms of reference (ToR) that define the areas of investigation, which may or may not cover all that is proposed in the ALNAP Pro Forma for evaluations;[9] for example, the evaluation may be aimed at learning specific technical lessons, or capturing management practices only. The practice for RTEs is less settled, although ToR tend towards a short list of topics covering both programming and management, rather than a more carefully defined list of specific areas of concern.

Bernard Broughton suggests looking at 'the operation's relevance and design, progress in achieving the operation's objectives (i.e. results), any gaps or unintended impact, the effectiveness and efficiency of the mode of implementation, and the appropriateness and application of operational guidelines and policies'.[10] The DEC's Monitoring Mission ToR specify the last part of this as 'adherence to … the Code of Conduct for RC/RC Movement and NGOs in disaster relief, as well as Sphere guidelines, and the best practice encapsulated in People in Aid and the IASC Code on protection from sexual abuse and exploitation'. UNHCR suggests that 'RTEs will reverse the conventional process [which tends to look at specific situations and draw general conclusions]: the real-time evaluator will be aware of such general lessons and apply them

to specific situations'.[11] This emphasis appears to be common in ToR for RTEs.

The judgements made in RTEs in general concern *how* results are being achieved: they look at process, rather than impact. Impact is not only in general harder to pin down but, given the timing of an RTE, meaningful statements about impact cannot be expected. However, in this regard an RTE can play a valuable part not only in illustrating some sort of descriptive base-line at the point at which it is carried out for the use of future evaluative efforts. It can also propose areas for any later *ex-post* evaluation to concentrate on.

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ex-post evaluations have always tried to fulfil two functions: learning and accountability

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Ex-post evaluations have always tried to fulfil two functions: learning and accountability. These have often not fitted comfortably together, and have even involved a trade-off. Trying to be accountable through evaluation should not be at odds with learning from what has been done, but the time-frames are incompatible. The accounting is a closed exercise, telling us what was done and how, with associated costs. The lesson-learning is a doorway into a process that needs to be taken up as far as *ex-post* evaluations are concerned in contexts separate from the context where the lessons are generated – to be taken back into an organisation, or transferred to other field locations. An RTE is unlikely to enhance accountability 'backwards', that is to donors; on the other hand, if carried out in the field and including consultations with actual or potential beneficiaries, it may promote 'forwards' accountability. However, an RTE is not strongly directed at accountability unless, as for example UNHCR has generally done, the reports are put into the public domain. *A priori* it is likely that an RTE undertaken early on in a humanitarian response will point to failings in both programming and management, and some organisations have not felt able to publish such reports. An RTE's ability to address the question of impact is also probably weak, depending on the phase of the programme at which it is taking place, despite the aspirations of many of their ToR.

As the evaluation industry has expanded, there has been concern that this growth has been at the expense of evaluation's poorer cousin, monitoring. This has led to a disproportionate emphasis on accountability and a focus on longer-term outcomes and impacts, compared with real-time programmatic change and improvement. It is likely that RTEs have emerged as a way of bridging the widening gap between conventional ideas of monitoring and evaluation. Looked at from another point of view, one may even ask if the evaluation lexicon has simply colonised some of the language more commonly associated with monitoring.

8 A SitRep sent back to Oxfam GB headquarters after the RTE in Darfur referred to the visit of 'Maurice Herson, real-time evaluator and agony aunt'.

9 The Pro Forma was developed in 2000/2001 as a way of assessing humanitarian evaluation reports. See http://www.alnap.org/pdfs/QualityProforma05.pdf.

10 See Bernard Broughton, *Proposal Outlining a Conceptual Framework and Terms of Reference for a Pilot Real-Time Evaluation*, OEDE/WFP, 2001.

11 *Real-time Emergency Evaluations: A Provisional Framework*, June 2000.

Conclusions

What should we make of the increased interest in RTEs? Inconsistencies in methodology, an absence of theoretical underpinnings and resistance to categorisation and standardisation have left some in the evaluation community wondering whether RTEs are sufficiently rigorous tools. Sceptics may have a point. However, let us first recognise and underline the importance of responding to the humanitarian imperative and encouraging evaluative mechanisms that gear themselves to helping people, rather than improving 'the system' (important though this is). In this way, RTEs may be seen as a natural corrective to an over-emphasis on *ex-post* evaluation, and the institutional agenda that this has generated. Specifically, RTE gets closer to two sets of people who are critical for effective humanitarian action: field staff and the people affected by disasters. Each year, the ALNAP Review of Humanitarian Action emphasises that field staff are the lynchpin of effective humanitarian assistance. Each year, it also highlights that field staff, particularly national staff, are often neglected. The facilitatory element in RTE has the potential to offer much-needed support at this level. This can only be a good thing. RTEs are also much better at getting closer to the people affected by crisis, and this should pay dividends in improving support for accountability to 'beneficiaries' – still generally a lamentable omission among the improvements the sector has made in the past 20 years.

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Protecting and assisting older people in emergencies

Jo Wells

Network Paper 53

December 2005

We are living in an era of rapid and unprecedented global ageing. In 2000, one in ten people was 60 years old or over. By 2050, this figure is expected to triple, to 1.9 billion. Most of this increase is taking place in the developing world: of the projected global population of 1.9 billion over-60s by 2050, more than a billion will live in countries where average income is less than $2 a day, and an unknown number will be affected by disasters, crises and conflicts. Thus, while population ageing is unquestionably one of humanity's major achievements, it also presents a major humanitarian challenge.

Ageing has significant ramifications for the policy, planning and implementation of humanitarian aid programmes. Older people have particular needs that differ from those of younger members of a community, particularly in the areas of physical and mental health, nutrition and access to essential services. Older people may be isolated or in ill-health, or mobility problems may prevent them from reaching aid. They may have only limited literacy, may not understand their entitlements and may be unable to compete with younger people for aid resources. Older women are at risk of sexual violence and abuse, including from older men. Older people are also often in a position to make an important contribution to the survival of their community in a disaster, for instance by providing care for children orphaned by war or disease.

For all these reasons, the needs and capacities of older people affected by emergencies warrant special attention from the humanitarian agencies giving assistance. This paper summarises the major policy and practice issues affecting humanitarian protection and assistance for older people, and recommends measures to ensure that older citizens caught up in humanitarian crises enjoy equal rights and a fair share of humanitarian resources, and are included in decision-making in programmes that affect their lives. It aims to add to the small body of work relating to protection and assistance issues specific to older people. HelpAge International is one of the few international organisations that works for older people, and its emergency operations are limited. Therefore, the paper highlights gaps in knowledge and areas where further research and work are required, in the hope of stimulating further progress in this important area.

For a copy of this Network Paper, contact a.prescott@odi.org.uk. The paper is available for download at the HPN website: www.odihpn.org/documents/networkpaper53.pdf.

Katrina and Goliath: why the greatest military and economic power in the world didn't protect New Orleans

Ben Wisner, Oberlin College, Ohio, and Peter Walker, Feinstein International Famine Center

In terms of human suffering, the 1,281 lives lost and the 600,000 people displaced when Hurricane Katrina hit the US Gulf Coast on 29 August do not stand comparison with the huge loss of life, destitution and upheaval that followed the Indian Ocean tsunami in 2004 or the earthquake in Kashmir in October 2005. Deaths in Guatemala due to mudslides triggered by Hurricane Stan, the storm that followed Katrina, may equal fatalities on the US Gulf Coast. Nevertheless, there are important lessons to be learned from the Katrina experience, and questions to be asked. The US (with Japan) is often held up as a model of disaster risk management. How, then, could such a tragedy happen? This article offers some observations in preliminary and partial answer to that question, in the hope that others will take up these points in detailed research.

Command without control

Plans for disaster response exist at all levels in the US. In particular, table-top scenarios had modelled precisely a Katrina-like landfall affecting New Orleans. There had also been real-life wake-up calls, most recently Hurricane Ivan, which narrowly missed the city in August 2004. Federal, state and municipal authorities met frequently in the year leading up to Katrina, and both the mayor of New Orleans and the governor of Louisiana asked the Federal Emergency Management Agency (FEMA) for help just days before Katrina arrived. Nevertheless, FEMA had few resources pre-positioned, and only one FEMA staff member was in New Orleans as the storm hit. In the days following there was little coordination of assistance.

FEMA was weakened by its absorption into the Department of Homeland Security

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One notable failing concerned the provision of emergency shelter. Faced with tens of thousands of people needing shelter, a huge sports stadium (the Superdome) was rapidly opened. Sanitary facilities were appalling, and the stadium's roof had been ripped open by the hurricane wind. Air conditioning failed, and food and medical attention were sparse. This situation went on for four days while FEMA scrambled to provide assistance. Some people lived in these conditions for a week. There are technical standards for emergency shelter embodied in initiatives like Sphere. It is doubtful whether the emergency shelter provided after Katrina complied with them.

An important part of the explanation for federal government disarray lies in the weakening of FEMA after its absorption by the Department of Homeland Security, the 'super department' created after the 9/11 attacks. The Department sees as its primary job protecting the United States from terrorism. Commonplace hazards – hurricanes, floods, earthquakes and winter storms – are treated as second-order concerns. Part of FEMA's budget was transferred to other sections of the Department, and many senior FEMA staff resigned, retired or transferred out of the agency. FEMA, which had performed well in the past, was a shadow of its former self. At its head was a director, Michael Brown, with no qualifications in emergency management or disaster risk reduction. Brown resigned on 13 September.

Neo-liberalism and the ideology of the small state also played a part. The US has no national policy on public transport or on affordable housing. In the absence of such a policy *in normal times*, it is hard to imagine the federal government conjuring up a public transport solution to the evacuation problem. Likewise, the absence of a national policy on affordable housing *in normal times* had much to do with the chaotic housing situation facing storm-displaced families in the weeks after the hurricane struck. Six weeks after Katrina, the federal government was still trying to decide between providing rental vouchers as housing assistance, or whether it should bring in thousands of mobile homes. Earlier in the Bush administration, officials had tried to abolish the government department responsible for urban development and housing.

The role of the military

One of the side-effects of the 'war on terror' has been to raise the profile of the military throughout US society. While worldwide the trend has been to move from paramilitary disaster agencies towards civilian-controlled organisations, since Katrina President Bush has spoken several times of the need for the military to lead disaster response. Yet the military were thin on the ground in New Orleans because many local National Guard units had been posted to Iraq. Those troops that were deployed in New Orleans were heavily armed, and were not trained in how to work sympathetically with civilians following a disaster on Katrina's scale. In addition, erroneous and exaggerated reports of a post-Katrina crime wave frightened the military personnel sent to New Orleans, who reacted with aggressive force, aggravating relations with affected civilians. The media were slow to correct these false reports, for instance of numerous rapes and murders in the Superdome stadium-turned-shelter.

Race and class

Issues of race and class also played a role in the poverty of the response to Katrina. According to the US Census Bureau, 67% of the population of New Orleans is African-American. A third of African-Americans – 35% – live below the poverty line. Looked at the other way around, 91% of all poor families in New Orleans are black, and 65% of poor families are female-headed. Over half of New Orleans' residents rent their homes, rather than owning them, and a quarter of over-25s have not graduated from high school.

Poverty increased vulnerability. Despite the plethora of models and scenarios, New Orleans had no plan for the evacuation of the 120,000 families in the city who did not own a car. People knew they were there; the 2000 census registered them. In fact, much was known about the city's poor, disabled and elderly, but these groups were nonetheless effectively abandoned as the hurricane approached. The US Census lists 102,000 people in New Orleans Parish (nearly a quarter of the total) as having some form of disability, and 12% of the population are over 65 years of age. Fleets of school buses sat in flooded parking lots. They could have been used to bring people without transport to safety in Baton Rouge or other inland cities. Likewise, the railway could have been used in the emergency. A plan for light rail connections between New Orleans and Baton Rouge has languished for several years. Had such a rapid transit existed, the evacuation crisis would never have occurred.

Six weeks after Katrina, only about 1,000 of some 54,000 applications for Small Business Administration loans had been processed, and only 58 cheques had been sent out.[1] In disasters in the US, it is typically small businesses that have most difficulty recovering. While the official New Orleans commission advising on recovery uses the rhetoric of inclusiveness, the Secretary of Housing and Urban Development has stated that he expects there to be fewer black people in the 'new' New Orleans.[2] Planners fear the creation of a sanitised simulacrum of the former Big Easy – a tourist playground. Activists are working in the black ninth ward, where flooding was worst, setting up a free clinic and demanding a voice for the poor, black majority in planning the future of the city.

Environmental issues

Although Katrina was a natural disaster, its effects were magnified by man-made changes in the local environment. The growth of the petro-chemical industry on the Gulf Coast and the management of the Mississippi in the service of import/export traffic have decimated coastal wetlands. Experts estimate that one mile of healthy coastal wetland can reduce a storm surge by one foot. In the past 50 years, the Louisiana coast has lost 1,000 square miles of wetland; current rates of loss are between 25 and 35 square miles a year. In addition, the budget for maintaining and extending the New Orleans levee system had been cut. Programmes designed to nourish and rejuvenate the wetlands and to build artificial barrier islands off-shore had not been funded.

Conclusion

The debacle in New Orleans shows the deep structural roots of vulnerability to natural hazards. It also shows the limitations of a highly militarised, command and control approach in the absence of preparedness and mitigation at neighbourhood, municipal and sub-national levels. A reluctant participant in the World Conference on Disaster Reduction in Kobe in January 2005, the US could and should have taken on board the guiding principle of the conference's final declaration: that disaster reduction and human development share the same agenda. The US has a great deal to learn from the rest of the world. Fixated by the 'war on terror' and convinced of the virtues of small government, the American Goliath was brought low by a storm whose impacts were anticipated, and could have been reduced.

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ENDPIECE

Humanitarian Practice Network

The **Humanitarian Practice Network (HPN)** is an independent forum where field workers, managers and policymakers in the humanitarian sector share information, analysis and experience.

HPN's aim is to improve the performance of humanitarian action by contributing to individual and institutional learning.

HPN's activities include:

• A series of specialist publications: *Humanitarian Exchange* magazine, Network Papers and Good Practice Reviews.
• A resource website at www.odihpn.org.
• Occasional seminars and workshops bringing together practitioners, policymakers and analysts.

HPN's members and audience comprise individuals and organisations engaged in humanitarian action. They are in 80 countries worldwide, working in northern and southern NGOs, the UN and other multilateral agencies, governments and donors, academic institutions and consultancies. HPN's publications are written by a similarly wide range of contributors.

HPN's institutional location is the Humanitarian Policy Group (HPG) at the Overseas Development Institute (ODI), an independent think tank on humanitarian and development policy. HPN's publications are researched and written by a wide range of individuals and organisations, and are published by HPN in order to encourage and facilitate knowledge-sharing within the sector. *The views and opinions expressed in HPN's publications do not necessarily state or reflect those of the Humanitarian Policy Group or the Overseas Development Institute.*

Funding support is provided by institutional donors (AusAID, CIDA, DANIDA, DFID, Development Cooperation Ireland, MFA Netherlands, SIDA, USAID), non-governmental organisations (British Red Cross, CAFOD, Christian Aid, Concern, International Rescue Committee, MSF, Oxfam, Save the Children (UK), World Vision) and UN agencies (WFP).