



## **Crisis reports**

# 3

# Crisis reports

## *Introduction*

Crisis reports are at the core of the Humanitarian Response Index (HRI). This research assesses donor application of the *Principles of Good Humanitarian Donorship* (GHD) in different crises. The crisis reports specifically illustrate the constraints and challenges that humanitarian actors face within the context of each crisis studied, with the inherent goal of identifying where improvements are needed in the global provision of humanitarian aid.

This year, DARA completed a total of 14 field missions: Afghanistan, the Central African Republic (CAR),<sup>1</sup> Colombia, the Democratic Republic of the Congo (DRC), Haiti,<sup>2</sup> Indonesia, the occupied Palestinian territories (oPt), Pakistan, the Philippines, Somalia, Sri Lanka, Sudan, Yemen and Zimbabwe. These countries were selected as a representative sample of the diverse global crises faced in 2009, including sudden-onset disasters, internal and regional conflicts, protracted crises and complex and forgotten emergences.

Several of these crises have been included in past editions of the HRI, allowing for a broader and improved ability to observe donor trends and changes in their provision of humanitarian aid over the years. The crises in Colombia and DRC, have been studied each year since the first publication of the HRI in 2007, lending to an evolutionary illustration of each crisis and aid within these contexts. Appearing in the HRI for the first time this year are Indonesia, the Philippines, Yemen and Zimbabwe.

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<sup>1</sup> DARA selected the mission to CAR to pilot a new questionnaire. The main findings can be found in Part 1.

<sup>2</sup> As the response to the Haiti earthquake took place in 2010, the questionnaires were not included in the calculation of the index. A crisis report assessing the response is included however.

HRI research teams examine donor performance across the selected crises through the systematic collection of data relating to how humanitarian organisations view donors' performance and compliance with their commitments to good practice as outlined in the *GHD Principles*. Such data collection involves interviews with the heads of different humanitarian organisations present in a crisis, as well as with government authorities, civil society organisations and donor representatives. The HRI conducts a survey on donor performance with those organisations that receive external funding for their response operations. Survey questions are related to specific concepts contained in the *GHD Principles* and provide many of the qualitative indicators used to construct the overall HRI scores and rankings. This year, 411 organisations were interviewed,<sup>3</sup> and 1,949 survey responses (1,384 for OECD/DAC donors)<sup>4</sup> were gathered.

The resulting crisis report reflects information collected through these surveys and extensive field interviews, along with data from secondary sources, such as assessments and evaluations of the response. The reports are meant to highlight strong donor performance as well as areas in which challenges have been met, or remain within the crises, which will inform the international community of where and how the overall response can be improved.

Overall, donor performance across the five pillars was above average for Indonesia, the Philippines, Zimbabwe and Sri Lanka. Donor scores were middle range in Afghanistan, CAR, DRC, Colombia, oPt and Sudan. Scores were the below-average in Pakistan, Somalia and Yemen.

Donor performance across crises found that this year, donors have generally received their higher scores in Pillar 1 (Responding to needs), Pillar 3 (Working with humanitarian partners), and Pillar 5 (Learning and accountability). Their lower scores were generally found in Pillar 2 (Prevention, risk reduction and recovery) and Pillar 4 (Protection and international law).

Recurrent throughout this year's crisis reports are the themes of politicisation of aid and the protection of civilians. For example, in Afghanistan, Pakistan and oPt, protection has become a critical issue due to restrictions in humanitarian access and space. In these highly politicised crises, government and military interests have often taken priority over humanitarian needs such as protection, especially for women and children. In several other crises, protection was also found to be of central concern due to a general lack of funding, of authoritative control and a lack of integration of protection strategies into contingency planning. In certain crises, such as those in Colombia and the Philippines, governments have often diverted attention from humanitarian needs, which has hindered the humanitarian response, namely in protection.

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<sup>3</sup> 487 including interviews with donor agencies.

<sup>4</sup> Figures do not include Haiti.





*Crisis reports*

# **Afghanistan**

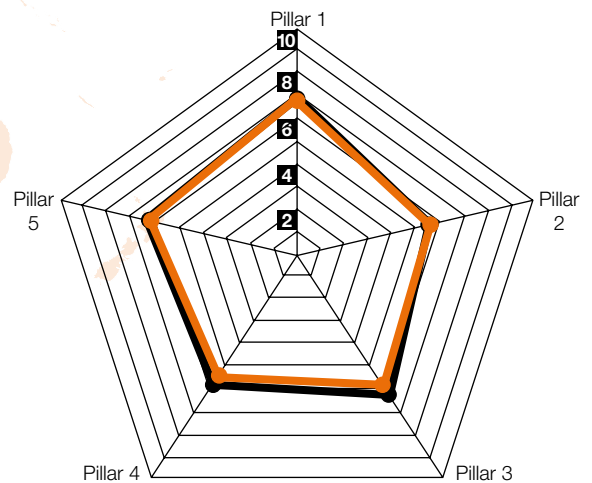
## Afghanistan at a glance

### The crisis and the response

- Several key actors are reluctant to acknowledge evidence of the extent of the humanitarian crisis: increased insecurity, high displacement (at least 297,000 IDPs and 2.89 million refugees), growing food insecurity and disrespect for human rights, especially of women and girls.
- 2009 was the worst year for civilian casualties since the overthrow of the Taliban in 2001.
- Accessing the needs of affected populations is difficult, as more areas become no-go zones.
- All major OECD/DAC donors (with the exception of Switzerland and Ireland) have shaped their aid support on the flawed assumption Afghanistan is a post-conflict country.
- Donors funded 76 percent of the 2009 HAP target of US\$665 million. Outside the appeal, donors provided an additional US\$145 million.
- OCHA reopened in Afghanistan in 2009 and set up an Emergency Response Fund.
- Many humanitarian organisations were frustrated by continued use of Provincial Reconstruction Teams (PRTs), which compromise impartiality and neutrality.

### Donor performance

- Politicisation of the crisis has violated principles of impartiality and neutrality and made humanitarian intervention difficult and dangerous.
- The least funded cluster is health followed by nutrition, an inadequate response to protection in a country with some of the world's worst health and nutrition indicators.
- The same donors who call for greater transparency and accountability are consistently violating their own professed principles.



— Afghanistan  
— All Crisis Average

### HRI 2010 scores by pillar

- Pillar 1** Responding to needs
- Pillar 2** Prevention, risk reduction and recovery
- Pillar 3** Working with humanitarian partners
- Pillar 4** Protection and international law
- Pillar 5** Learning and accountability

### Key challenges and areas for improvement

- Humanitarian workers must act to distinguish themselves from military personnel.
- Donors must recognise the true scope of the humanitarian crisis and encourage separation of humanitarian response from military activities.
- All conflict protagonists must be encouraged to respect humanitarian principles of independence and neutrality.
- Donors must empower civil society and ensure aid is allocated only after thorough analysis of community needs and capacities.

## Afghanistan

### *Militarisation of aid hinders humanitarian efforts*

In 2009, expectations of peace, stability and development were further dashed in Afghanistan. Already appalling humanitarian indicators have worsened since the previous Humanitarian Response Index (HRI) missions in 2008 and 2009 (Marañón & Fernández 2008 and Polastro 2009), and the country slipped further down the Human Development Index to second-to-last place. The UN Office for the Coordination of Humanitarian Affairs (OCHA) reports that 42 percent of the population live on less than US\$1 per day and more than half suffer from chronic malnutrition (OCHA 2010a). Infant mortality is among the highest in the world and in September 2009, OCHA estimated that 31 percent of the population were food-insecure (UNICEF 2009 and OCHA 2009). There are growing criticisms that the estimated US\$36 billion spent on development, reconstruction and humanitarian projects in Afghanistan since the overthrow of the Taliban (Afghan Ministry of Finance, cited in IRIN 2009) has been mismanaged, poorly targeted, corruptly misappropriated and significantly used to support military-led humanitarian responses which continue to violate key *Principles of Good Humanitarian Donorship* (GHD).

#### Intensified armed conflict

In 2009, General Stanley A. McChrystal, the then commander of the International Security Assistance Force (ISAF) and the United States Forces in Afghanistan (USFOR-A), re-elaborated the US's traditional counter-insurgency strategy of "winning hearts and minds", using a new acronym –WHAM. In February 2010, on the eve of ISAF's Operation Moshtarak in Helmand Province, he talked confidently of military promotion of democratic governance, declaring that "we've got a government in a box, ready to roll in" to areas liberated from Taliban control (International Council on Security and Development 2010).

This rhetoric does not appear to impress Afghans. A survey after Operation Moshtarak found 71 percent of Afghans said they wanted foreign troops to leave Afghanistan (International Council on Security and Development 2010). A tribal leader from Kandahar noted that "ten percent of the people are with the Taliban, ten percent are with the government and 80 percent are angry at the Taliban, the government and the foreigners" (Mercille 2010). Afghanistan now hosts more US troops than Iraq, yet analysts doubt that the troop surge will lead to sustainable diminution of the Taliban presence or to achievement of WHAM objectives. Civilian fatalities resulting from US/ISAF military offensives caused increasing resentment in 2009, prompting the US to repeatedly declare a desire to minimise "collateral" damage, but has been unable to do so in several well-publicised incidents.

Insecurity, corruption, poor coordination, under-resourcing and external control of many development interventions all came together to prevent the Afghan government from providing basic services. Afghanistan has been ranked as the second most corrupt country in the world (Transparency International 2009). Almost all those employed by the government, whether in a civilian or security capacity, are judged to be corrupt by Afghans by and most humanitarian organisations the HRI team interviewed in the field. The UN Office on Drugs and Crime (UNODC) states that corruption ranks even higher than security as a concern among Afghans (UNODC 2010). Corruption has been described by a senior British official as the "elephant in the room", the key impediment to development, but rarely talked about during seminars on the country's future (DNDTalk 2010). US congressional investigators report that funds clandestinely paid by the US to ensure safe passage of military convoys further reinforce corruption and bolster the Taliban (Reuters 2010).

Intensification of the armed conflict and its expansion into areas previously considered stable made 2009 the worst year for civilian fatalities since 2001: 2,412 Afghan civilians were reported killed (UNAMA 2010). Amid signs of growing disagreement between US civilian and military managers, the Obama Administration has deployed additional forces to Afghanistan. Despite this, the insurgency continues unabated, with the Taliban now reportedly having shadow governors in 33 of the country's 34 provinces.

Many believe there is no alternative to ending the conflict other than by achieving some kind of negotiated settlement with insurgents. With objectives of building democratic institutions being scaled down, most external providers of military assistance to the government are contemplating withdrawal. Fuelled by civilian deaths in military operations and frequent press reports about misallocated aid and profits made by international contractors, there is increasing popular resentment. As Western optimism has faded, there is a considerable sense of unease as well as mistrust and resentment among donors, the UN, international non-governmental organisations (INGOs), Afghan government officials, private contractors and Afghan civil society.

### What humanitarian crisis?

The HRI team found once again that key actors, including the government, the United Nations Assistance Mission in Afghanistan (UNAMA) and many troop-providing governments, are clearly reluctant to acknowledge the extent of the crisis.<sup>1</sup> While some interviewees agreed with the designation of humanitarian crisis, others preferred to speak of “a humanitarian situation”, “vulnerability crisis” or “chronic crisis”. This reluctance to “call a spade a spade” is partly the result of the inability to gather robust data through field evaluations and the resultant dependence on often dubious proxy assessments.

Eight years have passed since the fall of the Taliban regime, and although the international community appears to recognise the importance of humanitarian needs more than was reported in the HRI 2008 and 2009, it is still unable to define clearly the nature and magnitude of these needs. Effective response to immediate vulnerabilities is hampered by continued insistence that the Western military and aid intervention is focused on post-conflict recovery and the building of Afghan military and

civilian capacity – not on humanitarian response. Donors continue to frame interventions within the framework of the Afghanistan Compact and the Afghanistan National Development Strategy (ANDS), political agreements between the government and the international community which stress the need for reconstruction, development, institution building and achievement of the Millennium Development Goals (UNDP 2010).

As a result of this emphasis and the dire security situation, the UN has reported increasing difficulties in recruiting appropriately experienced staff. Donors like the European Commission Humanitarian Aid Office (ECHO) and the US Office of Foreign Disaster Assistance (OFDA) are eager to receive project proposals that fit with their humanitarian mandate yet are unable to allocate part of their funds. Most international agencies and their implementing partners are development specialists and there is a growing lack of humanitarian actors.

Large numbers of Afghans remain displaced. The Office of the UN High Commissioner for Refugees (UNHCR) (2010) reports there are 297,000 internally displaced persons (IDPs) and a further 2.89 million Afghans are registered refugees in neighbouring countries. Actual numbers are thought to be considerably higher with analysts suggesting both donors and the government have chosen to overlook the extent of displacement. In 2009, insecurity, land disputes, unexploded ordnance and lack of livelihoods resulted in a further decrease in the number of repatriating refugees assisted by UNHCR. The UN refugee agency’s 2009 target of assisting 220,000 returns was only 25 percent achieved. Significant numbers of returnees have become IDPs, many becoming undocumented residents of informal settlements in major cities.

Most repatriating refugees have lived for decades, or have been born, in Pakistani or Iranian cities and have little capacity or interest in agriculture. Significant numbers are thought to have returned clandestinely to Iran or Pakistan where there is growing popular and official resentment of their presence and regular threats to forcibly repatriate Afghan refugees and illegal migrants. UNHCR (2010) has warned that Afghanistan has no capacity to absorb more returnees unless donors provide targeted support. Some experts speculate that 70 percent of the population of Kabul – several million people – fall into the overlapping categories of repatriated refugee/IDP. Swollen by IDP and refugee numbers, Afghan cities are experiencing rising poverty, unemployment, criminality and despair. Displaced and unemployed urban men may be particularly vulnerable to recruitment by the insurgency (ICG 2009).

In 2009, two pronouncements by President Karzai provoked storms of protest: apparent support for a draft law which would have legalised rape within marriage and the granting of a presidential pardon to convicted rapists. Warning that the already dire vulnerability of women and girls could further worsen, Human Rights Watch (2009) has argued the need to “make sure that women’s and girls’ rights don’t just get lip service while being pushed to the bottom of the list by the government and donors”. The massive presence of the international community and theoretical national adherence to international human rights laws<sup>2</sup> have done little to address the lack of protection and impunity for perpetrators of human rights violations. Many humanitarian and human rights agencies accuse donors of remaining silent about human rights. US and ISAF military personnel, the Afghan government and donors all need to do more to protect civilians and encourage wider respect for international humanitarian law.

<sup>2</sup> Under the terms of the Afghanistan Compact, the Afghan government of its determination “to work toward a stable and prosperous Afghanistan, with good governance and human rights protection for all under the rule of law”.

<sup>1</sup> See 2009 Afghanistan crisis report



## The response

The Humanitarian Country Team (HCT) launched, for the first time since 2001, a Humanitarian Action Plan (HAP) – a framework to identify, prioritise and address the needs of the most vulnerable in Afghanistan. The 2009 HAP initially requested US\$604 million for 112 projects. The appeal was later revised upwards to US\$665 million. Some NGOs and donors argued that the HAP actually has the character of a Development Action Plan, neither addressing chronic vulnerability nor establishing means to save lives imminently at risk. To date, the HAP has received US\$507 million (76.4 percent of overall needs), with 93.6 percent allocated to UN agencies, mainly to the World Food Programme (WFP), 5.5 percent to NGOs and a mere 0.02 percent to local NGOs (OCHA 2010b).

The least funded cluster is health, with five percent of the required amount, followed by nutrition with 19 percent. This low response is highly regrettable, given that Afghanistan has among the world's worst health and nutrition indicators. Donors interviewed by the HRI team explained that health is normally covered by development projects. There is an equally poor response for protection (27 percent funded) – although this is one of the most important needs in Afghanistan. While these clusters have suffered from underfunding, others such as common services, education, and emergency telecommunications met or surpassed the funding requirements. Donors funded 97 percent of food security and agriculture requirements, with most pledges allocated to WFP – which is by far the largest humanitarian recipient of aid in Afghanistan. Other humanitarian actors and donors like ECHO question the quality of WFP food security data and argue the appeal is based on guesstimates. WFP is criticised for distributing assistance through local governments with insufficient monitoring, potentially leading to politicisation of aid, especially as parliamentary elections approach.

It is next to impossible to quantify the extent of international aid provided to Afghanistan. This is because the response continues to be led by multiple overarching layers of players: humanitarian actors, militaries, diplomats and private contractors with various, and sometimes incompatible, agendas. Donors are criticised, both by the Afghan government and the UN, for their lack of transparency. The same donors who call for greater transparency and accountability on the international stage are, when it comes to revealing figures on total aid provided to Afghanistan, consistently violating their own professed principles.

According to figures reported to OCHA's Financial Tracking System (FTS), the largest donors of humanitarian assistance in 2009 were Japan (US\$89.8 million); the US (US\$58.9 million); the European Commission (US\$52.8 million); Germany (US\$39.6 million); Norway (US\$26.4 million); Canada (US\$25.9 million) and the Netherlands (US\$14.8 million). Six new donors funded humanitarian efforts in Afghanistan in 2009, principally the Russian Federation (US\$10 million) and India (US\$6.4 million).

Donors' prioritisation of development is evident in their budgets. Donor agencies with a clear humanitarian mandate like OFDA and ECHO, with budgets of US\$33 million and US\$35 million respectively,<sup>3</sup> have limited budgets compared to development-oriented agencies like USAID, which had a 2009 budget of US\$2.15 billion (USAID 2010, ECHO 2009 and USAID Afghanistan 2010).

In 2009, OCHA also set up an Emergency Response Fund (with a target of US\$5 million) whose objective is to provide rapid funds to NGOs to initiate life-saving humanitarian activities. Outside the appeal, it is estimated that donors have provided an additional US\$145 million, mainly to INGOs and to the International Committee of the Red Cross (ICRC).

<sup>3</sup> ECHO's 2009 funding decision includes the response to conflict and natural disasters in Afghanistan as well as Iran and Pakistan – where many Afghan refugees reside.

## Provincial Reconstruction Teams and the militarisation of aid

The primary mechanism for those who seek to ensure that development interventions chime with political and military objectives continues to be the Provincial Reconstruction Team (PRT). PRTs are composed of military personnel, diplomats and contracted civilians. Despite considerable criticism from international NGOs, the PRT concept was further strengthened in 2009. There are currently 27 PRTs in Afghanistan, mostly controlled by the US military, but also by Canadians, Czechs, Estonians, Germans, Lithuanians, Poles, Turks and the United Kingdom (UK). Intended to promote stability, support security sector reforms and provide a local environment conducive to development interventions, the PRTs are located on military bases. Since the first PRT was established in 2004, the emphasis has been on post-conflict recovery, not humanitarian interventions. PRTs' engagement in relief operations was intended to be small-scale and time-limited, to plug gaps in services offered by national and international humanitarian providers.

Many Afghans lump together consultants, private contractors and INGOs as outsiders who have come to Afghanistan to make money. A survey found that 54 percent of Afghans believe that international organisations, including NGOs, "are corrupt and are in the country just to get rich," (UNODC 2010). Projects financed via PRTs are often implemented by for-profit private companies or by international NGOs who acquiesce in the PRT concept to secure funding and profile. Tendering and procurement processes are not often transparent. An NGO programme director expressed the frustration of many humanitarians: "We must constantly differentiate ourselves from militaries but also from private contractors". NGO efforts to assert their unique status are failing to convince Afghans.

There is considerable unease about PRTs among the humanitarian community and disappointment that previously expressed reservations have not influenced policy. In January 2010, the UN's Special Advisor on Development in Afghanistan argued that PRTs were set up at a time when there was little state capacity, but that PRT managers should now let Afghans manage more reconstruction projects and funds on their own in order to achieve the declared goal of building government capacity to deliver basic services. Because PRTs often have more funds than local Afghan authorities, they are competing with local Afghans to deliver services. Funding for PRTs diverts greatly needed funds away from Afghan civilian institutions whose weaknesses further prolong the military presence. PRTs thus end up hampering the development of the local government and further confusing Afghan communities and civil servants. Allocation of substantial foreign funding through PRTs, rather than through Afghan ministries, has led to discrepancies in development investments, with far more North Atlantic Treaty Organization (NATO) PRT funding available in southern and eastern Afghanistan where insurgents are most active.

It is not possible to obtain aggregated information on total allocations for PRTs, but it is clear that they are an expensive and inefficient aid conduit. A considerable source of US funding for PRTs is provided by a mechanism also used in Iraq – the Commander's Emergency Response Program (CERP). US\$1 billion was allocated to the Afghanistan CERP fund in 2010 (US House of Representatives 2009). The 2009 US PRT budget of US\$200 million exceeded the Afghan national budgets for health and education combined (Oxfam 2009). The predominance of PRTs in the humanitarian landscape is a trend that has continued – if not accelerated – under the Obama Administration (Refugees International 2009).

The Afghan Ministry of Public Health has noted that it has, at times, not been informed about the establishment of health facilities, and that PRTs have not ensured funding to continue their sustainable operation. PRTs have also donated medicines which are not on the government's approved list. Furthermore, the presence of uniformed military personnel in health facilities exposes medical staff and patients to threats from insurgents.

Education provides an additional example of the consequences of the unclear separation between political-military activities and aid. Threats against schools, students, parents and teachers led to the end of schooling in many areas in 2009 and to a decline in female enrolment. The use of educational premises as polling stations during the 2009 presidential elections, and the fact that some schools are constructed by PRTs, provided further incentive for insurgents' attacks on the education system. In the southern provinces it is reported that over two thirds of schools have closed due to insecurity (CARE 2009).

### **Humanitarian space disappearing**

Most INGOs are under intense pressure from the donor governments they depend on. A donor told the HRI team that "in Afghanistan humanitarian aid is an integrated element that must accompany military action and cannot be neutral... NGOs have a duty to support our boys. It is regrettable that NGOs are so reluctant to coordinate with our troops. They should be more pragmatic, they have so much to offer". Little has changed from the HRI missions of 2008 and 2009 when it was noted that military objectives often define humanitarian interventions, putting humanitarian workers and beneficiaries at risk. Staff of humanitarian agencies, particularly those working in areas of southern and eastern Afghanistan, are still endangered by perceptions that their activities are linked to Western military objectives.

Intensification of the conflict has further reduced humanitarian space. In early 2009, the UN Department of Safety and Security considered only 37 percent of the country to be "low-risk" and 20.6 percent "medium-risk". According to the Afghanistan NGO Safety Office (ANSO), insurgent groups have a presence in over 97 percent of the country. Today, only the ICRC is even attempting to negotiate access to areas held by insurgents. Conflict-affected areas of the country have become virtual no-go zones in which information on humanitarian needs is apocryphal or non-existent. In June 2010, a report from the UN Secretary-General contradicted US assertions of steady counter-insurgency progress by noting that the overall security situation had continued to decline (VOA 2009). As the Taliban have sought "soft" targets, the security of humanitarian aid workers and their ability to work has steadily eroded. Taliban commanders have stepped up their campaign to intimidate or kill Afghan civilians working for the Afghan government and aid agencies. In 2009, 19 NGO workers, all Afghans, were killed. In October 2009, an attack on a UN guesthouse in Kabul forced aid organisations to review security and further reduce visibility and travel.

### **Coordination lacking**

Afghanistan roll-out of the cluster approach took place in June 2008 and OCHA reopened an office in Afghanistan in early 2009 after an eight year absence, thanks largely to advocacy by NGOs. While humanitarian actors welcomed the return of OCHA as overdue recognition that Afghanistan remains in the grips of a humanitarian crisis, most report that coordination remains weak and disproportionately Kabul-focused.

The HCT meets on an ad hoc basis, and still has no concrete strategy for key issues such as refugee repatriation and IDPs. Military personnel and NGOs do not necessarily share information and donors often coordinate only with their own national NGOs whose work they support. Basic information on who is doing what and where is lacking. Humanitarian donors, such as OFDA and ECHO, only meet bilaterally on an ad hoc basis. There is no coordination structure as such to discuss access, humanitarian priorities, standards, core principles or financial decisions.

“OCHA’s presence is important if we want have a better picture of the humanitarian situation,” explained a donor. “Nevertheless, it is part of a UN mission with a strong political mandate that can impede its work.” There is near consensus within the humanitarian community that OCHA’s coordination role is handicapped by a lack of political support and financial resources. Some UN actors, notably UNAMA – which is mandated to “coordinate international efforts in Afghanistan and in support the Government of Afghanistan (...) and to play a central coordinating role in facilitating the delivery of humanitarian assistance” (UNAMA 2010) – question OCHA’s role. UNAMA is not regarded as impartial for working exclusively with the government, yet financial, logistical and personnel constraints make OCHA dependent on UNAMA. Respondents told the HRI team that UNAMA had not provided OCHA with requested information or support, hampering OCHA’s ability to carry out its mandate.

### **GHD Principles missing in action**

Afghanistan is the only complex emergency in which all major OECD/DAC donors (with the exception of Switzerland and Ireland) are also belligerents who have shaped their aid support on the assumption that Afghanistan is a post-conflict country. Donors are, for the most part, unwilling or politically unable to recognise the humanitarian scope of the crisis. According to HRI respondents, with the exception of ECHO, Norway and Switzerland, donors do not defend the principled humanitarian approaches defined by the GHD.

*“When military actors are doing things we normally do, they create confusion about our neutrality. – Director of an INGO*



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Multiple donors and INGOs continue to be highly concerned about violations of principles of neutrality, independence and impartiality. ECHO is critical of the current “integrated approach” and according to some interviewees is considering not funding NGOs operating in PRTs. Some NGOs, determined to preserve or recover their impartial status, told the HRI team that they have chosen not to accept US or UN funds. A staffer from a US NGO that had lost its ability to access major parts of Afghanistan explained that rejecting US funding “was the only way to demonstrate the clarity and transparency of our intentions and to have again access to beneficiaries”. Some agencies have also declined military requests to provide confidential information about their local staff.

Some donors have imposed “security requirements” on implementing partners, obliging them to use armoured vehicles and employ guards, further causing them to be associated with military actors. It is hardly surprising that Afghans are confused as to who is a combatant and who is an aid worker. A director of a major INGO told us that “when military actors are doing things we normally do, they create confusion about our neutrality. The consequence is immediate: insurgency that normally target military is now targeting us. This situation also puts in danger those we are intending to help. It obliges us to revise our operation plans and our presence on the field”.

There seems little likelihood of change in donors' policies to direct aid resources to support their military and political strategies. Many NGOs explained that it is relatively easy to obtain funds in conflict areas where donor nations have troops, but extremely difficult in non-conflict areas. A UN staffer noted that there is "an imbalance between donors spending in insecure and secure provinces that needs to be addressed". Failure to meet needs in non-conflict regions provides an incentive to return to poppy cultivation.

### Lessons learnt and recommendations for the future

The international community appears to lack analytical capacity or a clear strategy, and continues to downplay the humanitarian emergency, to pursue post-conflict strategies and to heavily invest in the provision of development assistance through military leadership. Humanitarian action is significantly shaped by military and geo-political agendas. Despite considerable statements of concern from wide sections of the humanitarian community, donors still prioritise security, counter-terrorism, counternarcotics and nation-building. This increasingly diverts attention from the humanitarian crisis by conveying a misleading impression of development and post-conflict recovery. With Afghanistan's future so uncertain, there is an urgent need for dialogue between donors, international humanitarians, and Afghan state and civil society actors in order to ensure that unmet humanitarian needs are effectively and impartially addressed.

Amid a climate of tension between NGOs, donors, contractors and military personnel there is increasing awareness that the militarised approach to aid is not working. More of the same will not win "hearts and minds". Some governments such as Canada and the Netherlands are already discussing scenarios for a genuinely humanitarian-led response to the Afghan crisis if and when the current military mission ends. This provides a window of opportunity to reassert *GHD Principles*, and put a stop to the militarisation of aid, fragmentation of aid delivery, the disastrous post-2001 donor trend to view Afghanistan through a security lessons lens and, above all else, to begin repairing fractured trust between Afghan and international humanitarian actors and local beneficiaries.

It is important that donors:

- 1 acknowledge the failure of the militarised response to humanitarian needs;
- 2 promote the separation of military activities from humanitarian aid;
- 3 heed and promote *GHD Principles*: all protagonists to the conflicts in Afghanistan must be encouraged to respect humanitarian principles of independence and impartiality;
- 4 ensure aid is allocated only after thorough analysis of community needs and capacities;
- 5 provide support to empower national NGOs and civil society;
- 6 advocate for, and fund, protection activities, particularly targeted at vulnerable women and children;
- 7 advocate for OCHA to be permitted to play an independent, neutral and impartial role;
- 8 assuage the anger and fears of the Afghan population by ensuring greater national and international accountability and provision of transparent publicly available information on aid flows.

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**Information based on field interviews with key humanitarian agencies in Afghanistan from 04 to 14 April 2010, and 198 questionnaires on donor performance (including 159 OECD/DAC donors).**

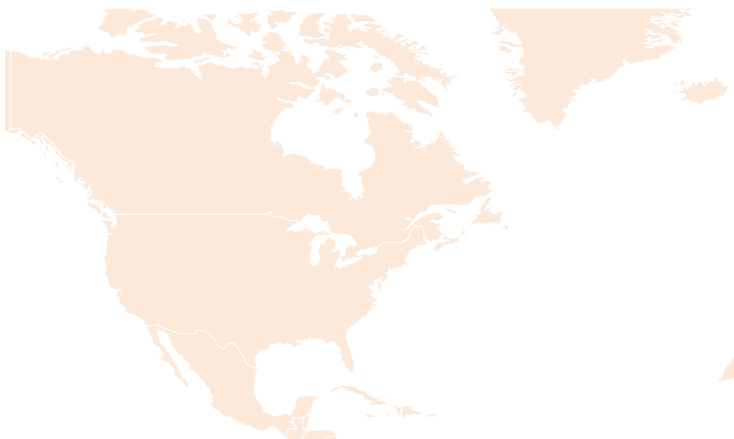
The HRI team, composed of Gilles Gasser (Team Leader), Gabriel Reyes and Nicolai Steen, contributed to this report. They express their gratitude to all those interviewed in Afghanistan.





*Crisis reports*

# **Colombia**



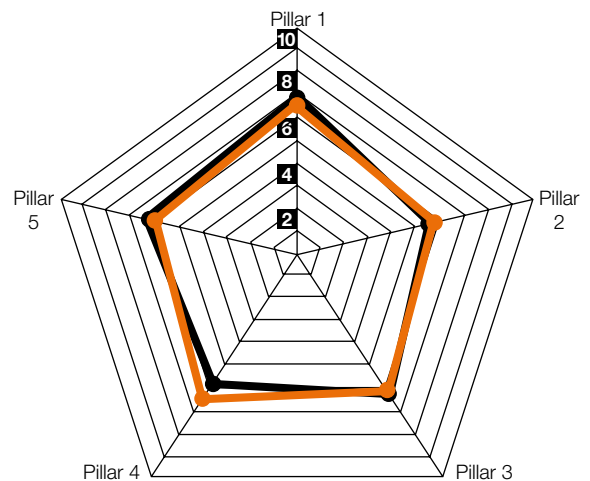
## Colombia at a glance

### The crisis and the response

- Colombia has the world's second highest number of IDPs: around five million have been displaced by conflict.
- Denying the existence of an armed conflict, the Colombian government discourages international attention and rejects applicability of international humanitarian law.
- Humanitarian space further diminished in 2009 despite government success retaking territory from insurgents and restoring some services.
- Presidential Decree 001 forces humanitarian actors to coordinate activities through Acción Social, the state IDP agency.
- FTS figures indicate increased funding to Colombia in 2009 but bilateral aid, notably from the US, remains less transparent.
- The Colombian government mobilises greater resources to assist IDPs than external actors, reducing scope for international humanitarian advocacy.
- There is a sense of fatigue among donors and humanitarian actors and lack of consensus on the best way to move forward.

### Donor performance

- Donors in Colombia were praised for their capacity for informed decision-making and timeliness of funding.
- High level visits by the heads of ECHO and Swiss Development Cooperation and by the UN ERC helped keep some international attention on the conflict. However, most humanitarians were disappointed by the ERC's failure to declare the crisis an armed conflict or hold the government accountable.
- Donors tend to be reactive, not taking a long-term approach to the crisis and its root causes.



— Colombia  
— All Crisis Average

#### HRI 2010 scores by pillar

- Pillar 1** Responding to needs
- Pillar 2** Prevention, risk reduction and recovery
- Pillar 3** Working with humanitarian partners
- Pillar 4** Protection and international law
- Pillar 5** Learning and accountability

### Key challenges and areas for improvement

- Donors should be aware of the risks involved in the Colombian crisis getting forgotten as the government seeks to convey a perception of stability to encourage foreign investment.
- Donors should seek to forge a coherent international approach to ensure access to vulnerable populations.
- Donors should encourage Acción Social and other actors to systematically include affected populations in planning and decision-making.



## Colombia

### *A country at a crossroads*

In August 2010, former Minister of Defence Juan Manuel Santos assumed the office of President of Colombia, bringing an end to the eight-year tenure of Álvaro Uribe. Uribe's *Seguridad Democrática* was a military and political strategy to recover control of national territory from leftist guerrillas, increase economic growth and combat narco-trafficking.

Under Uribe, security improved in Colombian cities and economic growth benefitted the middle class. Uribe's popularity rests in large measure on a social perception fuelled by official patriotism and a compliant mass media (Petrich 2010). He successfully manipulated discourse around the crisis, exaggerating military successes against the two major leftist groups – the *Fuerzas Armadas Revolucionarias de Colombia* (FARC) and the smaller *Ejército de Liberación Nacional* (ELN) – while shifting attention to the more politically expedient agendas of security, anti-terrorism, development and trade.

However, Uribe's failure to acknowledge and respond to the consequences of the five-decade long humanitarian crisis of mass displacement leaves a tainted legacy. Colombia continues to have the world's second-largest population of internally displaced persons (IDPs). Successive Humanitarian Response Index (HRI) missions have noted the steady erosion of humanitarian space and respect for international humanitarian law and human rights (Hidalgo 2007 and Espada 2008 & 2009).

Amnesty International (2009) contests the state's assertion that the impact of the internal armed conflict is abating. FARC is still a potent armed force, adapting to military pressure through guerrilla warfare tactics, aggressive recruitment among rural populations, broadened involvement in drug trafficking and alliances with other armed groups and drug-trafficking organisations (International Crisis Group 2010). Human Rights Watch argues that the substantial increase in new displacement in the last years of Uribe's presidency is primarily driven by the emergence of successor groups exploiting natural resources, seizing land and targeting human rights defenders, trade unionists and internally displaced persons (IDPs) who seek to recover property. These proliferating "new illegal armed groups" (NIAGs) are allegedly often tolerated by the security forces (Human Rights Watch 2010) and now have armed members in 29 of Colombia's 32 departments (Instituto de Estudios para el Desarrollo y la Paz 2010).

Santos, the key enforcer of the *Seguridad Democrática* strategy, seems unlikely to depart from the course set by Uribe. The crisis of internal displacement was almost completely ignored during the 2010 presidential campaign. The change in leadership may represent the best hope in years to break free from the inertia of the past and engage in dialogue on how to best meet the needs of affected and vulnerable populations. It remains to be seen whether donors will take up the challenge or whether the crisis in Colombia will remain invisible and intractable.

### Scale of displacement

For decades there has been controversy about the number of IDPs. It is difficult to differentiate economic reasons for migration to cities from those linked directly to conflict, violence and human rights violations (Albuja & Ceballos 2010). In recent years, increasing numbers have been displaced not by large-scale military campaigns, but by NIAGs seeking to clear land for palm oil, ranching or other agro-pastoral enterprises, mineral and oil exploration or hydro-electric installations. According to the Colombian government in March 2009, there were 2.98 million IDPs registered in the *Registry of the Displaced Population* (RUPD) – the official IDP registrar. The leading IDP advocacy agency, the *Consultoría para los Derechos Humanos y el Desplazamiento* (CODHES), estimates that in the past 25 years the total number displaced is some 4.92 million of whom 286,000 were displaced in 2009 (CODHES 2010). IDPs as a proportion of the total national population are generally believed to be between 5.4 percent (Ibáñez & Velásquez 2008) and 8.6 percent (Carrillo 2009).

Many IDPs are either unaware of their rights, do not seek registration or are turned down. Those who flee military operations to eradicate illicit crops or whose livelihoods have been destroyed by aerial spraying are unable to get registered. It is thought that only half the IDP population in Bogotá are registered (Albuja & Ceballos 2010). Given the large number not included in the RUPD, some analysts believe that one in ten Colombians is internally displaced. Many organisations interviewed by the HRI team – including donor government representatives – speculated that official IDP figures were deliberately downplayed during the end of the Uribe administration so as to paint a positive picture of its 'post-conflict' achievements and enhance Santos' election prospects.

### Plight of the displaced

For many IDPs, access to basic services such as health is irregular.

This particularly affects IDP women who bear more children, have less access to contraception and have rates of sexually-transmitted infections greater than those of non-displaced Colombians (Quintero & Culler 2009). There is a high rate of family breakdown in urban places of refuge as unemployed IDP men lose their patriarchal role as family providers (Vélez & Bello 2010). IDPs are victims of crime in environments on the edges of cities with limited police presence and active criminal gangs. Residents of host communities sometimes try to cash in on the assistance received by IDPs, robbing them of cash aid or intimidating them into handing over vouchers and food (Carrillo 2009).

Their low level of education, rural livelihood skills – together with the fact that a significant number are doubly discriminated against as they are Afro-Colombians – make it difficult for IDPs to enter the formal urban economy. If they can find casual employment, male IDPs are often construction labourers, porters, vendors or car washers while women generally work as domestics or street vendors. On average, they earn between a half and two thirds of the legal minimum wage (Carrillo 2009). Women, children and older people often beg. IDPs are generally ineligible for government plans to legalise informal settlements and are forced to live in high-risk areas such as unstable hillsides or riverbanks. Many IDPs do not have a financial and credit history and cannot get mortgages to enter the formal land and property market.

There are numerous conflicts between IDPs and the rights of others (Celis 2009). Central and local administrations face the challenge of striking a balance between providing targeted assistance for IDPs and assisting the general urban poor, many of whom resent positive discrimination in favour of IDP incomers. Extreme urban poverty results in many non-displaced people claiming IDP status, thus adding to agencies' verification burdens. The fact that IDPs are geographically dispersed, frequently move and do not generally participate in local elections – either out of apathy

or because of intimidation from armed urban non-state actors – means that few local politicians have any interest in cultivating or supporting them (Ibáñez & Velásquez 2008).

### State denies humanitarian crisis

Previous HRI reports have noted the astuteness with which the Uribe administration sought to render the humanitarian crisis invisible (Hidalgo 2007 and Espada 2008 & 2009). The government now asserts that FARC is no longer an organised non-state actor – but simply a remnant band of “narco-terrorists”. Its post-conflict discourse asserts there is no armed conflict, only a security and anti-narcotics situation that the state has the capacity to handle without international intervention, attention or scrutiny. The government cites the example of Provincial Reconstruction Teams (PRTs) in Afghanistan (where the military coordinates and provides “security” for humanitarian and development activities) to argue its approach is in accordance with international norms. The fact that Colombia is a middle-income country with well-functioning public institutions, a judicial system that acts as a counter-weight to the administration and a legislative framework acknowledging IDP rights further reinforces the official position.

The effects of the conflict are largely felt in rural areas – disproportionately affecting Afro-Colombians, indigenous communities and women – and thus, far from the concerns of most urbanites. Though the majority of IDPs are in cities, they often maintain a low profile. Relatively little is known about urban IDPs, making it hard for humanitarian organisations to estimate their numbers, assess their assistance and protection needs or understand whether or how their situation differs from that of the urban poor (Howe 2010). While the legal status of *desplazado* is a form of positive discrimination (see below) it is also a stigma. Long-term residents of urban areas are often unsure whether to regard IDPs as victims, murderers, criminals or accomplices of armed groups. Invisibility – whether driven by low self-esteem or fear – is often their main survival strategy. As a result, the humanitarian crisis remains largely invisible not only to non-affected

Colombians but also to the diplomatic community in Bogotá. This factor – together with Western geo-strategic support for Colombia – regarded as a reliable partner unlike such nearby states as Venezuela, Bolivia and Ecuador – helps explain why in recent years donor governments have been generally reluctant to openly challenge the government on humanitarian issues.

During its mission, the HRI team was told, with widespread regret, that the needs of IDPs are extremely overlooked in mainstream political discourse. Interestingly, even representatives of the *Agencia Presidencial para la Acción Social y la Cooperación Internacional (Acción Social)* – the state agency responsible for IDP registration, compilation of official statistics and coordination of assistance to *desplazados* – lamented the lack of public interest in displacement.

### Government response to displacement

Colombia has a substantial corpus of IDP legislation, a legacy of years of civil society activism and painstaking marshalling of evidence which has led the Constitutional Court of Colombia to issue a series of judgements setting out IDP rights and entitlements and to assume a role monitoring state progress in adhering to past court rulings. In 2009, a further Constitutional Court writ linked displacement with the extinction of indigenous peoples and urged the government to end pervasive discrimination and exclusion. Such judicial activism is not welcomed by many politicians and civil servants (Celis 2009).

The legislative framework defines three phases of assistance to conflict IDPs: prevention, humanitarian assistance and socio-economic stabilisation. *Acción Social* is the lead IDP agency but does not have a substantial presence in many areas where conflict and displacement is greatest. Interviewees told the HRI team that *Acción Social* rejects a significant proportion of claimants.

Alongside *Acción Social* are a wide range of other state actors administering diverse mechanisms for prevention, protection, humanitarian response and stabilisation. The high level of mistrust and poor cooperation between them

parallels the mistrust between state and civil society and IDPs and host communities (Meertens 2010). Local governments are given responsibilities to assist IDPs but insufficient resources (Ibáñez & Velásquez 2008). Humanitarian assistance is often delayed: it can take up to two years between displacement and receipt of the first humanitarian aid (Albuja & Ceballos 2010). IDPs are regularly forced to resort to court proceedings to claim entitlements (Lari & Teff 2009).

A former Constitutional Court justice has put achievement of the IDP-friendly legal framework in perspective, regretting that “permanent migration of the newly displaced population into most of the country’s municipalities has provided a significant reminder of the law’s inherent limitations in the face of a complex and protracted armed conflict. Regardless of how strongly IDPs’ constitutional rights are protected by the country’s activist judges, the persistence (and, in some instances, the intensification) of the conflict in Colombia will continue to generate masses of uprooted citizens” (Cepeda-Espinosa 2009).

The Colombian state – in contrast with most nations facing mass displacement crises – accepts the reality that local integration in urban environments is IDPs’ preferred option. However, Uribe also promoted returns and made efforts to provide social support to returnees in programmes – substantially funded by the US – intended to demonstrate that conflict is definitively ended. There are no accurate overall figures, but it has been estimated that around 30,000 people have returned – less than one percent of the IDP population (Internal Displacement Monitoring Centre 2009). The Office of the United Nations High Commissioner for Refugees (UNHCR) has listed three, seemingly insuperable, key challenges to durable solutions for IDPs and the several hundred thousand Colombian refugees in neighbouring states: imperfect registration; failure to resolve land disputes and the need for public policies to recognise the differentiated protection risks and needs of women, men, children, youth, indigenous, Afro-Colombians, older people and those with disabilities (Peace Brigades International 2010).

Strategies to eradicate illicit crops have become tools to support the government’s security objectives. The government’s policy of solely viewing coca cultivation as a financial resource for the guerrillas has led to neglect of the social, economic and political problems affecting coca-growing communities (Vargas Meza 2009). During the HRI mission, there were frequent assertions that the government does not recognise the humanitarian consequences of anti-narcotics policies.

### Accelerated erosion of humanitarian space

The security forces’ counter-insurgency strategy is largely based on the premise that those living in conflict areas are part of the enemy, simply because of where they live, labelling whole communities as “sympathetic” to guerrilla forces. The tactics used by the government to achieve recent military successes have demonstrated an increasing disrespect for humanitarian principles. The government remains unapologetic about the July 2008 Operation Jaque which freed 15 hostages, including former Colombian presidential candidate Íngrid Betancourt. It

succeeded because the Colombian military posed as International Committee of the Red Cross (ICRC) representatives, using the Red Cross emblem on military assets in a flagrant violation of international humanitarian law which puts future access to hostages at risk (Uozumi 2008) and threatens to undo the hard-won reputation for impartiality which has given the ICRC and the Colombian Red Cross unique access to populations of concern in conflict areas (Geremia 2009).

In March 2010, the UN Special Rapporteur on Extrajudicial Executions presented evidence that “security forces have carried out a significant number of premeditated civilian murders and fraudulently presented the civilians as ‘killed in combat’”, also regretting that the government provides incentives to individual soldiers for combat killings (Human Rights Council 2010). The state’s security agenda, “despite using the language of civilian protection and human rights, has in fact undermined respect for International Humanitarian Law and has failed to reduce levels of forced displacement and violence against civilians,” (Elhawary 2009).

*“The Colombian government is contributing to increasing displacement, disguising humanitarian needs and making the crisis more invisible.”*



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*The Plan de Consolidación* – a state strategy to restore authority and services in territories liberated from FARC – is bolstered by Presidential Directive 001 which essentially restricts humanitarian access by “requiring” humanitarian actors to “coordinate” activities through the military and *Acción Social*. The UN Committee on Economic, Social and Cultural Rights has expressed concern that the directive does not allow for genuine consultation with Afro-Colombian and indigenous IDPs (UN Economic and Social Council 2010). Despite its progressive rhetoric, “the government’s policy converts humanitarian action into an instrument for achieving distinct non-humanitarian objectives, without consideration of the impartiality, neutrality or independence of humanitarian organisations” (Marcos 2009). Most humanitarian agencies interviewed by the HRI team contest the government’s assertion of civilian leadership and note that the military is clearly in operational control. They report that soldiers are often present at health clinics and other places where humanitarian or state actors provide services. Many civil society actors are being co-opted by the state and by the armed forces (Marcos 2009), making them acutely vulnerable when the state is unable to ensure security in newly “liberated” areas. Once military personnel withdraw, FARC and other paramilitaries commonly enact reprisals against civilians and humanitarian organisations deemed to be “collaborators”.

There is a climate of mistrust between the state and humanitarian actors. Many organisations interviewed reported instances of intimidation such as theft of sensitive UN and NGO documents, including beneficiary lists and contacts for programmes working with youth at risk from forced recruitment to FARC. Many humanitarians have received written threats from paramilitary groups. Several respondents told the HRI team that these often contain specific operational information which could only have been provided by Colombian government intelligence sources.

The fact that most of the donors active in Colombia also participate in PRTs in Afghanistan makes it extremely difficult for donor governments to argue for non-intrusion into humanitarian space without appearing hypocritical. It is thus next to impossible to forge a consensus on how to approach humanitarian advocacy. The European Commission Humanitarian Office (ECHO) reported that they had tried unsuccessfully for a month to meet with their United States (US) counterparts. Interviewees also reported that a proposal to establish a donor working group to discuss the implications of the *Plan de Consolidación* and lessons from the use of PRTs in Afghanistan was not acted upon.

### Protection concerns

As a result of mistrust between the government and human rights defenders – and little advocacy from the international community – there is limited dialogue on integrating human rights protection and security in rural areas where the government’s early warning system to prevent human rights violations is judged to be useless (International Crisis Group 2009) and seriously underfunded (Human Rights Watch 2010). Kidnappings, disappearances and crimes of sexual violence often go unreported especially those perpetrated by armed groups. Survivors of sexual violence lack confidence in judicial systems infiltrated at local level by illegal armed groups (Lari & Teff 2009). It is highly dangerous to lead an urban IDP association.

### Donors: fatigued and unsure

As a result of acceptance of the government’s campaign to discourage international engagement in the displacement crisis, Colombia does not have a Consolidated Appeal Process (CAP). In 2009, the UN Humanitarian Coordinator acknowledged the limited international presence on the ground and the need to do more to strengthen the protection of civilians (Moro 2009). Very few of those interviewed by the HRI team mentioned the needs of the chronically vulnerable displaced and do not have any long-term vision of how their needs can be addressed. The fact that many of their counterparts

came from political affairs or development backgrounds hampered efforts to develop a common stance towards the Uribe government. In the words of one donor representative, “Most of them have little knowledge or understanding of humanitarian action, making it difficult to engage in meaningful conversations with my counterparts in other embassies or agencies.”

The government’s discouragement of humanitarian programming means that donors and humanitarian agencies have had to disguise and repackage humanitarian assistance under different programme and budget lines. Much of the funding that, in other contexts, would be considered humanitarian is packaged in Colombia as post-conflict and development assistance. This has led to a fragmentation of donor funding and makes it next to impossible to fully assess the extent of humanitarian action in Colombia. Figures provided by the Financial Tracking System (FTS) thus present only a partial picture.

Nevertheless, according to reported to FTS, there was an increase in humanitarian funding in 2009 (from US\$41.4 million to US\$54.8 million). There are relatively few humanitarian donors and most have provided consistent long-term support. ECHO was by far the largest FTS-recorded donor in 2009 (28.5 percent of the total), followed by Norway (12.1 percent), Germany (11 percent), the US, Netherlands, Canada, Switzerland and Sweden. 9.3 percent came from the Central Emergency Response Fund (CERF).

Both donor representatives and humanitarian agencies interviewed said that it was a constant struggle to get publicity and funding. Thus, the fact that key donors have maintained support is somewhat of an achievement. High level visits by the heads of ECHO and the Swiss Agency for Development Cooperation (SDC), as well as a 2009 visit by the UN Emergency Relief Coordinator (ERC) helped to keep some international attention on the conflict.

The US, like many other donor governments, is not primarily focused on humanitarian needs but rather wider geo-political interests. The US is believed to have spent US\$400 million in 2009 on military and police assistance and US\$240 on economic and social assistance (Center for International Policy 2010). The US Agency for International Development (USAID) acknowledges a policy objective to “strengthen the credibility and legitimacy of the Government of Colombia (GOC) in post-conflict areas...” and “to increase the willingness and capacity of communities to cooperate and interact with the GOC” (2010). FTS figures indicate that only US\$5.3 million of US assistance in 2009 was registered as humanitarian assistance (OCHA 2010b).

The fact that Colombian government allocations for humanitarian activities are greater than the total provided by external donors limits possibilities for leverage and advocacy. In 2009, *Acción Social's* budget was approximately US\$42.7 million. The Santos administration has pledged to double the budget, pushed to do so by a Constitutional Court ruling (Espada 2009).

Switzerland and Spain were singled out by many humanitarian organisations interviewed for not accepting the government's stance and for explicitly framing their humanitarian assistance as a response to armed conflict. Other donors preferred not to openly disagree with the government. In the words of one donor representative, “What's the point of arguing over the terminology? Is this an armed conflict or not? At the end of the day, our aim is to meet humanitarian needs, and antagonising the government puts that at risk. So it's better to keep a low profile rather than jeopardise our programming.”

This stance is deeply disappointing for the overwhelming majority of the humanitarian organisations interviewed. There is a near universal demand for more action from donors. One non-governmental organisation (NGO) representative summed up the prevailing mood: “we need them to stand up to the government and let them know that Presidential Directive 001 is unacceptable as it

is compromising our work!” The HRI team was told by UN and international non-governmental organisation (INGO) representatives of great disappointment at the failure of the ERC during his visit to publicly declare the crisis an armed conflict and to hold the government to account for its role in continuing it.

Donors that were mentioned for taking a stronger advocacy role included Spain, Switzerland and Sweden. ECHO, Canada and Sweden were also praised by many of their partners for carrying out monitoring visits in the field and accompanying humanitarian actors and affected populations. “We need them with us in the field to let the government and military know we have political support from donor governments,” said one NGO representative. “It also helps them to counter-balance the arguments presented by *Acción Social* and others.”

### Poor coordination of humanitarian response

All the actors interviewed by the HRI team expressed concern about the lack of effective coordination. Government insistence on trying to channel and coordinate humanitarian assistance through *Acción Social* and the military is the major impediment for coordination. The few humanitarian actors interviewed during the HRI mission who had accepted government conditions were extremely negative about working through *Acción Social* and complained of constant political interference.

The UN Resident Coordinator (RC) is “double-hatted”, also serving as Humanitarian Coordinator (HC). Most organisations interviewed by the HRI team report the RC/HC is far too diplomatic and fails to vigorously pursue advocacy or coordination opportunities. Others, however, do credit him with some discreet advocacy successes. Given the weak position of OCHA and the disincentives for coordination amongst actors, ECHO attempted to facilitate “underground coordination” by sponsoring technical roundtable discussions with their partners on specific programming issues, such as water and sanitation and tried to share information and analysis. OCHA and other actors, including donors, were often invited. This was

well appreciated by ECHO's partners. But even ECHO recognised this as an inadequate and improvised mechanism for coordination, and called for more coordination. UNHCR and the ICRC used briefing meetings with donor government embassies as another informal mechanism for information sharing. The Inter-Agency Standing Committee (IASC) has also established technical working groups (not clusters) in different regions of Colombia.

Considering that some actors have had an operational presence for many years – in the case of OCHA and ECHO for over a decade – there is surprisingly little evidence of mid- to long-term planning or incorporation of lessons learned into donor strategies or plans. ECHO's planning and financing is still done on a one-year cycle, despite the obvious need for continuity in programming in order to meet the recovery needs of the long-term displaced. This position is partly the result of EC policies. To its credit, according to its partners, the ECHO office in Bogotá has tried to maintain maximum flexibility.

Switzerland was one of the few donors reported to have a clear strategy of linking its other programming under a humanitarian umbrella (and not the other way around). It stands out for having a mid-term plan, two to three year funding commitments and plans to develop exit strategies and to sustainably build local capacity to continue interventions it supports. Switzerland was also one of the few donors to reference more recent developments in programme quality and humanitarian accountability, integrating “Do No Harm” into its policies and actively attempting to integrate mid-term reviews and evaluations.

OCHA has steadily cemented its position as a focal point for the multiple UN agencies present in the country. However, OCHA has to walk a delicate tightrope. Most UN agencies work directly with the government on longer-term development programmes. They are – with the exception of UNHCR and the UN Children's Fund (UNICEF) – reluctant to accept OCHA's lead role in coordination and wary of assertive UN advocacy on humanitarian issues.

## Lessons learnt and recommendations for the future

Colombian government strategies are contributing to increasing displacement, disguising humanitarian needs and making the crisis more invisible and harder to resolve. There is a palpable sense of fatigue and resignation among donors and humanitarian actors and division about how to challenge the government agenda. For many, it is easier to acquiesce – without regard to the needs of vulnerable populations. The end result is that there is no coherent international approach to ensuring access to vulnerable populations and addressing the root causes of the crisis.

There is an urgent need for:

- 1 Dialogue:** All actors, including the Colombian government, need to reach agreement to allow humanitarian space and recognise the rights of those affected conflict and displacement.
- 2 Focus on IDPs:** It could be argued there is too much detailed analysis on the nature of the conflict, counter-terrorism strategy and the drugs trade, yet not enough understanding of the needs and concerns of the displaced. Their voices and perspectives are missing from the discourse of almost all actors.
- 3 Accountability:** Colombia seems isolated from development of good practice elsewhere. There is little concern around accountability to beneficiaries. International actors must redouble efforts to encourage *Acción Social* and other Colombian actors to systematically include affected populations in planning and decision-making.
- 4 Learning from experience:** It is disturbing that after decades of humanitarian response – in a context where there has been relatively low staff turnover compared to most crises – that there have been so few lessons learned and such continued short-term focus.

**5 Long-term strategies:** Most planning and interventions seem to be reactive, with little long-term analysis or investment in development-focused programmes to provide durable solutions for IDPs. The new patterns of conflict and displacement have created further protection and assistance challenges. The Colombian government, donors and humanitarian actors need to work together to understand and address them.

**6 Coordination:** The UN and donor governments must assume leadership and create a unified form to bring humanitarian issues to the forefront of political life. Coordination must meaningfully engage with government agencies such as *Acción Social*, but on the basis of respect for humanitarian principles.

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- Information based on field interviews with key humanitarian agencies in Colombia from 2 to 8 May 2010, and 87 questionnaires on donor performance (including 77 OECD/DAC donors).**
- The HRI team, composed of Eva Cervantes, Iñaki Martín-Eresta, Ana Martingui and Philip Tamminga (Team leader), contributed to this report. They express their gratitude to all those interviewed in Colombia.







*Crisis reports*

# **Democratic Republic of the Congo**

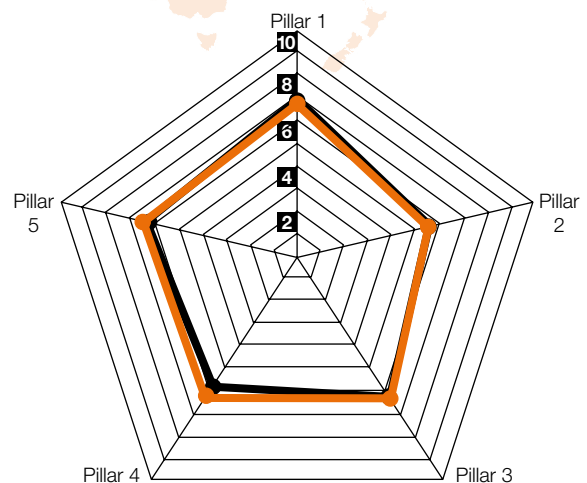
## Democratic Republic of the Congo at a glance

### The crisis and the response

- Limited progress in finding durable solutions for 1.8 million IDPs and 440,000 refugees displaced by protracted conflict.
- Humanitarian crisis continues due to slow progress on security reform, restoration of state authority in conflict areas and delivery of basic services.
- While in 2008 the Democratic Republic of the Congo (DRC) was the second largest recipient of humanitarian assistance, the 2009 CAP was only 66 percent covered and as of October 2010, the 2010 appeal is only 52 percent covered.
- Contributions to the pooled fund declined in 2009.
- Following a government request, the UN agreed in July 2010 to rename the UN Mission to the DRC (MONUC), clarify its stabilisation mandate and begin a process of reducing the number of peacekeepers.
- Launch of the Congolese government's Stabilisation and Reconstruction Plan for Eastern Congo (STAREC) has sparked concerns at a potentially premature transition from humanitarian assistance to recovery and development. Some fear rushed repatriation of refugees and failure to resolve land disputes could retrigger ethnic conflicts.

### Donor performance

- There is a disproportionate focus on conflict-affected eastern regions, rather than a needs-based approach to equally impoverished regions of DRC.
- Donor support for enhanced coordination mechanisms has improved ability to identify needs and expand assistance.
- Lack of media attention is diverting donor interest as new high-profile crises in Haiti and Pakistan capture headlines.



— Democratic Republic of the Congo  
— All Crisis Average

#### HRI 2010 scores by pillar

- Pillar 1** Responding to needs
- Pillar 2** Prevention, risk reduction and recovery
- Pillar 3** Working with humanitarian partners
- Pillar 4** Protection and international law
- Pillar 5** Learning and accountability

### Key challenges and areas for improvement

- Donors should recognise the state's currently limited capacity to guarantee security and provide greater funding for protection interventions and long-term support for conflict victims.
- Donors should fund more equitably across DRC: this could both promote national stability and improve the local image of donors.
- Donors need to offer more support to build government, civil society and local capacity.

## Democratic Republic of the Congo

### *Bumpy Transition to recovery*

The Democratic Republic of the Congo (DRC) is at a crossroads. Looking to the post-conflict future, the Congolese government has launched a Stabilisation and Reconstruction Plan for Eastern Congo (STAREC) for those pacified areas to which the displaced are returning. In the build-up to presidential elections scheduled for 2011, Congolese President Joseph Kabila is keen to minimise perceptions of United Nations (UN) tutelage. In May 2010, the UN Security Council responded to his request to downscale

the role of the UN by revising the mandate of the UN Mission in the Democratic Republic of the Congo (MONUC), initiating a phased, but still indeterminate, withdrawal of UN peacekeepers.

However, the crisis is far from over. For several years, DRC has not resembled a classic humanitarian emergency but, rather, a series of localised and inter-acting humanitarian crises within a broader context of a crisis of state legitimacy and authority. Stability is returning in some areas but conflict and significant human rights violations continue mainly, but not exclusively in the eastern provinces. Although some internally displaced persons (IDPs) have returned home there are still approximately 1.8 million – the vast majority in North and South Kivu (OCHA 2010). There are around 440,000 DRC refugees in neighbouring countries. Extreme poverty is endemic throughout a country which ranks 176th of 182 countries on the Human Development Index.

If this giant country, the size of Western Europe with nearly 70 million inhabitants, were to relapse into instability there would be wider destabilising effects as DRC borders on nine countries. It is critically important to rebuild state institutions and national capacities so that policies and programmes can be effectively implemented both for the conflict-affected populations in the east and the impoverished majority in the rest of the country. The government needs continued international support if it is to disarm rebels, introduce

the rule of law, reform public services and the security sector and implement recovery programmes. It is disappointing that DRC now has a low media profile and donor response to current needs remains inadequate.

### **Potential for further instability in eastern Congo**

The arrest of Laurent Nkunda, leader of the *Congrès National pour la Défense du Peuple* (CNDP) in early 2009 and rapprochement between DRC and Rwanda led to the “integration” of CNDP forces within the *Forces Armées de la République Démocratique du Congo* (FARDC) – the DRC army. The policy of *brassage* – according military rank and other privileges to CNDP and other militia leaders in return for allegiance to the state – has swollen the FARDC ranks with ill-disciplined troops, loyal to warlord commanders, poorly paid, if at all, and prone to pillage, exploit and rape local populations. Further exacerbating instability, thousands of former combatants have not received reintegration benefits and could be tempted to join new illegal militias.

Military gains as a result of joint FARDC/MONUC operations are hard to consolidate in a situation of ever-changing rebel configurations and shifting alliances. With the state unable to ensure security, some communities have resorted to establishing self-defence militias, thus further adding to the proliferation of armed groups. Most eastern Congolese, including civil society representatives, perceive the process of integrating CNDP fighters and the assisted return of Tutsi Congolese, who had fled to Rwanda, as political victories for Rwanda. These developments further exacerbate an already explosive socio-political situation in the eastern provinces.

### **Uncertainty around MONUC withdrawal**

Established in 1999 with a Chapter VII mandate entitling it to use armed force, MONUC has been the largest and most expensive peacekeeping intervention in history. It has more than 20,000 personnel and an annual budget of US\$1.3 billion. The contradiction inherent in its dual mandate of protecting civilians while also helping the FARDC to disarm rebel groups and restore state authority has been a fundamental challenge. MONUC has its critics but most observers agree “its presence has helped avoid implosion in eastern Congo,” (Berwouts 2010).

Immediate fears of a premature withdrawal have been allayed by the Security Council’s decision to maintain the mission until 30 June 2011. The change in MONUC’s mandate was accompanied by a name change in June 2010. The new UN Organization Stabilization Mission in the DRC (MONUSCO) has been “authorized to use all necessary means to carry out its mandate relating, among other things, to the protection of civilians, humanitarian personnel and human rights defenders under imminent threat of physical violence and to support the Congolese government in its stabilization and peace consolidation efforts,” (MONUSCO 2010). There are doubts, based on past experience, about the government’s commitment to this UN-formulated agenda, as well as the ability of the Special Representative of the Secretary-General (SRSG) and his team to mobilise resources to implement it, especially at a time of changing UN leadership with the departure in mid-2010 of the SRSG and the UN Force Commander.

There are many misgivings about a post-MONUSCO future. Many feel only the presence of UN peacekeepers contains additional violence and provides any element of protection for civilians (Refugees International 2010). There are fears that humanitarian space in the east would once again be closed off given the apparent reluctance of the Congolese government to reform DRC’s “weak and abusive security sector,” (Oxford Analytica 2010). There are doubts about the DRC’s capacity to implement recently-introduced mechanisms to effectively combat child soldiering (Roberts 2010). In the current political climate in DRC, MONUSCO would be well advised to greatly reduce its visibility in Kinshasa and most of the west and to redouble its efforts to control and to support, and not replace Congolese services and institutions.

### **Protection: the ultimate challenge**

An April 2010 survey of the experience of those caught up in military operations in North and South Kivu indicated appalling protection failures. In three quarters of communities, respondents were against continuing military offensives against rebels, preferring political reconciliation. Almost all those interviewed had experienced looting and individual or gang rape at the hands of both rebels and the FARDC. Three quarters of women said insecurity had increased (Oxfam 2010). In September 2010, Human Rights Watch called on the government and the UN to do far more to protect IDPs, noting that many have been coerced into returning home against their will without adequate UN follow-up of their subsequent fate in highly insecure areas of return (Human Rights Watch 2010).

The UN’s 2010 Humanitarian Action Plan (HAP) has an ambitious protection strategy. It includes advocacy, prevention, early warning, assistance, rehabilitation, resettlement, demobilisation and legal redress. There is a welcome attention to the reinforcement of capacities and systems. Headed by the UN High Commissioner for Refugees (UNHCR), the protection cluster is composed of diverse actors with different mandates and modes and means of intervention. The protection cluster is responsible for the protection and prevention pillars of DRC’s national strategy to combat sexual violence. Despite the government’s “zero-tolerance” policy for the security forces, sexual violence persists. There have been an alarming number of cases now reported outside the zones of conflict. Congolese NGOs say that numerous cases of assassination, torture and harassment of human rights advocates are going unpunished (Chaco 2010).

International agencies with a protection mandate are often forced into uncomfortable alignment with MONUC/MONUSCO’s military and political arms, undermining their perceived neutrality and impartiality. It is impossible in the vastness of eastern Congo, with its shifting combat lines, to ensure the regular on-the-ground presence necessary for the adequate protection of civilians. Flights provided by the European Commission Humanitarian Aid Office (ECHO) and the UN Humanitarian Air Service (UNHAS) have facilitated humanitarian access to larger centres, but insecure and remote zones are mostly only accessible by using MONUC air transport. For many non-governmental organisations (NGOs), this compromises their neutrality and impartiality. Limited access makes it very difficult to conduct investigations, monitor and assess needs, and deliver assistance while rendering it virtually impossible to maintain a regular humanitarian field presence in locations where protection needs are greatest.

It is thus vital to develop local response capacities and to mainstream protection into all humanitarian interventions, especially considering that populations have suffered retaliation from rebel combatants simply because they have accepted assistance. In North Kivu, returning IDPs have often been targeted for attack by FARDC elements who accuse them of supporting the *Forces Democratiques de Liberation du Rwanda* (FDLR) – a Hutu militia containing many perpetrators of the 1994 genocide in Rwanda. Returning refugees are equally, if not more, vulnerable. The anticipated repatriation of refugees currently in Rwanda, Congo and DRC needs to be closely monitored and their rights protected.

Many of those interviewed by the Humanitarian Response Index (HRI) team expressed regrets that protection is not a donor priority. Only 12 percent of the sum sought in the 2010 HAP has been covered. This is despite the fact that it is a MONUSCO priority. The team was told that for a year the cluster did not have an NGO co-lead.

### Premature transition from humanitarian assistance to recovery and development?

STAREC is designed to improve security and support restoration of state authority in former conflict zones, while facilitating the return of IDPs and refugees, and initiating socio-economic recovery and reconstruction. To be implemented primarily through the UN system, but with government approval, it has no clearly defined role for Congolese NGOs. STAREC faces the constraints of weak capacities in its five target provinces and potential politicisation. Many fear it is based on political, rather than humanitarian, needs. Congolese civil society warns that STAREC was initially designed to facilitate the return of Congolese refugees from Rwanda and thus addresses a Rwandese, rather than a Congolese,

political problem. Donors have not heeded this critique. They focus disproportionately on STAREC components addressing sexual and gender-based violence (SGBV) but show little interest in supporting peace-building and reconciliation. There is a rush to implement STAREC repatriation programmes without building the consensus needed in a region which has been so crippled by 15 years of ethnic and land conflicts. Popular opposition to STAREC and refugee repatriation should not be under-estimated. In October 2009, UNHCR offices in the northern area of North Kivu were ransacked, forcing UNHCR to leave and to now operate remotely through NGO partners.

Many NGOs assert that it is premature to talk about stabilised areas. While the humanitarian community agrees with the government and donors that agricultural recovery is of paramount importance, they point out that many people have no safe place to cultivate and that little is being done to resolve conflicts over land, especially in areas where in the 1970s the regime of Joseph Mobutu gave land titles to supporters.

### Inadequate donor response

In 2009, DRC was the second largest recipient of humanitarian assistance in the world. The 2009 HAP mobilised US\$623 million, exceeding the US\$565 million received in 2008, but was still only 66 percent of the revised HAP budget of US\$946 million.

The 2010 HAP retains four strategic objectives from the 2009 HAP (civilian protection; reduction in mortality and morbidity; assisting IDPs returnees and host communities and restoring the means of subsistence) but eliminated the fifth, promotion of short-term community recovery. It thus focuses on “purely humanitarian”, leaving post-crisis and recovery principally to STAREC.

There is now evidence of donor fatigue. In June 2010, two major international NGOs (INGOs) announced cutbacks in programmes in eastern DRC due to lack of funds. As of mid September 2010, the 2010 HAP was only 49 percent covered. Health was 20 percent funded, water and sanitation 18 percent. Lack of adequate and predictable protection is set to have grave consequences for programmes for children formerly associated with armed groups, which if interrupted are difficult to restart because clients disappear and specialised NGO staff move on. Many humanitarian actors expressed their regret to the HRI team that at the time of the mission the logistics cluster had received no support whatsoever from donors.

The United States (US) is the major responder to the 2010 HAP, providing 28 percent of total humanitarian assistance. The United Kingdom (UK) has provided 11.5 percent, the European Commission (EC) 11.5 percent, Sweden 6.6 percent and 4.5 percent has come from the Central Emergency Response Fund (CERF). Continued dependence on three major emergency donors – the US, the EC and the UK – creates uncertainty. The “big three” have DRC-based staff with humanitarian expertise, decentralised authority and country knowledge that is influential in the *Good Humanitarian Donorship* (GHD) group and the other coordination fora. Some prominent donors, such as France, Spain, Denmark and Switzerland, are not pulling their weight. Lack of international media coverage, competing demands from STAREC and massive emergencies in Haiti and Pakistan are having an impact. The US has announced a cut of 40 percent in DRC funding for 2010. Many interviewees told the HRI team that it was now hard to find qualified French-speaking staff as they are all in Haiti.

DRC offers a stark example of the need for longer-term donor funding for protracted humanitarian crises, closer to development timeframes and modalities to ensure continuity of response. A good example of short-term funding is provided by ECHO. The sum it allocated for trucking water in South Kivu (eight million € over 13 years) could have rehabilitated sustainable water supply systems for all urban areas of the province.

The 2010 HAP covers the entire country, but two thirds of the budget allocation is for the crisis-affected provinces of Orientale, Equateur and the Kivus. This disproportionate assistance to the east is the result, as the HRI team was told, of the sad reality that “humanitarian aid goes where there is a camera”. This eastern bias creates widespread resentment in other provinces which receive only limited government and donor development funding to tackle serious structural problems of acute poverty, chronic malnutrition and lack of services.

When Kabila became the first democratically-elected president in 2006, the international community celebrated the election as a milestone, but in recent years the president’s office has curtailed the powers of the parliament and judiciary. Civil liberties are regularly threatened, and key institutional reforms – decentralisation and the security sector – have made no significant progress. Despite this authoritarian trend, the international community has remained mostly silent (International Crisis Group 2010).

### Coordination and cluster assessment

The contribution of all nine clusters is critical in view of the complexities of coordinating the almost 300 partners of the 2010 HAP and the almost 130 funding sources. An interviewee told the HRI team that while “DRC is considered a model of humanitarian reform, the focus is put on the process and not on the outcomes”. Some NGOs report that the cluster system is, in effect, a lobbying forum, rather than a needs-based coordination mechanism. The HRI team was also informed that the quality of a cluster still remains far too dependent on its leader, a comment echoed by humanitarians in many other crisis contexts. Views expressed to the team broadly reflect those in an evaluation commissioned by the Inter-Agency Standing Committee (IASC). This pointed to achievements but noted that coordination remains overly Kinshasa-focused and roles and responsibilities between national, provincial and sub-provincial coordination groups and fora are unclear. Sharing of good practices is limited. The Pooled Fund (PF) is negatively impacting cluster efficiency and creating time-consuming meetings. The evaluators found little added value in having dedicated cluster coordinators and noted that the concept of provider of last resort remains very weak. There are systematic frictions among UN agencies (Binder et al. 2010).

### Humanitarian reform process in DRC

DRC has served as a humanitarian reform pilot with innovations such as pooled funding, the cluster approach, inclusive coordination mechanisms, the first country level *Good Humanitarian Donorship* (GHD) group and a HAP with objectives and action thresholds in place of the traditional common appeal document. In 2009, the humanitarian coordination architecture was further enhanced by the creation of a Humanitarian Country Team (HCT), comprising key UN, bilateral and INGO actors, and eventually the government and representatives of Congolese NGOs. This has provided a much appreciated and innovative forum for reflection and resolution of strategic response issues.

Supported by Belgium, Canada, Denmark, Ireland, Luxembourg, the Netherlands, Norway, Spain, Sweden and the UK, the PF was established as a pilot in 2006. It is a funding mechanism made possible by the 2005 humanitarian reform. The UN Office for the Coordination of Humanitarian Affairs (OCHA) collaborates with the UN Development Programme (UNDP) to manage the fund. In 2009, donors contributed US\$139.1 million. By far the largest contributor was the UK’s Department for International Development (DFID) which provided US\$77.4 million. Only projects listed in the HAP are eligible for PF contributions. The PF has become the first source of funding of humanitarian programmes in DRC, used by UN agencies and international and national NGOs. In 2009, 81 percent of allocations were provided to nine UN agencies and the International Organisation for Migration. UNDP was the largest recipient, the agency transferring funds to 178 NGO-run projects, which together accounted for 45 percent of all disbursements in 2009 (UNDP 2010). Given the success of the PF, other countries are reportedly considering replicating this model (OCHA 2010).

The concept is widely appreciated in principle, as it helps ensure independence and neutrality, separating humanitarian aid from foreign policy and political considerations, as well as improved transparency in the allocation of humanitarian funds. NGOs are pleased that the proportion of total PF disbursements reaching NGOs has increased. However, in practice, the HRI team learned that NGOs are demanding operational improvements, including streamlining procedures and reporting, increasing the amount and period covered by grants, faster processing of requests and disbursements, better communication of directives and increased transparency regarding eligibility and funding decisions. Contributions to the fund declined in 2009 and the 2010 replenishment is seriously behind schedule.

### Humanitarian's observations and concerns

The HRI team learnt that there is a considerable distance between the global articulation of the *GHD Principles* and the local reality. There are wide variations among donors in regard to institutional incentives to engage and level of awareness of the GHD initiative. Many are primarily focused on development assistance. The HRI 2010 shows an overall improvement in the response since last year and a slight decline in support for protection and international law. Prevention, risk reduction and recovery has improved significantly since last year, but still lags behind and requires close attention from both humanitarian and development donors. Among other areas requiring stronger donor support are strengthening capacities for prevention, preparedness, mitigation and response (Principle 8), and the involvement of, and accountability to, beneficiaries (Principle 7).

UN agencies as cluster leaders exercise considerable influence over response strategies and resource allocations. The HRI team was informed that the United Nations Children's Fund (UNICEF) had declared itself ineligible for PF grants for the water, sanitation and hygiene (WASH) cluster that it leads in order to avoid appearances of conflict of interest. While this is laudable, it is, nevertheless, thought that as UN agencies receive the major part of the HAP resources, CERF and PF allocations: the system is too "UN-centric". Some NGOs complain of slowness and rigidity when accessing funding from the UN, and others assert that their cluster leadership role biases funding decisions in favour of UN agencies.

*"In DRC the focus is put on the process and not on the outcomes."*



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NGOs report considerable variations in practice among donors (and sometimes by the same donor) in areas such as procedural requirements, accessibility, flexibility, levels of support, costs, funding duration, preferred zones and sectors, field supervision and evaluation. One representative of an aid organisation reflected a common perception: "This is a complex crisis with rapid changes in the context and needs. There should be flexibility to allow programmes to adapt to these changes".

There is now considerable tension arising from diverging interpretations of legislation and multiple demands on NGOs to comply with labour law, taxation and import duties. INGOs report increased vulnerability to arbitrary exercises of power by poorly-paid local officials. The HRI team was told of many instances of corruption and pilfering of aid by civilian and military personnel. An INGO which fired corrupt staff reported receiving death threats and complained that they received no support from their donors or the UN.

There has been an accompanying increase in violent incidents involving NGO personnel. UNHCR told the HRI team of 116 attacks on humanitarian personnel in 2010. There are serious doubts about state capacity to investigate and protect humanitarian staff. Numerous NGOs report insufficient support from donors and UN agencies and believe they can do more to advocate for humanitarian worker's security.

When the authorities in North Kivu Province attempted to impose aid coordination mechanisms, NGOs judged them to be too restrictive and insufficiently attentive to humanitarian principles of independence, neutrality and impartiality. GHD donors and OCHA raised the issue with the authorities, and eventually the government developed a new statute for NGOs in collaboration with the Humanitarian Coordinator (HC), OCHA, UNDP, key NGOs and representatives of the provinces. This process revealed the extent to which some government officials have serious doubts about the quality, cost effectiveness, impact and even the ethics of NGO interventions.

The NGOs and Humanitarian Reform Project – a consortium of six major INGOs and the International Council of Voluntary Agencies (ICVA) – is working in DRC and four other countries to improve humanitarian coordination and promote NGO cluster co-leadership, participation of national NGOs and learning and accountability to beneficiaries (Humanitarian Reform Project 2010). However, much remains to be done. The HRI team was told that “DFID and ECHO are very proactive for improving coordination, whereas donors in general promote coordination within the organisations they finance and not globally. There is a need to put more pressure on UN agencies to improve coordination”.

### Building bridges to national development processes

Many humanitarian actors interviewed by the HRI team regretted that they were not included in the high-profile government-convened and World Bank/UNDP facilitated National Forum on Aid Effectiveness in June 2009. The forum adopted an agenda committing the government to develop a national plan to strengthen government capacities. It is equally important to ensure support to build capacity of Congolese NGOs and civil society. The poor humanitarian response to needs in Equateur province in early 2010 highlighted the need to reinforce capacity in provinces outside the conflict areas (where NGO presence is limited) that should include preparedness, early warning, rapid assessment and a clear structure and capacity for coordinated response.

Reinforcing capacities implies improving accountability, transparency and the good stewardship of resources by all parties, including humanitarian actors themselves. It is especially challenging to ensure transparency and combat corruption in locations where there are no banks, no competitive suppliers, weak supervision and poorly paid or unpaid local officials. Enforcing standards and imposing sanctions can unleash strong social pressures, passive resistance and even threats of physical violence. Although this is a sensitive issue, humanitarian actors should seek to formulate a common strategy, including complaint mechanisms, whistle blowing and sharing names of those guilty of unethical practices.

Some of these changes are occurring but at varying speeds, given resource constraints and high staff turnover rates. Among promising developments, the UK is providing technical support to reinforce monitoring and evaluation for the HAP. This should promote a wider recognition of evaluation as a means to improve performance and learning, rather than an imposed donor requirement. For some NGOs, evaluation is not sufficiently funded, especially when a UN agency is donor, and there is limited commitment to the use of evaluation results.

### Lessons learnt and recommendations for the future

It is important to demand acceleration of donor contributions for 2010, to replenish the PF and to continue to improve donor coordination and alignment of humanitarian and development instruments. It is not simply a question of additional funding, but ensuring that the right kind of funding is provided. It is particularly important to resource civil society and the government to build local capacity and to encourage locally-owned interventions which involve cost-sharing and community contribution.

The HRI team also urges attention to these areas:

- 1 Post-MONUC future:** Given the high levels of uncertainty over the future of international engagement in DRC – and the risk that further refugee repatriation will trigger conflict – the HC should lead a contingency planning exercise around MONUSCO withdrawal issues.
- 2 Equitable humanitarian funding:** In the interest of national stability, and donor image, the “eastern bias” needs to be rectified. There are grave emergency needs in many parts of DRC. The PF could become a way to reorientate aid across all areas in need.
- 3 GHD Principles:** The global GHD group should undertake a study on the challenge of putting the principles into practice. They should consider taking the health sector as a pilot case to explore the issues and strategies for a less bumpy transition to recovery.
- 4 Protection:** The protection cluster needs to flexibly combine funding with sources such as STAREC and poverty programmes to consolidate and further develop capacities to provide long-term support for victims of conflict, such as survivors of sexual violence and former child combatants. Donors must support the cluster to strengthen data quality and needs assessment, and continue to press for penalties for perpetrators. It is also important to recognise the dangers of excluding men from programmes.



**5 Security sector reform:** It is hard to envisage post-MONUSCO stability unless credible security forces are put in place. There is imperative need for security sector reform, improved monitoring and investigation of incidents and regional collaboration to combat groups operating in remote border areas. Donors and MONUSCO should use all channels to promote a coherent sector strategy with common coordination and monitoring mechanisms and agreed benchmarks. This seems to be emerging for the police and judiciary but not yet for the defence forces.

**6 Building Congolese capacity:** It is critically important to rebuild state institutions and national capacities so that policies and programmes can be effectively implemented both for the conflict-affected populations in the east and the impoverished majority in the rest of the country. Donors should support the UN to develop a plan for including national capacity building in HAP-funded interventions. The UN should strengthen provincial early warning and rapid assessment and response capacity in non-conflict affected provinces, strengthen government involvement in the humanitarian response, and improve the authorities' understanding and application of humanitarian principles. INGOs and UN agencies should promote local expertise through partnerships with NGOs and community actors and consider locating technical staff in national and provincial institutions.

**7 Improving information flow and coordination:** There is a need for cluster leadership to improve "downward" accountability to beneficiaries. It is necessary to ensure: a) improved information sharing between humanitarian actors and their government partners about evolving needs and programmatic responses, as well as the principles of humanitarian assistance and their operational implications; b) enhanced government participation in the humanitarian coordination mechanisms and c) joint monitoring of NGO performance against agreed quality standards.

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The HRI team, composed of Philippe Benassi, Covadonga Canteli, Ian Hopwood (Team leader), Pierre Leguéné and Alba Marcellán, contributed to this report. They express their gratitude to all those interviewed in the Democratic Republic of the Congo.





*Crisis reports*

# **Haiti**

## Haiti at a glance

### The crisis and the response

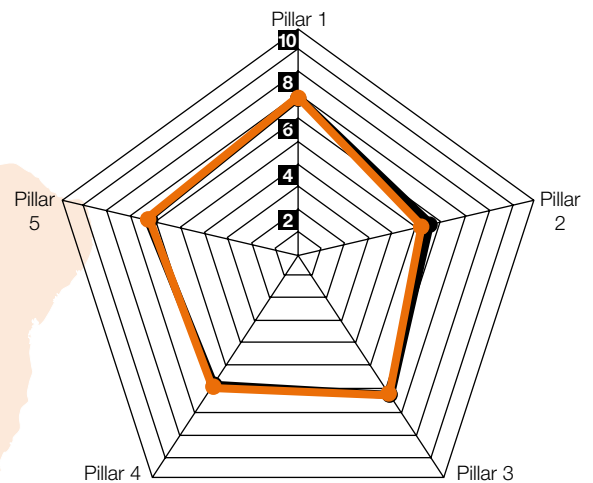
- The US military's post-earthquake management of entry to Haiti prioritised US flights and expensive search and rescue missions and delayed the response of experienced actors.
- An influx of small, often in-experienced, INGOs reduced the quality of the humanitarian response.
- It has proven uniquely challenging to determine the number of humanitarian actors, the total level of funding and to prepare accurate 3W (who does what, where) information.
- OCHA's ability to undertake basic post-emergency tasks was undermined by low capacity and sidelining of the HCT.
- The cluster system was weakened by the number of actors and failure to sufficiently involve the Haitian state or civil society.

### Donor performance

- Funding decisions were largely made at headquarter level and not based on needs assessments.
- Donor failure to insist on UN and national government leadership of the response exacerbated frustrations and duplication of effort.
- Donors have funded INGOs to provide basic services and paid little attention to building the capacity of the Haitian state or civil society.
- There is an unprecedented mismatch between reconstruction pledges (US\$5.3 billion promised in March 2010) and actual disbursements (US\$509 by early October 2010).
- Looking prematurely towards recovery, donors have been slow to acknowledge the ongoing humanitarian crisis and mounting evidence of failure to provide adequate shelter or protection for the 1.3 million homeless displaced.

### Key challenges and areas for improvement

- Donors should encourage simpler, compatible reporting formats.
- Quicker pooled fund disbursement is imperative.



—●— Haiti  
—●— All Crisis Average

#### HRI 2010 scores by pillar

- Pillar 1** Responding to needs
- Pillar 2** Prevention, risk reduction and recovery
- Pillar 3** Working with humanitarian partners
- Pillar 4** Protection and international law
- Pillar 5** Learning and accountability

Note: Since the response to Haiti took place in 2010 and a new field questionnaire was used, survey responses from Haiti were not included in the calculations of the index.

- Donors must require greater accountability to beneficiaries and the Haitian government from INGOs they fund.
- Donors must acknowledge the pressing need to provide permanent housing for the displaced. They should only fund actors committed to sustainable and equitable urban development and transparent land allocation and registration procedures.

## Haiti

### *Overwhelmed by the response?*

The 7.0 magnitude earthquake on 12 January 2010 killed at least 220,000 people – over two percent of Haiti’s population – and displaced around 2.3 million people (OCHA 2010a). It impacted densely populated urban areas of the poorest country in the Americas while it was still recovering from a series of devastating hurricanes in 2008. Government response capacity was severely limited as 13 of 15 ministries were destroyed and an estimated one in five federal government employees was killed. Senior government and United Nations (UN) officials were among the dead (CBC News 2010).

The scale of the disaster, and the international response, was comparable to the Indian Ocean tsunami in 2004. Amid the ongoing response, comprehensive evaluation and analysis is not yet possible. The answers to key questions remain unclear: Were there too many response actors? Are evaluation lessons from the tsunami being heeded? Has the international community shown it can respond effectively to a mega crisis in an urban environment? Will the post-earthquake promise made by Bill Clinton and other key actors to “build back better” be fulfilled? Or will Haitians feel let down by donor promises to a nation accustomed to aid dependency and unpredictable funding? It should be stressed this is a preliminary crisis report, based on a rapid mission to Haiti. A more considered analysis of how donors responded will be presented in Humanitarian Response Index (HRI) 2011.

#### **The initial response**

Haiti was a media-driven emergency. Harrowing images compelled action. Many donors attempted – insofar as possible in the immediate aftermath of such a major disaster – to base their funding on needs assessments. At the same time, many feel that major donors felt impelled to act before they necessarily had sufficient information.

The massive outpouring of international solidarity and the rapid, initially United States (US)-led response, helped avoid the potential further deaths and epidemics that were initially feared. Within a day of the disaster, the US military had arrived – the first of a contingent which grew to 22,200 personnel (US Southern Command 2010). Taking over the Port-au-Prince airport, the US military handled over 150 flights a day. US decisions on which flights to prioritise caused controversy, particularly when Hollywood star John Travolta was allowed to land his own Boeing 707 – carrying ready-to-eat rations and fellow Scientologists – while there was a backlog of 800 flights awaiting a landing slot (CBS News 2010a). Médecins sans Frontières (MSF) – which had been working in Haiti for 19 years – protested delays in aid delivery due to diversion of several initial flights to the neighbouring

Dominican Republic (MSF 2010). Brazil – which lost 18 of its soldiers serving in the military component of the UN Stabilization Mission in Haiti (MINUSTAH) which it leads – was indignant when three of its aid flights were denied landing permission and joined France in formally complaining. A World Food Programme (WFP) officer noted that US military priorities “are to secure the country. Ours are to feed,” (Carroll & Nasaw 2010). There was concern about the US military’s undue focus on “security”. A US medical non-governmental organisation (NGO) found “an element of racism in believing that Haitians were going to riot and they had to be controlled,” (Bhatt 2010).

Many humanitarian representatives interviewed by the HRI team stressed the difficulties of coordination with military contingents, particularly those from the US. Cooperation between the incoming US military and the long-established MINUSTAH military contingent was problematic. This indicates that there is still significant effort needed to implement the Oslo guidelines – a framework for the use of military assets in response to natural disasters drawn up in 2004 and updated in 2007 (OCHA 2007). However, despite the frustrations expressed by many, there is general agreement among humanitarians that soldiers saved lives and enabled access by rapidly repairing the airport and port.

#### **Doubts about search and rescue**

The despatch of dozens of search and rescue (SAR) teams – six from the United Kingdom (UK) alone (Department for International Development 2010) – saved 134 lives and was hailed by the UN as the “highest number of lives” ever saved after an earthquake disaster (Inter-Agency Standing Committee 2010). More than 1,900 SAR staff were deployed. Coordination was difficult in a crowded urban space and SAR teams lacked counterparts as Haitian civil protection teams were initially absent. French and Chinese SAR teams were criticised for prioritising the location of their own nationals, while Cuba and Israel were among those reported not to have kept records of where they had searched.

International teams got the publicity, but far more people were rescued by Haitians. One donor representative told the HRI team that the cost of each life saved by the SAR teams it supported was around US\$1 million. The donor community should to reflect on the costs of SAR teams compared to the benefits of investing in local response capacity. It is inevitable that SAR teams will be despatched after disasters, but dialogue is needed to determine appropriate numbers and to ensure better coordination.

### **Plethora of humanitarian actors**

The earthquake generated an enormous response from private and public supporters of established humanitarian organisations, but also a wave of new actors unfamiliar with Haiti or post-disaster response. Close proximity to the US meant that, in the words of one HRI mission interviewee, “the barrier to entry was the cost of a plane ticket.” The exact number of actors remains unclear. Within three weeks of the disaster, the UN Office for the Coordination of Humanitarian Affairs (OCHA) estimated that there were 400 humanitarian agencies and a subsequent real-time evaluation estimated there were 2,000 operational agencies (IASC 2010). There are reports that there may be 8,000 national and international humanitarian and aid agencies in Port-au-Prince (BBC News 2010b), perhaps giving Haiti the highest number per capita of any country (Macnaughton 2010).

The result is a patchwork of efforts that make it difficult to get an overall picture of what is being done, where and by whom. Respondents noted that many international non-governmental organisation (INGO) and UN newcomers rarely consulted long-established agencies with experienced staff. One evaluation judged “the uncontrollable flow of frequently inexperienced small NGOs” as a major factor limiting the quality of the humanitarian response (Grünewald et al. 2010). The World Bank regrets “the arrival of many agencies new to the country tending to prioritize unilateral action over coordination” (World Bank Group 2010).

### **Needs assessments**

Some humanitarians expressed concerns about the timeliness and accuracy of needs assessments in such a major disaster. Others argue the UN did as well as it could have been expected, given the tragic reality that UN staff and their dependents were among the dead. The HRI team was also told of concerns that the results of a Rapid Inter-Agency Needs Assessment for Haiti were only published in mid-February. Reportedly, its results were not seen by many donors before funding decisions were made. Some actors did not know it took place. An Inter-Agency Standing Committee report lamented that “assessments in the early stages of the Haiti response followed different standards, methods, and focuses, thereby hampering efforts to create an overview of cross-cluster needs,” (IASC 2010).

The Post-Disaster Needs Assessment (PDNA) has been criticised on several grounds, including lack of a gender perspective. In a submission to the March 2010 donors conference in New York, a coalition of women’s groups highlighted failure to consult with women earthquake victims, the absence of gender concerns in Haiti – as mandated by UN Security Council Resolution 1325 – and failure to acknowledge, or seek to remedy, past gender inequalities in Haitian public institutions and access to state services (Haiti Gender Equality Collective 2010).

### **Haiti aid hard to track**

The HRI 2009 noted that donor response to hurricanes in 2008 was disappointing (Gasser 2009). This was not the case after the earthquake. A massive influx of funding – probably 80 percent of it from the general public – left many humanitarian actors with more resources than anticipated. As with the tsunami, the challenge is for all actors to use resources effectively to meet immediate and long-term needs.

The exact amount of money donated to the Haiti response will never be known. According to OCHA’s Financial Tracking System (FTS), as of 9 October 2010, over US\$3.5 billion had been raised. However, significant donations have not been reported to the FTS. By far, the largest response has been from the US

– according to the FTS, 34.7 percent of the total – far ahead of Canada (4.1 percent). As of 9 October 2010, 70 percent of the funds sought in the 2010 Revised Humanitarian Appeal had been provided. So widespread was international sympathy that numerous non-traditional donors – many themselves major recipients of humanitarian assistance such as Afghanistan, Burundi and the Democratic Republic of the Congo – contributed funds.

A factor further complicating quantification is the significant role played by states such as Argentina, Brazil, Chile, Cuba, Mexico and the Dominican Republic who were among the first to send medical and rescue teams and have subsequently provided substantial bilateral aid. These non-traditional donors have largely worked outside established coordination mechanisms. Cuba’s substantial humanitarian presence – as with its 2004 post tsunami and 2005 Pakistan earthquake missions – has gone largely unreported (Fawthrop 2010).

FTS data suggesting that private donations total US\$1.24 billion, 36.8 percent of the total humanitarian assistance, is generally believed to be an under-estimate. Many INGOs reported an unprecedented response from their supporters. By July 2010, the American Red Cross had received US\$468 million (CNN 2010). MSF reported receiving 91 million euros in private donations (MSF 2010) and in the UK, the public provided £101 million for the work of major NGOs (Disasters Emergency Committee 2010).

There is a major mismatch between reconstruction pledges and actual disbursements. In March 2010, 59 donors at the Haiti Donor's conference pledged US\$6.04 billion in support of the Action Plan for Recovery and Development. However, by late September, only US\$538.3 million had been delivered (Office of the Special Envoy 2010). The US has not delivered anything towards its US\$1.15 billion pledge. Analysts warn that US procrastination in delivering on its pledges is setting a negative precedent for other major donors (IRIN 2010a).

The separately-administered Haiti Reconstruction Fund was pledged US\$509 million, but by early October 2010 had only received US\$66.8 million. Over 80 percent has been provided by Brazil, with no delivery of significant pledges made by the US, Spain, Qatar, Saudi Arabia or France (Haiti Reconstruction Fund 2010).

In October 2010, the Haitian prime minister lamented that many aid pledges subsequently factored in debt forgiveness or money already spent on the humanitarian emergency (Reuters 2010). A network of Haitian civil society actors notes that the process of securing funding "is characterised by a near-total exclusion of Haitian social actors and a weak and non-coordinated participation by representatives of the Haitian state," (Bell & Field 2010).

There is uncertainty about how and where public and private funding will be used. An Associated Press study of US federal government documents found that 33 cents in every US\$ of immediate post-earthquake US aid went to the military and one cent to the Haitian government (The Grio 2010). The International Peace Operations Association (IPOA) – the trade body of private military companies (PMCs) – held a post-earthquake sales fair in Miami to showcase their expertise – pledging to donate profits to the Clinton-Bush Haiti Relief Fund (Fenton 2010). This prompted complaints from US activists concerned at their increasing influence and disregard for human rights and national sovereignty (Institute for Justice and Democracy in Haiti 2010). US government funds have been provided to PMCs for damage assessments, security guards, shipping, clean-up, construction and long-term planning (*ibid*), drawing parallels with "disaster profiteering" of Blackwater in the aftermath of Hurricane Katrina (Scahill 2010).

#### Should camps have been prioritised?

A key emerging issue for discussion are the implications of the initial decision to focus aid on makeshift settlements in Port-au-Prince. Failure to provide assistance in the provinces to which many residents had fled caused many to return to the city. Many humanitarians argue that the focus should have been on where people were living when the quake struck, rather than creating camps where, in the words of one informant, people "are putting down roots" as living conditions are often better than they enjoyed prior to the disaster.

Critics point to the insufficient coverage of services and inability to adequately manage the 1,300 informal camps, engage beneficiaries in aid distribution or provide adequate shelter and protection. It is clear that many camps are unlikely to be dismantled as quickly as once anticipated. There is no clear communication from either the government or many international actors as to what services camp residents can expect or what long-term shelter plans are being developed. One critic contends that despite declarations of commitment to recovery "the UN and Haitian government have done little more than move citizens from one set of temporary housing to another," (Haiti Advocacy Working Group 2010). Some response actors strongly dispute this assessment.

Many urban sites where survivors live have commercial value. A survey in six camps found that coercive attempts to evict earthquake victims are intensifying and alleged that "people are not consulted about their needs and aid has trickled to a halt" (Institute for Justice and Democracy in Haiti 2010). A Canadian-Haitian academic team found that seven months after the disaster, 40 percent of camp residents did not have access to water and 30 percent lacked toilets of any kind (Schuller 2010). Despite the fact that many INGOs talk about empowering residents to select recipients and distribute aid, some commentators argue that committees are unrepresentative, perhaps as a result of INGOs' lack of local knowledge. Less than a third of people living in camps are reported to be able to name those on "their" committee. Two-thirds of members are men, despite well-documented concerns about gender-based violence (*ibid*). The shelter cluster lead, the International Organisation for Migration (IOM), has been criticised for not appointing managers in each camp. Others point out it was unrealistic to ask IOM to assume responsibility for so many sites and that many INGOs were reluctant to assume camp management responsibilities, given these challenges.

### **Bill Clinton's many hats**

In no other response to a natural disaster has one individual exercised as much influence as former US President Bill Clinton. Wearing various hats, he is UN Special Envoy, co-chair of the Interim Haiti Recovery Commission (IHRC), head of the Clinton Foundation and co-chair of the Clinton Bush Haiti Fund (which has raised over US\$50 million). Several people interviewed by the HRI team acknowledged Clinton's ability to focus attention on Haiti. He is a vociferous critic of the US politicians who have blocked congressional approval of pledged US reconstruction aid (Katz 2010). However, informants noted the frequent gap between his rhetoric and the actions of both the Clinton Foundation and the Special Envoy's Office. Some interviewees reported that the Foundation does not properly coordinate with either the Haitian Department of Civil Protection (DPC) or clusters. Clinton's relationship with the US State Department remains unclear. Many complained of the arrogance of Clinton Foundation staffers – described by one informant as a “bunch of 24-year-olds” running around telling government officials and humanitarian workers what to do.

### **Clearing debris and allocating land**

It has been estimated that only five percent of the 26 million cubic yards of rubble has been removed (Smith 2010). Clearing rubble is clearly a huge technical challenge. The question of who owns the land on which destroyed houses lie and where to take rubble is unresolved and the government is unable to make decisions. In some upmarket neighbourhoods the private sector is shifting rubble, but in general, little is being done and the fleet of available trucks is grossly inadequate. Many donors are unwilling to meet the cost of debris clearance, estimated by the Prime Minister's office at US\$300 million.

The IHRC is co-chaired by former US President Bill Clinton and Haitian Prime Minister Jean-Max Bellerive. Half of its directors are from multilateral financial institutions, the others members of Haitian elite families. After a stormy parliamentary session, the IHRC was given controversial emergency powers to make land use decisions without the need for any public consultation. Critics argue that landowners and the IHRC are more interested in developing sweatshop factories, offices and upmarket housing than providing land for sustainable housing and livelihoods for the displaced (Albert 2010). It is reported that there are disagreements among donors about how the IHRC approval structure should work, who is authorised to sign off disbursement of funds from the World Bank-administered trust fund and how much discretion should be given to the IHRC secretariat (IRIN 2010b).

### **Inclusion of Haitians in recovery planning**

For decades, the capacity of the Haitian state has been weakened by the “brain drain” from the Haitian government to internationally-funded NGOs and INGOs. The UN Assistant Secretary-General of Peacekeeping Operations has sympathised with the government's post-earthquake frustrations, noting that the international community has a long history of weakening the national government by working with outside organisations: “we complain because the government is not able to (lead), but we are partly responsible” (Katz 2010). Decades of funnelling aid through NGOs has left state institutions weak and made Haitians look to NGOs for basic public services in a country described by the US Institute of Peace as “a republic of NGOs” (Kristoff & Panarelli 2010). An INGO director reflected the reality of the frequent lack of state presence by telling the HRI team that “by default we are taking on state responsibilities.” Haitians appear to increasingly resent the relative affluence of foreign aid workers (Salignon & Evrard 2010). Many critics note the limited formal avenues for either the Haitian government or civil society to shape recovery programming (Bell 2010).

### **OCHA struggles to fulfil basic roles**

OCHA, like many organisations, has had high staff turnover. A Head of Office was only appointed in August 2010, following several interim appointments. The basic “who, what, where” information that OCHA tried to gather relied on people providing information, instead of OCHA staff actively going out and obtaining it. Information systems were mostly Internet-based, which – in the words of one informant is “sexy, but doesn't necessarily work” in circumstances where many organisations had problematic Internet access. Most interviewees did not rate positively the Haiti oneresponse.info website. Frustrated with OCHA's system, several clusters resorted to using Google Groups and Google Docs, with one person describing Haiti as “a Google response”. An incoming cluster lead noted that it would have been better to use old-fashioned Excel sheets, rather than fancier Internet-based systems.

Managing and monitoring the Emergency Relief Response Fund (ERRF), a pooled funding mechanism established in Haiti in 2008, has been challenging for OCHA. In the early months of the response, there was only one OCHA staffer in Haiti to deal with proposals for ERRF support, so the vetting process was passed to clusters. Clusters with strong coordinators submitted more projects than those with weaker leadership. In principle, the ERRF offers a rare opportunity for Haitian NGOs to access international funds. Several submitted projects to the protection cluster only to get no reply for several months. Some informants note its positive elements but others criticise the ERRF for its lack of transparency. It is not yet clear whether efforts to support national NGO access to the ERRF will bear fruit.



### Humanitarian Country Team sidelined

At the beginning of the crisis, the pre-existing *Comité Permanent Inter-Organisations* (CPIO) – later restyled the Humanitarian Country Team (HCT) – did not meet for over two weeks. It was convened only after NGOs on the CPIO wrote to the UN Haiti Humanitarian Coordinator and the Emergency Relief Coordinator in UN headquarters. Failure to assert the primary strategic decision-making role of the HCT enabled the emergence of a Coordination Support Committee (CSC) which brought together the government, certain parts of the UN, some donors and the US and Canadian militaries. The CSC, while probably one of the more functional coordination mechanisms, did not involve non-UN actors. The HRI team was told that several HCT meetings simply became occasions to provide information on what the CSC was doing. As the US and Canadian military presence declined, so too did the role of the CSC. However, an important issue remains to be addressed by donors – why did they allow the functions of the HCT to be usurped?

### Clusters: the same old problems?

The cluster approach was introduced in Haiti in 2008. An evaluation completed just before the earthquake found it had improved coordination but was weak on ownership and accountability; had been implemented in a top-down fashion without regard for existing national coordination structures; did not sufficiently engage with national NGOs; was held back by OCHA's limited capacity and that the link between the cluster approach and the Humanitarian Coordinator remained unclear (Binder & Grünewald 2010). All these shortcomings became further manifest after the disaster.

*“The exact amount of money donated to the Haiti response will never be known.”*



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Several HRI mission interviewees reported disappointment with the calibre of cluster leaders. One noted that Haiti was “an opportunity to showcase what had been built in the last few years. The people they had initially were maybe very technically savvy, but they did not have the skills to run a cluster. In terms of getting the ‘A team’ there, quickly, it didn’t happen.” To make matters worse, there has been a high turnover in cluster coordinators. Only the camp coordination camp management (CCCM) cluster has had the same coordinator since February 2010.

At the outset of the crisis almost all cluster meetings took place at MINUSTAH's Logistics Base (Logs Base). The inaccessible venue, strict security procedures and the use of English deterred Haitian attendance. Only the water, sanitation, and hygiene (WASH) cluster was co-chaired by the government from the outset. Only WASH and the education cluster exclusively used French (Global Education Cluster 2010). Cluster leads had a hard time identifying local NGOs to invite and those who did attend reported the meetings were often irrelevant. The government was only peripherally involved at the outset. Those appointed to attend cluster meetings were often businessmen without links with relevant ministries. The government was insufficiently represented and it took a long time to re-establish relationships with relevant line ministries. Donors could have done more to promote government co-leadership of clusters.

When it comes to protection, the Haiti experience highlights the inadequacies of the concept of “provider of last resort”. It is widely acknowledged that the international community is incapable of protecting the inhabitants of many camps against sexual and gender-based violence (SGBV), theft and forced evictions. It has to be asked whether in the aftermath of a massive natural disaster in a country already facing massive protection problems – and with no immediately identifiable government partner to work with – it is realistic to expect a protection cluster to substitute fully for gaps left by the state.

Questions are also being asked about the early recovery cluster. The HRI team was told that the UN Development Programme (UNDP) shut down the cluster in August without apparent consultation or explanation.

#### **Coordination frustrations**

The huge number of newly-arrived and generally inexperienced INGOs greatly complicated early coordination. One interviewee told the HRI team that “UN initial coordination was a circus: 250 people, under a tent without a microphone!” Some major INGOs were suspicious of donor attempts to promote coordination but given the enormous influx of privately donated funding, many INGOs no longer really needed large support from public donors. Some, the HRI team was told, were so well-resourced that they saw little need to co-ordinate. In any case, many had other priorities: finding new office space, assisting their own staff affected by the disaster and hiring new staff. Many were reluctant to spend time in traffic to attend Logs Base meetings which they found ineffective and thus stopped attending. The result was that there were no effective forums in which the government, donors, the UN, IOM, the Red Cross and NGOs could come together to discuss strategy.

For the first six weeks of the response, a number of major government donors, together with representatives from OCHA and the office of the Haitian Prime Minister, met each day to share information. This was appreciated by many in the humanitarian community. However, the mission was told that some major actors did not know about the meetings. Several informants noted that the group’s work was not adequately communicated to other response actors.

Cash for work programmes highlighted the inadequacies of coordination and information sharing. Through the early recovery cluster, UNDP used one rate for those recruited while another donor and its partners used a different wage based on the government’s legal minimum wage. The health cluster provided another example. The Clinton Foundation helped the Ministry of Health set up a complicated registration system that gathered information in different formats from those being used by the health cluster.

#### **Challenges**

At least 1.3 million people – both earthquake-displaced people and pre-quake urban homeless and slum-dwellers – remain displaced in around 1,300 camps in Port-au-Prince. Several hundred thousand others are sheltering with host families and some half a million are thought to have been displaced outside the city. A few have been provided with transitional housing, but in general camps are overcrowded, lack sufficient lighting, and tents and tarpaulins offer scant protection. As funding dries up, there is likely to be an exit of INGOs and UN agencies and withdrawal of vital INGO-provided health, education and livelihoods support.

Many of those interviewed by the HRI team are still understandably focused on immediate issues. However, some are expressing concerns about the slow pace of recovery planning. The Brookings Institute warned in September 2010 that “the recovery process is not going well and reconstruction has barely started... recovery efforts on the ground have been slower than usual – slower than for the 2004 tsunami or the 2005 Pakistan effort” (Ferris 2010). There does not appear to be a concerted plan to meet the sustainable housing needs of either camp residents or those living with host families. There are reports that armed gangs are regrouping (Berg 2010) and that displaced women are increasingly vulnerable to crimes of theft and sexual violence. Arguing that the humanitarian response “appears paralyzed,” Refugees International reports an increase in gang rapes (Teff & Parry 2010). The Women’s Refugee Commission fears that reproductive health services made available by the influx of new agencies will close unless donors fund the Haitian authorities to take over (Tanabe 2010).

Aid pledges are not being honoured and there are reported tensions between the World Bank, the IHRC, the Obama Administration and Congress over aid management (Clark & Charles 2010). Médecins du Monde has warned that “in 2011, aid to Haiti is likely to fall significantly. Aid agencies will start to leave and their local employees will lose their jobs, mobile clinics will close and the range of health services available to the poorest will be reduced. By 2012, there may well be nothing left to show for the unprecedented humanitarian response” (Salignon & Evrard 2010).

#### **Lessons learnt and recommendations for the future**

It is disappointing that many relevant recommendations from the Tsunami Evaluation Coalition and those in the last HRI report on Haiti appear to have not been heeded in the earthquake response.

Areas for further analysis and dialogue between donors and other humanitarian stakeholders include:

### 1 Leadership and coordination:

Lack of clarity about the initial response role of the US military vis-à-vis UN peacekeepers, the confusing role of Bill Clinton, the uneven coordination provided by many clusters and the relatively minor engagement of the Haitian authorities and civil society in long-term recovery planning points to the need to discuss how to improve civil-military coordination of immediate response and clarify responsibilities during recovery from natural disasters.

### 2 Transparency and accountability:

There is evidence that there have been too many actors, unclear communication, different priorities, lack of transparency on total disbursements, little emphasis on participation and fostering ownership of Haitians in response planning and little promotion of a culture of accountability towards beneficiaries. These major gaps in adherence to *GHD Principles* require discussion.

### 3 Clusters:

Convening of cluster meetings in accessible locations, the over-use of English, the limited engagement of government and civil society and the quick turnover of coordinators highlight the need to discuss how to make the cluster system more effective.

### 4 Long-term dependence on external actors:

Changed power dynamics and access to considerable sources of funding have made many response actors less dependent on traditional donors. Haiti demonstrates the risk that if NGOs become major service providers they may undermine state capacity. Governments need to discuss how to ensure greater accountability of international actors and take a coordinated approach to building greater state response capacity, perhaps drawing on relevant experience from Central and Latin America.

### 5 Land:

Discussion is needed on how the international community can help address unresolved issues of access to land and develop transparent land allocation procedures to enable permanent shelter for the homeless. Funding land registration schemes which do not recognise informal tenure will only exacerbate tensions.

### 6 Developing an exit strategy:

It is not sustainable to expect international actors to continue to raise funds to provide key services. The donor community should initiate discussion about an exit strategy and how to attract recovery and development actors when emergency response agencies depart.

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Information based on field interviews with key humanitarian agencies in Haiti from 24 August to 4 September 2010.

The HRI team, composed of Philippe Benassi, Lucia Fernandez and Manisha Thomas (Team leader), contributed to this report. They express their gratitude to all those interviewed in Haiti.





*Crisis reports*

# Indonesia



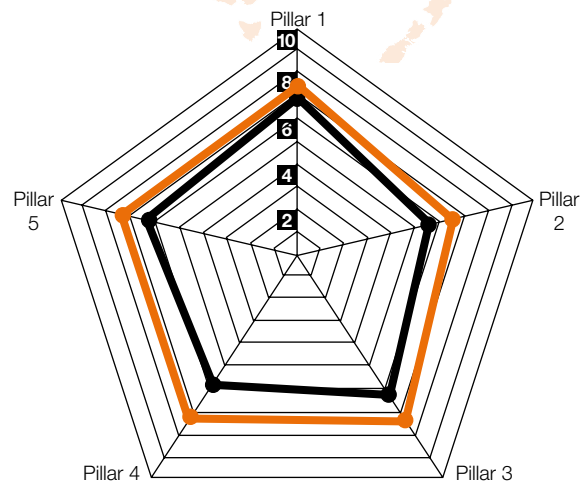
## Indonesia at a glance

### The crisis and the response

- Indonesia suffered two devastating earthquakes (in West Java and West Sumatra) in September 2009, triggering drastically different responses.
- As the government did not welcome assistance for West Java, feeling that it could handle the response on its own, the international response was extremely limited and needs still remain.
- Subsequently recognising its failure to provide adequate support in West Java, the government “welcomed” aid following the West Sumatra disaster.
- The multiplicity of organisations arriving in West Sumatra created coordination challenges. OCHA coordinated international organisations while the Indonesian government worked with national counterparts. Communication with the government was often imperfect.
- Coordination shortcomings led to duplication of effort and tensions. Over-interviewed survivors were forced to repeatedly answer the same questions.
- Lack of standardised procedures and methodologies resulted in inconsistent damage assessments and problems sharing data between response actors.

### Donor performance

- Donors were generally criticised for not doing enough to integrate disaster risk reduction, prevention and preparedness into emergency assistance and for not funding organisational capacity for contingency planning and preparedness.
- Failure to integrate a DRR approach into relief efforts reduced prospects for long-term sustainable recovery.
- International media frenzy provoked a “contest for profile” among donors and led to only the most visible early recovery needs being met.



— Indonesia  
— All Crisis Average

#### HRI 2010 scores by pillar

- Pillar 1** Responding to needs
- Pillar 2** Prevention, risk reduction and recovery
- Pillar 3** Working with humanitarian partners
- Pillar 4** Protection and international law
- Pillar 5** Learning and accountability

### Key challenges and areas for improvement

- Donors must avoid overlapping funding and do more to coordinate and align their responses.
- Standardised needs-assessment processes should be implemented for all actors to reference and use.
- More efforts should be made to bolster protection of disaster-affected people, using a gender-based approach to help the most vulnerable.
- Donors should encourage the integration of local capacity building into humanitarian aid.



## Indonesia

### *A tale of two crises*

Lying on the Pacific Ring of Fire, Indonesia has been described by the UN Office for the Coordination of Humanitarian Affairs (OCHA) as the most disaster-prone country in the world. More than a million Indonesians were affected by natural hazards in 2009, including volcanic eruptions, flooding, landslides and earthquakes. 2009 saw 469 earthquakes with a magnitude of over 5.0 on the Richter Scale (OCHA 2010a).

After the 2004 Indian Ocean tsunami, and a massive international investment

in evaluation of the response through the Tsunami Evaluation Coalition (TEC), many humanitarian actors pledged that lessons learned would help improve future responses. Five years later, two devastating earthquakes struck Indonesia in the same month, displacing nearly 200,000 people, killing approximately 1,300 and damaging or completely destroying almost 300,000 homes. The initial responses were not encouraging. Those affected by the West Java earthquake watched as their government struggled to respond to their needs and the international community observed in silence. People affected by the West Sumatra earthquake, on the other hand, saw a flood of international actors arrive. After the well-publicised destruction caused by the 2004 tsunami in Banda Aceh, the media was keen to cover a further natural disaster in Sumatra. Their coverage inflated a medium-scale disaster into a large one. Both *Principles of Good Humanitarian Donorship* (GHD) and the many recommendations made by the TEC highlighted best practices and lessons donors should apply in supporting responses to natural disasters. These recent Indonesian earthquakes show there is still considerable room for learning, improved coordination and investment in preparedness.

#### The quakes

The first earthquake, measuring 7.0 on the Richter Scale, struck West Java on September 2, 2009. It was followed by aftershocks of 5.1 and 5.4 (USGS 2009a). Information regarding the effects of the earthquake was initially scarce, which was a factor in the minimal involvement of international actors. OCHA cited government figures that the quake had left 81 dead, 47 people missing, 1,248 injured, 178,490 displaced and 65,643 houses severely damaged. With its epicentre 142 kilometres south of the Tasikamalaya district, the earthquake had a widespread impact, affecting 16 districts and municipalities in West Java (OCHA 2009a).

On September 30, a 7.5 earthquake (USGS 2009b) occurred off the coast of West Sumatra, with its

epicentre 45 kilometres from the city of Padang. There were two significant aftershocks. Three villages in the Padang Pariaman district were levelled by resultant landslides. Unlike the West Java earthquake, the West Sumatra events were more concentrated in urban areas, especially in the city of Padang (OCHA 2009b). The West Sumatra government reported that 1,195 people died and 1,798 were injured (IFRC 2009a). Depending on the source, the number of displaced ranged from 4,000 (IFRC 2009b) to 8,000 (OCHA 2009c). A total of 231,395 homes were damaged to some degree, with reports that 121,679 homes had been severely damaged, 52,206 moderately damaged and 57,510 lightly damaged (OCHA 2009b). Uncoordinated needs assessments meant that figures varied substantially.

#### West Java: forgotten but not gone

The Indonesian government decided not to request international assistance following the West Java quake. West Java is among Indonesia's most prosperous provinces and the national authorities assumed that with their support, the local authorities could handle the response. The government also believed that the logistics would be simple, as supplies could be despatched from Jakarta within four or five hours. The Indonesian government seemed keen to demonstrate to its citizens that five years after the tsunami, it could respond efficiently and effectively.

It was initially difficult for international humanitarian actors to obtain clear and transparent information on damage and needs assessments undertaken by the Indonesian authorities. The large scale and wide impact of the damage across an area twice the size of the affected area in West Sumatra, entailed delays in gathering data. A major donor noted that “no assessments were published until after the end of Ramadan,” 17 days after the disaster. This lack of data hindered external emergency intervention but does not in itself excuse the lack of action from most international actors.

Most donors respected the Indonesian government’s stance that external support was not needed, despite knowing this was not the case. Only the European Commission Humanitarian Aid Office (ECHO) and the Emergency Response Fund (ERF), a locally-managed pooled fund for non-governmental organisations (NGOs), provided financial support for the approximately 15 organisations that responded. Some international NGOs (INGOs) became operational using their own funds, but the vast majority left after a few weeks in order to respond to the West Sumatra disaster where donor funding was more forthcoming. Many quickly forgot West Java.

The Indonesian government focused its response on initial emergency needs. Organisations interviewed in the field reported success although there were major gaps related to shelter, water, sanitation, hygiene and early recovery. Responses were delayed both by general bureaucratic inertia and the fact that the quake occurred at the end of the Indonesian financial year, thus complicating mobilisation of necessary resources. Seeing that help did not arrive, many earthquake survivors self-repaired damaged housing and do not expect to receive reimbursement promised by the government. At the time of the field mission many others continued to live in tents.

The minimal response from the international community has resulted in little information on the quality of the response, thus preventing rigorous assessment of the Indonesian government’s humanitarian assistance and further decreasing the likelihood that those with remaining needs will receive the external assistance they require.

### **Sluggish call for assistance in West Sumatra**

After the experience in West Java, the government realised it could not handle the response to West Sumatra on its own and decided to “welcome” international assistance. The term “appeal” was not used, lest it was seen as indicating some sense of incapacity. Consequently, there was no formal West Sumatra flash appeal but, instead, a Humanitarian Response Plan (HRP). Government deliberations were time-consuming, the Indonesian government eventually realising it could not fund two earthquake responses in the same month. Prevarication meant that many United Nations (UN) agencies could not apply for funding and thus did not engage in the emergency response.

Once the HRP was launched, international attention quickly shifted to West Sumatra despite the fact that needs remained in West Java. Principle 11 – enjoining donors to “strive to ensure that funding of humanitarian action in new crises does not adversely affect the meeting of needs in ongoing crises” – was not heeded. To make matters worse, many organisations also reported that other natural disasters in the region – including typhoons in the Philippines, flooding in Vietnam and a tsunami in Samoa – also affected their funding.

### **Once again, the “CNN effect”**

In stark contrast to the extremely weak international response to West Java, the earthquake in West Sumatra captivated the attention of the international community. News teams began broadcasting images of the earthquake within hours. The initial news sparked fears the disaster would be on the same cataclysmic scale as the 2004 tsunami. The fact that Padang is more than 900 kilometres from Banda Aceh was lost on TV anchors and viewers. For many, the timing of the Padang earthquake was “perfect” – almost five years since the tsunami. The fact that destruction was mostly in a large city allowed for visually striking imagery. Rumours that the death toll was rising further stoked interest. The Health Minister reported to CNN that she expected a greater number of casualties than the 2006 Yogyakarta earthquake which had killed some 5,000 people (CNN 2009). The media fuelled speculation there would be thousands of fatalities.

Such media hype invariably provoked an emotional response from the public and donors. Search and rescue teams were despatched and a flood of NGOs poured in. No fewer than 189 INGOs and 111 local NGOs arrived in Padang within days of the disaster. Some had no previous disaster response experience, no funds and limited knowledge of the city. A significant number of the incoming INGOs were agencies whose operations in Banda Aceh were being wound down. Many conducted needs assessments, took up space and facilities and added to the chaos before quickly leaving when they did not receive funding. At the time of the Humanitarian Response Index (HRI) field mission in late January 2010, approximately 50 organisations were still engaged in the response.

### The quest for visibility

Fearful of being perceived as neglecting the disaster, donors tended to fund the most visible needs, leading to a scramble to compete for visibility. The contest for profile had absurd consequences. According to one humanitarian organisation, at one point there were 700 people and 70 dogs searching for survivors. They arrived three days after the earthquake, by which time all survivors had already been rescued by Padang locals. So many donors rushed to set up mobile hospitals that one complained that no space could be found to erect the one they were funding. This donor eventually had to set up far from the disaster area, treating some 600 patients a week, of whom only two were injured earthquake survivors. A further farce was caused by a branding squabble between agencies when two different logos were placed on the same truck, leading to the non-departure of a convoy. As these and other unfortunate incidents played out, less visible needs received significantly less donor support.

### Chaotic assessments and unconvincing appeals

The first assessment in Padang was by the local government's Padang District Antenna for Crisis Management (SATKORLAK). Many donors and international responders felt that it over-estimated the quake's impact. SATLORLAK used methodology developed by the US Geological Survey (USGS) to provide a rough-and-ready immediate assessment in the densely populated area around the epicentre. The local authorities were particularly keen to quickly release assessment results following criticisms of delays and lack of transparency in providing information on the impact of the West Java earthquake. Two days later, the local government followed up this rapid estimation by sending field teams, primarily to regional health centres, but also to conduct direct surveys. Government figures were consistently higher than those of international actors.

To some extent, this discrepancy is understandable. Local administrative capacity had been greatly diminished by the quake, with four fifths of government buildings ruined or damaged. Such was the impact that it was not initially clear whether the primary Indonesian responder would be the local or national government. Eventually it was decided that SATKORLAK would be in charge. The governor invited OCHA to install its coordination centre in his official residence.

The day after the disaster a multiplicity of international assessments began. Many actors undertook their own. The International Federation of Red Cross and Red Crescent Societies (IFRC) conducted a joint assessment as did the UN in conjunction with the Emergency Capacity Building Project (ECBP) – a consortium of seven major INGOs. Due to unexpected problems, they found themselves reliant on government figures which they supplemented with their own analysis. On the third and fourth days after the earthquake, newly-arrived INGOs began conducting their own assessments, but many soon left when funding proved unavailable.

The assessment chaos had several consequences. The multiplicity of assessments created tension with affected communities as survivors were forced to repeatedly answer the same questions. Lack of standardised procedures and methodologies resulted in inconsistent statements of what was “very” or “slightly” damaged. Organisations that shared their needs assessment findings found it hard to use others' data. Despite the clear TEC recommendation, many needs assessments were never shared.

Donors were presented with contrasting figures in different appeals. Some said this caused them to have no confidence in figures cited by the HRP, which may explain its low coverage. According to the Financial Tracking Service (FTS), only 38 percent of HRP requirements have been covered (OCHA 2010b). Tellingly, despite such low coverage, OCHA and many other agencies report that over 90 percent of needs have actually been met. Many informants suggest that the Indonesian authorities engaged in game-playing. Fearful of not obtaining sufficient external support, the list of requirements set out in the HRP grew. Donors with already strong relationships with the Indonesian government, such as the Australian Agency for International Development (AusAid), tended to use official figures. The damaging impact of faulty needs assessments and the subsequent impact for future disaster responses is a cause for concern as it may lead to donors losing confidence in appeal figures.

DARA conducted a field survey of organisations that received funding in order to capture how well donors had followed the *Principles of Good Humanitarian Donorship (GHD)*. Principle 18 calls on donors to support mechanisms for contingency planning. This issue was also raised by the final TEC report which stressed the need to invest in contingency planning. Prior agreement on needs assessments is crucially important. The survey data is revealing. The UN receives by far the lowest score on the related survey question. Organisation for Economic Co-operation and Development / Development Assistance Committee (OECD/DAC) donors also scored below the overall average for Indonesia, as do all donors generally. Agencies generally assume humanitarian funding cannot be used for contingency planning or preparedness, many reporting they had not applied for such support. When asked how donors could help them prepare better, many mentioned training and capacity building in emergency preparedness and support for pre-positioning of stocks and development of surge capacity.

### Needs overlooked?

Donors attended to certain needs while neglecting others. Their prioritisation was not necessarily on needs that were most pressing, but on those which were most visible. Thus, donors favoured search and rescue teams, mobile hospitals and food supplies, and not support for water, sanitation and hygiene, shelter, early recovery, protection and disaster risk reduction (DRR). The HRI team found that early recovery was particularly neglected.

The fact that some donors were preoccupied with funding highly visible interventions created problems for many of their implementing partners. They reported that donors seemed to ignore whole sectors, despite receiving detailed cluster-by-cluster recommendations, and were incapable of taking a holistic view of post-disaster needs.

DRR should be a major donor priority in disaster-prone countries like Indonesia. It is an area of focus for New Zealand and for Australia, which supports a US\$60 million programme. However, many donors to Indonesia consider DRR entirely separate from humanitarian assistance. They are not supportive of efforts to integrate DRR into emergency response even though they have committed to do so by agreeing to the *GHD Principles*. Organisations interviewed by DARA reported difficulties in obtaining funding for risk reduction, prevention and preparedness. UN agencies who act as donors were the most unsupportive in this regard, with OECD/DAC donors also scoring well below average.

The TEC recommended that donors provide flexible, proportional funding, allowing for greater investment in DRR, early recovery and forging linkages between relief, rehabilitation and development (LRRD). Principle 9 calls on donors to “provide humanitarian assistance in ways that are supportive of recovery and long-term development...and transitions from humanitarian relief to recovery and development activities”. Unfortunately, the recent Indonesian experience indicates that donors generally focus on the emergency phase and continue the traditional practice of considering each phase in isolation. Donor support for LRRD one of the lowest scores of the survey. The same is true of early recovery, which began very late and at the time of the field mission had received little funding. Many donors place a three-month time limit on their funding, and humanitarian organisations commonly reported difficulties obtaining funding for early recovery, particularly transitional shelter.

### Coordination: a work in progress

Effective coordination is fundamentally important in a country like Indonesia, which has hosted many international organisations over the past five years. In the immediate aftermath of the West Sumatra earthquake, there was an informal agreement between the international community and the government that OCHA would manage international organisations and the Indonesian government their Indonesian counterparts. OCHA served as the link between the two, with a representative from OCHA regularly attending government meetings to update them on the “international” coordination system. This “divide and conquer” technique was seen by some as the best way to manage such a large number of organisations, especially at the beginning. However, many field agencies reported that communication with the government was often imperfect, especially just after the earthquake. Many attributed this to the “language barrier” between the government and international agencies, but this explanation is somewhat contradicted by the fact that INGOs are primarily staffed by Indonesians.

Transition to democracy has

left Indonesia with a complex decentralised political system. This provides further challenges for coordination, both between Indonesians and the international community, and among national, provincial and local authorities. The central and regional government were at odds over who should be lead responders. Many donors and field humanitarian organisations felt this complicated the response but also noted that Indonesia has made major progress since the tsunami. One told us: “the Indonesian government was better prepared because of the tsunami. There was a command post in every town. Perhaps they weren’t as functional as they could have been but the local people knew who should be in charge. I think that’s because of the tsunami.”

The effectiveness of clusters as forums for coordination was variable. Education and health were reported to have worked well while shelter was weak. Many insisted on the need for experienced people to staff the clusters. Others pointed out that too many organisations attend cluster meetings merely to listen but not to provide information. “If you want clusters, you need to invest in them, otherwise they are not relevant,” an NGO worker told the HRI team.

Coordination among donors could also be improved. In the absence of a formal donor coordination mechanism, some of the larger donors (ECHO, AusAid, the US Agency for International Development (USAID), the Japan International Cooperation Agency (JICA) and the Canadian International Development Agency (CIDA) met informally to share information. While some applaud this effort, others believe that donors should share their deliberations with “official” coordination channels. According to some interviewees, too many donors fund the same things and they could do more to align their plans. There is, according to one, “too much coordination for the sake of coordination – it could be more meaningful. Donors could all meet and decide who is going to fund what and help decide partners.” Some donors do regularly coordinate with their traditional implementing partners. Organisations in the field felt, however, that donors should align their decisions to the needs identified in the clusters. They should not stipulate that their funding can only be used for certain sectors or activities. Realising this objective would require a joint needs assessment which enjoys the confidence of both donors and the government.

Given the numerous problems that arose regarding needs assessments, prior to the next disaster it is vital to reach agreement on a common format and procedures for needs assessments and to incorporate these into contingency planning. The attempt to conduct a UN-Emergency Capacity Building Project joint needs assessment was incorporated into contingency planning and is praiseworthy. Efforts should be made to find simple and practical measures to ensure that, in the future, the common template can be used by all and the right procedures are in place to avoid a repetition of sudden onset emergency chaos. A suggestion from the field was for donors and cluster leads to take the lead on this: “Trying to merge all the formats is a nightmare – donors could agree on a common format and indicators. Cluster leads can also do this by forcing everyone in the cluster to use the same indicators.”

### Budding national capacity

A key TEC recommendation was the need to strengthen national disaster response capacity. Bilateral and multilateral donors have been very supportive, funding various capacity-building programmes and providing technical assistance to Indonesian agencies such as the Badan Rehabilitasi dan Rekonstruksi (BRR) (BRR, UNDP & GoI 2005). This investment is beginning to bear fruit. While there is room for improvement, the Indonesian government should be commended for its DRR efforts and its capacity to manage disasters, especially in rapid response. Following the 2004 tsunami and the 2006 earthquake in Yogyakarta, in 2007 the government enacted a Disaster Management Law (Law

24/2007) which led to the creation of the National Agency for Disaster Management, or BNPB (Badan Penanggulangan Bencana Nasional). Prior to the law, BAKORNAS (BNPB’s predecessor), or ad hoc ministerial groups, came together following a disaster. BNPB, however, goes beyond simply managing disaster response, seeking to be much more comprehensive and to include prevention, preparedness and recovery (World Bank 2009). The law also creates mechanisms to ensure financial accountability and regulate the participation of international agencies and national NGOs.

*“Donors tended to fund the most visible needs. The contest for profile had absurd consequences.”*



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Like other state institutions, disaster management mechanisms in Indonesia now follow the recently rolled-out decentralisation model. At the provincial level, SATKORLAK is in charge of all aspects of disaster management while SATLAK coordinates at the district level. Both of these structures are ad hoc in nature. Just as BNPB replaced BAKORNAS, both SATKORLAK and SATLAK are expected to be replaced with permanent structures according to the 2007 law (Willitts-King 2009). The implementation of the 2007 law is still ongoing, but capacity certainly seems to have improved since the tsunami. Although still a work in progress, things are headed in the right direction.

On a regional level, efforts have been made within the Association of South-East Asian Nations (ASEAN) to integrate preparedness and emergency response. The Indonesian government has played a leading role, hosting conferences in Bali and Jakarta that led to the signing of the ASEAN Agreement on Disaster Management and Emergency Response (ASEAN 2005). The agreement provides for “effective mechanisms to achieve substantial reduction of disaster losses in lives and in the social, economic and environmental assets of the Parties, and to jointly respond to disaster emergencies through concerted national efforts and intensified regional and international co-operation” (*Ibid*). It includes provisions for an ASEAN disaster relief fund and operational procedures to expedite collective responses to disasters.

Humanitarian organisations note that investment in national and local capacity is having an impact. They report that the government was clearly committed to being the lead emergency responder and set the time limits for each phase. While the early warning system did not work properly, and the system of local command posts was not functional at the time of the earthquake, it is, nevertheless, clear that the Indonesian government is genuinely committed to improving its disaster management capacity.

A further example of good practice has been the creation of locally managed funding mechanisms. The frequency of natural disasters in Indonesia and the bureaucratic difficulties that the government faces when responding to concurrent disasters make such mechanisms extremely useful. While they differ in form and function, the ERF, rapid funding mechanisms of donors and the Multi-Donor Trust Fund are examples of good practice.

OCHA Indonesia has managed an ERF since 2001. The ERF is exclusively for NGOs and provides up to US\$100,000 to kick start emergency programmes within hours of a disaster. It is designed to provide rapid, flexible funding to meet priority emergency needs for up to six months. Sweden is currently the main ERF donor, but this changes from year to year. Interviewed field staff generally agreed that the ERF had been effective.

Other positive examples of rapid funding mechanisms include those provided by the Japanese embassy, the Danish embassy, and ECHO’s primary emergency decision (PED). ECHO’s Indonesia office provided 3 million through this fund after the earthquake. The entire process including the call for proposals, decision and receipt of funding was generally completed within three days (although some agencies reported a few extra days). Field organisations were highly appreciative of this mechanism, as it allowed them to intervene quickly and efficiently.

The Multi-Donor Trust Fund for Disaster Response in Indonesia, which was announced in early 2010, follows the pattern of the Multi-Donor Trust Fund set up by 15 donors, the World Bank and the Indonesian government for recovery and reconstruction of Aceh and Nias after the tsunami and earthquakes of 2004 and 2005. Details are still under discussion, but it is clear it will allow for disbursements in response to disasters anywhere in Indonesia. It is hoped that this mechanism can both prevent recurrence of the kind of disproportionate responses recently seen in West Java and West Sumatra and offer support to under-funded, non-visible sectors, particularly early recovery. Interviewees reported that these locally-managed funding mechanisms were far more efficient and timely than the funds provided from outside the country. Central Emergency Response Fund (CERF) funds, for example, are reported to have arrived as late as six weeks after the disaster. Donors would do well to consider expanding these and similar mechanisms.

### Lessons learnt and recommendations for the future

More than five years after the tsunami, Indonesia has seen definite improvements in disaster management. By nearly all accounts, local capacity has vastly improved. At various tiers of government, authorities are increasingly able to coordinate and respond to disasters and to draw on local funds and international funds managed in Indonesia.

In a country that experiences natural disasters so frequently, learning from the past is key in ensuring that local authorities and local communities are better prepared to respond to disasters. In an ideal world, the Indonesian government would have the capacity to manage the response itself. With appropriate support from donors this could become a reality. If this is to happen, donors need to:

- 1 **Incorporate needs assessments into contingency planning.** The chaos surrounding the numerous needs assessments following the Sumatra earthquake shows the need to agree on a highly practical common template and procedure before the next disaster. Donors should not need to conduct their own assessments. They should support organisations' efforts to be better prepared and inform their partners of the importance of contingency planning, and their willingness to support it.
- 2 **Allocate funding solely on a sober assessment and prioritisation of needs.** This recommendation is, of course, sadly far from new, but it remains highly relevant. Donors preferred to fund the most visible needs, while neglecting less tangible ones. In the absence of a reliable needs assessment, donors should follow recommendations made by clusters.
- 3 **Integrate risk reduction and preparedness in humanitarian action.** It is encouraging that there is such Indonesian commitment to disaster risk reduction and preparedness. Donors need to support their integration as a part of humanitarian action, instead of insisting on their separation.

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- Information based on field interviews with key humanitarian agencies in Indonesia from 16 January to 3 February 2010, and 90 questionnaires on donor performance (including 41 OECD/DAC donors).**
- The HRI team, composed of Philippe Benassi and Marybeth Redheffer, contributed to this report. They express their gratitude to all those interviewed in Indonesia.







*Crisis reports*

# **Occupied Palestinian territories**

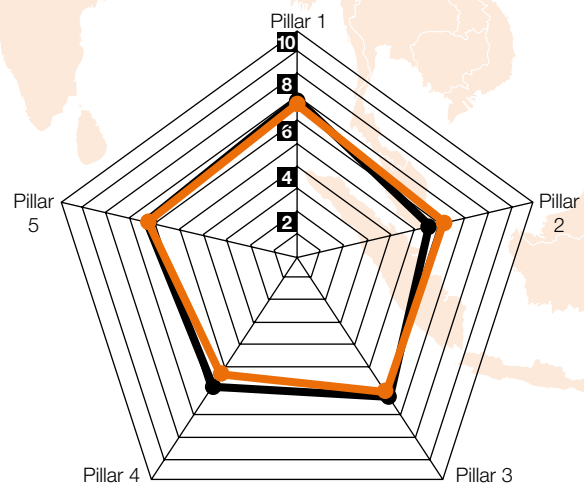
## Occupied Palestinian territories at a glance

### The crisis and the response

- Gaza remains in chronic humanitarian crisis. Closed borders mean extreme difficulty in obtaining food and basic supplies.
- Gazan population is now even more dependent on humanitarian aid.
- Conditions in the West Bank improved slightly in 2009 but the separation wall further limited Palestinians' access to land and livelihoods.
- Despite intensive shuttle diplomacy there is limited hope for either inter-factional reconciliation or results from direct Palestinian-Israeli negotiations.
- Generous donor response to the 2009 CAP resulted in world's highest per capita assistance: 22 new donors contributed.
- Only a limited share of the US\$4.5 billion pledged for humanitarian and reconstruction needs in Gaza was disbursed as funds remained unspent due to political constraints.
- Donors shifting from general budgets to the high-profile Gaza crisis created emergency funding shortfalls elsewhere in the oPt.

### Donor performance

- Donors' ban on contact with Hamas authorities in Gaza affected effectiveness of aid delivery and compromised basic humanitarian principles of impartiality, neutrality and independence.
- Donors (with the exception of the European Commission) were generally criticised for allowing political interests to take precedence over the humanitarian need to jointly advocate for access and protection.
- Operation Cast Lead caught many donors by surprise.
- Donors were criticised for not doing more to fund organisational capacity, contingency planning and preparedness.



— Occupied Palestinian territories  
— All Crisis Average

#### HRI 2010 scores by pillar

**Pillar 1** Responding to needs

**Pillar 2** Prevention, risk reduction and recovery

**Pillar 3** Working with humanitarian partners

**Pillar 4** Protection and international law

**Pillar 5** Learning and accountability

### Key challenges and areas for improvement

- Other donors should emulate the EC and jointly advocate for access and protection.
- Donors should recognise that the blockade and the “no-contact policy” further isolates the Hamas authorities, increases their suspicion of aid workers and thus further shrinks humanitarian space.
- Donors must reevaluate their excessive focus on projects to assist displaced Gazans, instead ensuring that all in need throughout the oPt receive aid.
- Donors need to strive to maintain the independence, neutrality and impartiality of humanitarian aid.

## Occupied Palestinian territories

### *Desperation grows*

2009 saw an intensification of the politically-induced humanitarian crisis in the occupied Palestinian territories (oPt). Damage inflicted on Gaza during Israel's Operation Cast Lead offensive in December 2008-January 2009 has not been repaired and the enclave's infrastructure, economy and social fabric are under tremendous pressure. In the West Bank, protracted violations of human rights and humanitarian principles continued and the Israeli government dashed prospects for peace by further building settlements, despite growing international condemnation.

The blockade of Gaza was initiated in June 2007 following several years of rocket attacks on neighbouring Israeli communities and takeover of the enclave by Hamas. Rigorous enforcement of the blockade in 2009 permitted only a trickle of the most basic food, non-food and medical supplies to enter Gaza. Gaza remains in the grip of a chronic humanitarian crisis characterised by shortages of food, potable water and medicine. Continued salinisation of the coastal aquifer and inability to repair damaged water treatment and transport networks have made large numbers of Gazans dependent on expensive trucked water of dubious quality. The population is still heavily affected by the trauma of inter-factional violence during the Hamas takeover. The human misery caused by the blockade is rarely mentioned in the political debate around Gaza.

The blockade of imports and exports is causing shortages of basic products, impeding maintenance and repair of basic infrastructure (including water and sanitation facilities and medical equipment), eroding livelihood opportunities, decreasing purchasing power, undermining efforts of moderate Palestinians, entrenching extremists and enforcing dependence on humanitarian aid. The blockade and international boycott of contact exacerbate the feeling of isolation of the Hamas authorities and their suspicions of aid workers. Hamas' occasional interference with their work, and persistent restrictions on human rights workers having contacts with those whose rights have been abused – many of them inflicted by the local police or Hamas militants – indicate the shrinking humanitarian space.

The Palestinian Central Bureau of Statistics (PCBS) reports that 60.5 percent of Gazan 15-19-year-old Gazans are unemployed and that total unemployment in Gaza rose from around 30 percent in 2007 to 40 percent in December 2009. Several thousand people still live amid the rubble of their former homes. With entry blocked by Israel, Gaza's huge need for construction materials – in particular cement – can only be met by the network of tunnels from Egypt on which the enclave has become reliant.

Gaza has, in effect, become a "humanitarian welfare" state, almost fully dependent on foreign aid. This poses a great risk for further instability. As standards of education, culture and living decline, Gaza has become a classic example of "de-development".

In the West Bank, movement east of the barrier – the separation wall erected by Israel inside the Green Line which the international community recognises as the boundary between Israel and the West Bank – slightly improved in 2009. However, limited access to land and livelihood opportunities continues to prevent development. While the world's focus in 2009 was on the post-Cast Lead humanitarian crisis in Gaza, there was some hope for resumption of the political process and a temporary improvement in the situation in the West Bank, including East Jerusalem. However, continuing restrictions on Palestinians' access to land and other sources of income, together with illegal expansion of Israeli settlements on occupied territory, and evictions and demolitions of Palestinian houses, particularly in East Jerusalem, have continued to negatively affect the Palestinians.

Assistance in the West Bank is focused on the most vulnerable areas and groups such, as residents of refugee camps, Bedouins and other Palestinian populations in Area C – the part of the West Bank which under the terms of the 1993 Oslo Accords has remained under full Israeli military control. Area A consists of urban areas under the control of the Palestinian Authority (PA), and in Area B, security is shared between the PA and Israel.

The aid community has shifted from provision of material assistance to – generally unsuccessful – efforts to ensure protection and access to jobs and markets. In 2009, in the West Bank, 56,000 jobs were created (Palestinian Central Bureau of Statistics, 2009). Some investments were seen and life slightly improved, largely thanks to donor support. While the number of obstacles operated by the Israel Defence Forces (IDF) was reduced from 630 in September 2008 to 550 in February 2010, this has not brought about fundamental change in the human rights situation. The lives of West Bank Palestinians continue to be shaped by an often violent military occupation, restrictions on movements of people and goods and an increasingly militant settler population determined to exact a price for any Israeli concessions to international

opinion.

The Fatah-Hamas conflict – dubbed by Palestinians *wakseh* (self-inflicted ruin) – shows no sign of abating. Negotiations between Fatah and Hamas have stalled. Hopes for reconciliation have been dashed despite intensive external diplomacy. Efforts by the United States (US) Special Envoy, as well as the Representative of the Quartet, to start indirect (“proximity”) talks as a prelude to direct negotiations failed. The Palestine Liberation Organisation (PLO) leadership refused to enter talks unless Israel froze all new settlements. The assassination in Dubai in January 2010 of a Hamas commander, allegedly perpetrated by Israeli security forces, has heightened tensions between Israel and a number of Western countries, as the plotters used forged passports of their nationals. Commencement of the first round of proximity talks in May 2010 produced little results.

Israeli settlement expansion has been denounced as illegal at the highest level. US-Israeli relations were challenged by the announcement in March 2010, during the visit of US Vice-President Joe Biden of plans to build 1,600 new homes in occupied East Jerusalem. Subsequent expressions of dismay at the consequences of ongoing settlement construction were made by both the United Nations (UN) Secretary-General and the European Union's (EU) foreign policy chief. A statement following a Quartet meeting in Moscow in March criticised the housing announcement as an impediment to resumption of peace negotiations. The Quartet called for the lifting of the blockade on Gaza, cancellation of all new settlement plans and adherence to the 2003 Road Map, under which Israel had agreed to dismantle settlement “outposts” and the PA to disarm militants, curb terrorism and take steps toward a democratic, accountable government. Neither side has followed up on all benchmarks set out in the plan.

In April 2009, the UN Human Rights Council (UNHRC) established an independent international fact-finding mission to investigate violations of international human rights law and international humanitarian law (IHL) in the oPt, with focus on Gaza. The resultant Goldstone report accused the IDF and Palestinian militants of war crimes and possible crimes against humanity, and recommended that both sides transparently investigate their actions. The report noted evidence that Palestinian armed groups committed war crimes and, possibly, crimes against humanity by repeatedly launching attacks on southern Israel, but was particularly critical of Israel, calling its assault “a deliberately disproportionate attack designed to punish, humiliate, and terrorize a civilian population, radically diminish its local economic capacity both to work and to provide for itself, and to force upon it an ever increasing sense of dependency and vulnerability.” The UNHRC, endorsed the report and, in November, the UN General Assembly resolution 64/10 called for independent investigations of war crimes allegations by both sides.

### Donor support

In response to Operation Cast Lead, in February 2009 the UN issued the Gaza Flash Appeal, requesting US\$613 million for immediate life-saving needs and essential repairs for nine months. The largest share of the funds requested was to address urgent needs for food, shelter and other non-food items. A number of projects in the Flash Appeal had already been included in the annual (CAP) for 2009, bringing the total funds required for 2009 to US\$873 million, later revised down to US\$804.5 million. Donors responded rapidly and generously and, at the end of the year, 78.79 percent of funds requested were covered.

Donors made pledges of close to US\$4.5 billion for humanitarian aid and early recovery during a conference in the Egyptian resort of Sharm el-Sheikh in March 2009. The PA, UN agencies, the World Bank, the EC and local and international non-governmental organisations (INGOs) cooperated to prepare a Palestinian National Early Recovery and Reconstruction Plan for Gaza 2009–2010. The plan was ambitious, requesting US\$1.33 billion for early recovery and reconstruction, including US\$502 million to repair essential infrastructure and US\$315 million to rebuild basic social services. It was not clear how much represented new money. It is now apparent that only a small share of the pledges and proposed projects have been realised due to the near complete blockade imposed on Gaza. With no prospects of Israel lifting its embargo, several organisations – notably the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) – have decided it is premature to finalise any reconstruction plans.

While CAP requirements increased by US\$378 million between 2007 and 2009, donors funded a higher percentage of the funds requested and additionally provided considerable support outside the appeal. This includes in-kind contributions from Arab states.

In 2009, 22 new donors pledged support to the appeal. Kuwait was a significant new major donor, becoming one of the top five. The US was the top donor and also the largest donor to the general fund of the UNRWA, which is not included in this summary. Together the top five donors contributed together 60 percent.

The 2010 CAP requests US\$644.5 million. US\$635.2 million is sought for high priority needs, of which US\$370 million is required for Gaza. While UNRWA's requirements amount to US\$323.3 million (not including its general fund) and the World Food Programme (WFP) requires US\$50 million, there is also considerable involvement of, mostly international, NGOs. UNRWA and WFP's Operation Lifeline are however the main actors. UNRWA feeds registered refugees (representing approximately two thirds of the population of Gaza and around a quarter of the population of the West Bank) and WFP meets the principal food needs of the remaining vulnerable population.

Year	CAP requirements in US\$ millions		Donor contributions in US\$ millions		Total funding (inside and outside CAP) in US\$ millions
	Original	Revised	Total	% funded	
2007	454.69	426.32	277.35	65.1	359.85
2008	462.12	452.22	337.44	74.6	485.79
2009	463.37	804.52	636.00	79.1	820.41

Source: UN OCHA FTS, October 2010.

2009 CAP contributions in US\$ millions		2009 Total humanitarian contributions (inside and outside CAP) in US\$ millions	
United States	176.86	United States	183.39
ECHO	85.43	ECHO	108.75
Private	55.11	Private	83.72
Kuwait	34.00	Kuwait	34.00
Canada	30.33	United Arab Emirates	31.45

Source: UN OCHA FTS, October 2010.

### Quality of response

The response to the 2009 revised appeal was rapid and generous, but there were several impediments to programme implementation. It has been a significant challenge to incorporate new donors to the Consolidated Appeal into coordination and consultation mechanisms. Several Organisation for Economic Cooperation and Development / Development Assistance Committee (OECD/DAC) donors shared information on assistance provided, but better joint strategic planning of their appeal response would have ensured greater impact.

Several donors allocated all their oPt aid to Gaza and did not necessarily increase their traditional annual support. Shifting contributions from flexible use throughout the oPt for immediate Gazan needs led to underfunding of a number of ongoing projects in the West Bank where several NGOs had to restrict or halt activities. Some agencies complained that they were blocked from reallocating pledges made for Gazan reconstruction to meet needs of vulnerable West Bank populations.

The humanitarian response in Gaza has been only partial and short-term. There is concern about the continued intrusion of seawater into the coastal aquifer, the inability to repair the sewage and water supply systems, and widespread dependence on expensive and often unsafe trucked water.

The operational environment in Gaza is complicated not only by the stringent Israeli blockade but also by donor and UN security protocols which require international staff to travel in armed vehicles and wear bulletproof gear. This limits direct contacts with beneficiaries, complicates establishment of relations of trust and adds to the burdens faced by UNRWA's 10,000 local staff. Both Palestinians and the aid community see the blockade as destroying hope and strongly urge donors to speak out and more forcefully pressure Israel to respect international law by lifting the blockade, halting the construction of the barrier and adhering to the 1967 General Assembly Resolution No. 242.

The blockade of Gaza has substantially added to the cost of delivering aid. Due to closure of the Karni crossing, UNRWA and WFP reported having to spend an additional US\$5.1 million on transport, storage and handling of food supplies in 2009.

The ultimate effectiveness of donor assistance is dependent on the selective and unpredictable goodwill of the Israeli government to allow certain shipments and categories of aid into Gaza. Many donors are forced to intercede at the highest level to obtain trifling results, such as clearance of a small truckload of glazing glass. Needs identified in East Jerusalem and in Area C of the West Bank are not being addressed due to Israeli pressure, leaving a significant proportion of the population unprotected.

The entry of 22 new donors and the fact they collectively provided US\$61.2 million, 11.6 percent of the CAP response, is encouraging and should be built upon. The largest contributions came from three Gulf countries and the Islamic Development Bank. Besides their generous, and mostly un-earmarked, cash support, Arab donors expedited transit through Egypt of some of the most needed construction materials. The monetary value of these and other in-kind contributions is not clear. Arab donors additionally supported the reconstruction of schools, hospitals and some 100 houses in Gaza. Despite their generosity, Arab donors lack well-developed methodologies or strategies. They did not consult about priorities, nor coordinate their in-kind response, thus contributing to an overloading of warehouses and causing congestion and delays at the Rafah crossing point with Egypt.

In general, private contributions given in the immediate aftermath of Operation Cast Lead were spontaneous, for immediate relief purposes and mostly given without any restrictions on end beneficiaries. However, donor governments were frequently led by political and media-driven considerations. One donor representative interviewed said that public shock at the extent of death and damage had put her government under pressure to act swiftly, leaving insufficient time for assessment and coordination. Given the reality of the blockade, needs assessments were inadequate and often more shaped by donor politics and restrictions on the utilisation of aid than identified needs. Although there was general agency satisfaction that donors allocated funds according to assessed needs, there was concern that protection and early recovery activities were not well supported. Several donors stressed cross-cutting concern for protection and adherence to humanitarian principles and insisted that these should be included in all initiatives they fund.

#### **Impact of the “no contact with Hamas” policy**

Several donor governments have implemented global anti-terrorism measures which preclude any contact with Hamas – acknowledged by international observers to have won 2006 parliamentary elections. Those refusing contact include some of the most prominent Western donors. This severely compromises delivery of humanitarian assistance along agreed principles of international humanitarian law. It excludes some of those in Gaza requiring need and also significantly adds to transaction and implementation costs through the requirement to channel funds through non-Hamas-affiliated agencies and restrictions on procurement in Gaza. Major donors permit INGOs to work only in five municipalities considered outside Hamas control. They thus impede provision of assistance on the basis of need, disregarding a key *Good Humanitarian Donorship (GHD)* principle. The prohibition of other than “technical” contact with Hamas officials prevents establishment of effective relationships with de facto authorities and institutions providing water, health, sanitation, solid waste removal and other basic services.

This policy has resulted in extremely detailed and time-consuming reporting requirements and protracted procurement processes. Amid suspicions that Hamas benefits from the tunnel economy, donors insist that funds are not used in any way which might conceivably strengthen the Islamic movement. A major donor has set a local procurement limit of US\$1,000 for implementing agencies it funds. One interviewee mentioned how a donor requested exhaustive technical specifications for a shipment of pencils. The burden of suspicion falls on implementing agencies, forcing them to great lengths to demonstrate they are not bolstering Hamas. The prohibition on dialogue with Hamas puts humanitarian workers under further stress as beneficiaries may regard them as partial in their delivery of aid. They also face the additional risk that they as individuals, or their agencies, may be accused of “supporting terrorism”.

#### **Implementation of humanitarian reform**

Donors participating in the *GHD* initiative have pledged support for the cluster approach. Sector coordination was already in place in the oPt in 2008. The cluster approach was applied for the first time in response to the 2009 Gaza crisis. Preliminary findings of the evaluation of the cluster approach in November 2009 indicate the need for more inter-cluster coordination and clarity of mandates and reporting lines within clusters. The evaluation confirmed that the approach covered most basic needs. The logistics cluster was initially effective in moving goods which Israel permitted to enter Gaza, but did not subsequently go beyond information-sharing as UNRWA, with its considerable operational experience, did not need to rely on logistical assistance from new partners. The education, health and water-sanitation clusters were considered to have worked slightly better. The decision of the early recovery cluster to cooperate with the PA, rather than Hamas, seriously impeded its effectiveness.

In the aftermath of Cast Lead, the Humanitarian Country Team (HCT) was activated with the participation of the UN, NGO coordinating bodies and the Red Cross / Red Crescent Movement. The HCT is chaired by the UN Humanitarian Coordinator, who is also the UN Deputy Special Coordinator within the UN Special Coordinator's Office. In other contexts, the combination of humanitarian and political functions is considered by a number of NGOs and the Red Cross/Crescent Movement as a blurring of responsibilities to the detriment of the independence of humanitarian action. Some have expressed such reservations also in the oPt, but generally, the arrangement is seen as providing a way to bring humanitarian issues to the attention to the Special Coordinator and to draw on his advocacy capacity on issues such as access.

#### Application of GHD Principles

Agencies and donor representatives described good and poor donor behaviour. Most donor representatives interviewed were aware of *GHD Principles* and tried to apply them when appropriate. Few agency representatives had deep knowledge, but during discussions acknowledged scope for *GHD Principles* to positively influence donor behaviour and humanitarian action.

While several donors advocated at the political level for the lifting of the blockade in order to expedite projects they funded, donors did not coordinate robust calls on Israel to permit unrestricted access of humanitarian goods and workers. The EC was the only donor advocating for protection and unimpeded access to Gaza for all humanitarian workers. In 2009, donors established a Humanitarian Donor Group (HDG) which should be used as the forum for common advocacy and not just for information sharing, for which purpose several other mechanisms are already in place.

There is clear evidence that in many cases, donor political interests have overridden the humanitarian principle that support should be impartially provided on the basis of need.

One major donor went as far as setting up its own "humanitarian pipeline" outside the logistics cluster, thus undermining coordination efforts. By not allowing local procurement in Gaza, on the basis that Hamas might be imposing "taxes" on goods arriving through tunnels, donors continue to support the Israeli economy. Implementing agencies are sometimes forced to pay as much as four times the amount they would otherwise pay in Gaza.

Several donors were cited as examples of good donorship as they provide multi-year commitments, remain flexible and offer un-earmarked funding. One donor had found a way between a politically-driven agenda at home and prioritising humanitarian programmes in the oPt. Informants urged donors to learn from those who are realistic about what can be achieved, have good local knowledge and support genuine needs assessments. Agencies welcomed the switch by some donors from project funding to a programmatic approach, reducing administrative and management costs for both donors and implementers and indicating trust in the implementing capacity of partners. This was contrasted with the practice of those donors who impose onerous administrative requirements on already overstretched NGOs.

*“As standards of education, culture and living decline, Gaza has become a classic example of de-development.”*



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Continued support to the Humanitarian Emergency Response Fund (HERF) made it possible to allocate funding directly to NGOs for modest projects in the immediate aftermath of Cast Lead. Most donors have continued to be guided by the CAP in their humanitarian funding decisions. Agencies are generally concerned about donors who have allocated all or part of their annual oPt budgets to respond to the Gaza crisis at the expense of support for ongoing programmes in the rest of the oPt. Many point to the paradox that while donors are aware of the unacceptable human and financial costs of the Gazan blockade, and are globally committed to promoting aid effectiveness, they have failed to coherently intercede with the Israel government, thus continuing to pay the increased costs caused by the blockade.

### **Lessons learnt and recommendations for the future**

- 1** Advocacy should focus on ensuring that all parties to the armed conflict respect the norms and principles of IHL governing the protection of humanitarian personnel and civilian populations, as well as the right of free movement and unhindered access for humanitarian workers and supplies, including basic construction materials.
- 2** Donors and implementing partners must act strategically to use limited openings for negotiations most effectively.
- 3** Donors should endeavour to undertake field visits and participate in monitoring and evaluation of the projects and programmes.

- 4** Assistance should primarily meet the identified needs of vulnerable minorities, not the priorities of the Palestinian Authority and Hamas who favour development over humanitarian aid out of fear that the latter will be at the expense of longer-term cooperation.
- 5** Methods must be found to address psycho-social trauma and mental health problems in Gaza.
- 6** While it is true that humanitarian assistance initiatives cannot exist in a de-politicised vacuum, it is imperative to do the utmost to retain the independence, neutrality and impartiality of humanitarian aid. Humanitarian principles must not be overruled by political or economic interests.
- 7** Having apparently been taken by surprise at the intensity of Operation Cast Lead, the international community needs to be better prepared to prevent and reduce risk to civilian populations. Donors should be involved in preparing contingency plans which should include best, worst and most likely scenarios. Reserves must be created to allow for a rapid and appropriate response. Donors and agencies need to consult with political analysts and develop an early warning system to mitigate the potential humanitarian impact of any new crisis.

### **A way forward?**

The oPt crisis is unique because of its duration, politically-induced nature, the generosity of the humanitarian and aid response and the active engagement of the international community. It is a crisis of protracted and constant violations of human dignity in which the psychological and mental strength of the occupied population is being tested beyond limits. The prospect of a solution is made more remote by a stand-off between an internationally recognised government (Israel), an authority seeking to build a state (the PA) and an Islamic movement (Hamas) controlling Gaza. In the words of one interviewee, the region is “one country, three governments”. In this ambiguous political situation, the international community is confused, unsure how to prioritise assistance in terms of time, location, implementing partners and beneficiary populations. As the conflict goes on and on, key questions need to be asked: does the current pattern of international assistance prolong the humanitarian and political crisis, rather than work towards a durable solution? Has international aid become an expensive sticking plaster, effectively sustaining the increasing poverty of the Palestinian population and absolving the occupying authority of its obligations under the Geneva Conventions to provide services to those under occupation?

It can be argued that unless there is inter-Palestinian dialogue and rapprochement, the oPt should be seen as being afflicted with two crises. If the international community viewed the oPt through this lens it might be able to adjust its response to the requirements specific for each of the crises in a balanced manner. The international community will need to show strong determination to force all parties to respect international humanitarian law, human rights and humanitarian principles. What is needed on all sides is restraint, an end to provocative behaviour and cycles of retaliation, and commitment to serious efforts to find ways towards a realistic solution allowing civilians to live side-by-side in peace enjoying the same rights.



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Information based on field interviews with key humanitarian agencies in the occupied Palestinian territories (Jerusalem and Ramallah) from 07 to 16 March 2010, and 181 questionnaires on donor performance (including 147 OECD/DAC donors).

The HRI team, composed of Belén Camacho, Lucía Fernández, Magda Ninaber van Eyben (Team leader) and Soledad Posada, contributed to this report. They express their gratitude to all those interviewed in the occupied Palestinian territories.





*Crisis reports*

# **Pakistan**

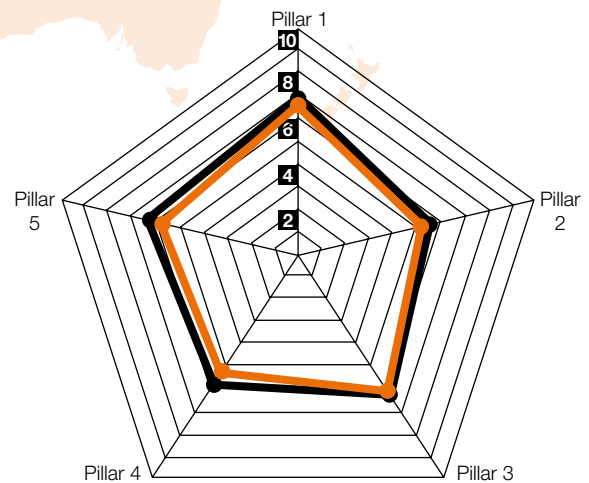
## Pakistan at a glance

### The crisis and the response

- Military operations against Islamic militants caused the world's largest displacement in over a decade: some 1.5 million IDPs have not returned.
- International engagement in the crisis response has been limited due to government access restrictions and UN security procedures.
- Military leadership of the response has created a dilemma: protest closure of humanitarian space or advocate for *GHD Principles*?
- The response has often not been transparently needs-based: entitlements have not reached many female-headed households and some communities branded as terrorist sympathisers.
- The government has downplayed the crisis and denied the applicability of international humanitarian law.
- The cluster system has been misused to allocate funds, rather than coordinate. Meetings have been time consuming and often unproductive.
- UN leadership has been disjointed: there are three senior officials with overlapping mandates.

### Donor performance

- There was a 72 percent response to the revised Pakistan Humanitarian Response Plan 2008–2009. As of October 2010, the 2010 PHRP is only 46 percent covered, with poor responses for protection, WASH and agriculture.
- Many donors remain silent about human rights violations by state agents, coerced IDP returns and government reluctance to use established international humanitarian terminology.
- Donors generally follow Pakistani policy by refusing to fund national NGOs.
- The US and UK have funded non-transparent Pakistani military-led humanitarian and recovery operations.



— Pakistan  
— All Crisis Average

#### HRI 2010 scores by pillar

- Pillar 1** Responding to needs
- Pillar 2** Prevention, risk reduction and recovery
- Pillar 3** Working with humanitarian partners
- Pillar 4** Protection and international law
- Pillar 5** Learning and accountability

### Key challenges and areas for improvement

- Donors must do more to collectively advocate for safe humanitarian access, protection of conflict-affected civilians and humanitarian workers.
- Donors need to understand the root causes of Islamic militancy, especially poor governance and landlessness. Generous support for early recovery – transparently delivered by civilian state actors – is imperative to secure local support for the War on Terror.
- Donors could play a role in forging development of guidelines for civil-military cooperation.

## Pakistan

### *Donor dilemmas around response to conflict-induced displacement*

During its second mission to Pakistan, the Humanitarian Response Index (HRI) team found the country at the foreground of the War on Terror. In April 2009, Pakistan suffered the world's largest and fastest displacement for over a decade as the army launched determined operations against Islamic militants which, in many cases, caused almost all civilian populations to flee. Between 2.7 million and three million Pashtuns were displaced (Internal Displacement Monitoring Centre 2010) in North West Frontier Province (NWFP) and the Federally Administered Tribal Areas (FATA) – the collective name for 13 administrative entities – most of which abut the Pakistan–Afghanistan border and in which a number of Pakistani constitutional rights and justice procedures do not apply. Despite extensive return movements, there were still 1.5 conflict-induced internally displaced persons (IDPs) in July–August 2010 when – after the HRI mission – Pakistan was devastated by a flooding crisis of even greater magnitude. A further 3.7 million ‘stayees’ – those who did not flee military operations but who often suffered just as much as those who did – may require support for the restoration of critical services (OCHA 2010).

The international community generally accepts the need to re-establish Pakistani sovereignty and confront fundamentalists who grossly violate human rights, deny girls access to education and disrupt delivery of basic services by intimidating, murdering or expelling civil servants. However, the means by which this objective has been pursued has created unprecedented dilemmas for international actors.

Humanitarians do not generally find themselves forced to follow the rules of a strong, functioning state with a confident, professional and non-corrupt army. It has been hard to establish productive relationships between international non-governmental organisations (INGOs), United Nations (UN) agencies and Pakistani civilian and military authorities and to provide assistance based on mutually-recognised humanitarian principles. The fact that the Pakistan army is simultaneously a military protagonist (bearing ultimate responsibility for triggering the largest humanitarian crisis in 2009), the key player in the response to it, the driver of most large-scale returns of IDPs as well as the gatekeeper generally blocking – but occasionally permitting – humanitarian access to zones of conflict has created ongoing dilemmas and controversies for donors and humanitarian agencies. There have been intense frustrations as humanitarians find themselves dealing with nominally “civilian” national and provincial government agencies, while the real decision-makers are military personnel. They have faced a conundrum: to observe the *Principles of Good Humanitarian Donorship* (GHD), and thus risk being denied operational access or expelled from the country, or to pragmatically tailor *GHD Principles* to the exigencies of the situation.

Many donors have remained quiescent with regard to human rights violations despite evidence that civilians have been caught between the abuses by the Taliban and the government's often indiscriminate and disproportionate military operations (Amnesty International 2010). They have generally not spoken publicly about the impunity enjoyed by government-recruited militias and the government's failure to “bring the region out of this human rights black hole and place the people of FATA under the protection of the law and constitution of Pakistan” (IRIN 2010).

## Causes and patterns of displacement and return

The Pakistani military launched operations to oust fundamentalist groups, initially in Bajaur Agency in FATA in August 2008, and thereafter in Mohmand Agency. When the Pakistani government entered into a ceasefire agreement with the Tehrik-e-Taliban-e-Pakistan (TTP) in February 2009, under which it was agreed to enforce shari'a law in Swat, there was widespread concern both within Pakistan and abroad. It soon became clear that the TTP was trying to extend its reach beyond Swat, resulting in a decision in May 2009 to eliminate the militants and re-establish government control.

The approach in Swat and during subsequent offensives has been similar: to warn the local people of impending operations, to urge them to leave and in some cases to shepherd civilians onto army-provided lorries and buses and to then unleash aerial bombardment, artillery strikes and infantry attacks. There has been an implicit assumption that any males remaining in a conflict zone are "terrorists" or "miscreants".

Over 80 percent of IDPs have taken shelter with host families or rented accommodation (OCHA 2010). The concept of *melmastia* (hospitality) is, together with honour and revenge, a core tenet of *paktumwali*, the code of ethics governing relations among the estimated 40 million Pashtuns in Pakistan and Afghanistan. While there has been much reference in official Pakistani government statements to the "traditional hospitality" demonstrated by the host families, there are also many cultural complications to accepting it and the needs of host families have been generally ignored.

There have been substantial return movements but it is not clear if they have always been voluntary and sustainable. Those who have returned to NWFP and Bajour in northern FATA may see returning home or local integration in urban environments as their preferred solution. Further south in FATA, where IDPs have been pushed away from buffer border zones, tribal and religious tensions are important obstacles and could provoke secondary displacements. Proximity to the Afghan border and the firing of United States (US) drones into Pakistani territory is an impediment to return. The greatest concern expressed by those who have returned is further conflict. The limited field presence of the international community and lack of humanitarian and media access make it hard to evaluate difficulties facing returnees or stayees.

The decision to return has often been led by political or military considerations, as part of a state strategy to indicate the apparent conclusive nature of victory against militants. Decisions on closures of IDP camps have been taken in Islamabad while the humanitarian community was still in the process of drawing up operating procedures for camp closures. Interviewees confirmed to the HRI team the reports from the UN Humanitarian Country Team (HCT) and protection cluster that there have been consistent instances of camp closures that do not respect the principles of voluntary, informed, safe and dignified returns. Information on return or relocation options was not widely available and key consent forms were only in English. Camp authorities rushed or coerced IDPs into making decisions; and local authorities in some instances cut off camp utility supplies to pressure people to move on (Young 2010). The Pakistani army often coerced people onto trucks despite their misgivings and fears – which in many cases proved to be well-founded – that they would receive insufficient support on return and would confront ongoing insecurity. Major decisions around IDP entitlements have been made at the highest level of the federal government without the apparent engagement of designated agencies, or much, if any, consultation with the humanitarian community. Much advice from humanitarian actors not to rush return and to ensure it is voluntary has been ignored.

It is premature to speculate about durable solutions for those displaced. The displacement crisis in north-western Pakistan is ongoing, further localised conflict is likely to continue and government capacity to respond to displacement is now further limited by the flood crisis. People are still being displaced from, and within, areas across the region.

## Government terminology blurs crisis and distorts response

The Pakistani military seeks to avoid mention of "conflict" or "crisis", depicts its offensives as "law enforcement operations" and denies the applicability of IHL. No government policy statement is based on the internationally-recognised *Guiding Principles on Internal Displacement* and the government does not generally refer to "displacement". The term "IDP" is widely used by the media, civil society, IDPs themselves and Pakistani charitable organisations. It is used informally by political and military leaders and is found in some government reports. However, the federal authorities and military generally use the official term "dislocated people" and occasionally "affectees". Pakistan has successfully insisted that the *Guiding Principles* are barely mentioned in joint government-UN documentation. Driven by their wider commitments to the War on Terror, few donors have publicly questioned the Pakistani government's approach and terminology, despite their formal adoption of *GHD Principles*. With their focus on "post-conflict recovery", major development donors echo government rhetoric that the conflict is over. As an example, the World Bank and the Asian Development Bank worked with the government to rapidly develop a Conflict Early Recovery Initial Needs Assessment (CERINA) in *jihadi*-affected areas (World Bank/Asian Development Bank 2009) despite the reality that conflict was ongoing.

## National agencies responding to displacement

Throughout the history of Pakistan, the army has been seen as the only institution capable of holding the nation together. There has long been an expectation that military actors will automatically assume the leadership for the planning and implementation of major emergency responses to all kinds of disaster. The military's response to the 2005 earthquake was generally regarded as efficient and timely.

The international community was surprised that the emergency response agency established after the earthquake, the National Disaster Management Agency, was sidelined by the army/federal government. Instead, in May 2009, the Prime Minister of Pakistan created a Special Support Group (SSG) to lead the emergency response to the displacement crisis. Officially, the SSG is headed by the Federal Minister for Information and Broadcasting, but day-to-day decision-making is undertaken by the general who led the response to the 2005 earthquake. The SSG's website highlights the military leadership of the response, noting that "the manner in which the IDP Management issue has been taken on by Special Support Group... has contributed positively to the overall Image Building of Pakistan internationally and Armed Forces of Pakistan internally thus accelerating the progress of winning the 'Hearts and Minds' of the affected population," (SSG 2010).

The National Database and Registration Authority (NADRA), a federal body responsible for issuing computerised National Identity Cards (CNICs) to Pakistani citizens, is mandated to register IDPs. Those seeking to become registered as IDPs need a CNIC. Many, particularly women and residents of isolated parts of FATA, did not have one prior to the crisis or lost it during flight. Criticisms have been levelled at NADRA for not doing more to ensure registration of female-headed households, people with disabilities and those perceived as enemies of the state because of their political or familial affiliation. The HRI team was informed that assistance was given to all members of some clans believed to be pro-government allies, regardless of their individual or household circumstances.

*"You are damned if you do and damned if you don't."*



© Abdul Majeed Goraya/IRIN

The government recognised that the primary need of IDPs was cash to pay for food, rent and utilities and that they were living in an urban environment with no shortage of cash machines and banks. After discussion with the UN, it was agreed to issue Smart Cards for NADRA-registered IDPs. There was quick uptake as cash was withdrawn, shopkeepers recognised them for a fee and middle-men started helping those unfamiliar with the technology. Against UN advice, a populist decision was made to load each card with 25,000 rupees (c. US\$300), substantially more than after the earthquake. This led both to some people claiming displacement status without due reason and to the government running out of funds. After 400,000 cards were issued, further IDP registration was then blocked without warning and only resumed on receipt of US funding. Newly-registered IDPs do not receive as much.

Pakistan has not only prevented access of international humanitarians and donors to conflict zones, but has discouraged engagement by non-approved Pakistani charitable societies, human rights organisations and the media. Many reported to the HRI team that most donors have followed this Pakistani policy by refusing to provide funding for national NGOs.

## International donor response

Numerous INGOs, 25 UN agencies and the International Organisation for Migration operate in Pakistan. Despite this considerable presence, the international community's engagement in the response to those displaced by the armed conflict has not involved substantial direct field involvement. The UN's stringent security mechanisms, combined with government access restrictions, has greatly limited access to conflict zones and areas of return. The limited role of international humanitarian assistance reflects a lack of capacity and influence, exacerbated by controversy around the way in which humanitarian aid is perceived and disagreement among humanitarians on whether to engage and support government programmes or to primarily advocate for humanitarian principles (Humanitarian Policy Group 2009). Few of the international staff in humanitarian agencies have extensive experience working in Pakistan. Donors and the UN seem to lack analytical capacity to understand and address the root causes of displacement. A real-time evaluation (RTE) of the response commissioned by the Inter-Agency Standing Committee (IASC) concluded that the HCT was not "as effective a forum for leading the international humanitarian response as it should have been," (Cosgrave et al. 2010).

Traditionally, apart from the very extensive bilateral military cooperation, aid to Pakistan has been concentrated on development issues, much of it through budget support. The formal coordination mechanism has been the Pakistan Development Forum, which last met in 2007. At the federal level, the Pakistani government's priority remains traditional development assistance, in particular budget support, rather than humanitarian assistance.

Downplaying the extent of the displacement crisis, Pakistan was initially hesitant to work on an appeal with the UN. After difficult negotiations, a Pakistan Humanitarian Response Plan (PHRP) was approved, initially for six months, but later extended. By the end of December 2009, 72 percent of funds requested in the revised PHRP 2008-2009 had been obtained, the fourth-highest level of funding globally: US\$490 million against total PHRP requirements of US\$680 million. As of mid-September 2010, a further US\$188 million has been contributed to the displacement crisis response outside the PHRP, including through the Red Cross and Red Crescent Movement, Médecins sans Frontières (MSF) and a large number of other international NGOs. The major contributors to the PHRP have been the US (43.5 percent), the European Commission (7.9 percent), the United Arab Emirates 5.7 percent, Japan 4.7 percent, Germany 4.3 percent, Australia and Norway (both 3.2 percent). The United Kingdom (UK) – the former colonial power – contributed only 2.9 percent. The 3.3 percent provided by the Central Emergency Response Fund (CERF) proved invaluable in providing rapid funding for life-saving activities. Pakistan itself contributed 4.9 percent of the total.

There was markedly divergent response by sector. Nutrition was almost fully covered and camp coordination and camp management was 96 percent covered, but responses to early recovery, agriculture and education were only four, 19 and 36 percent respectively. This clearly indicates serious lack of appreciation of the importance of restoring livelihoods and failure to learn from experience elsewhere, demonstrating that such activities must start in parallel with the immediate provision of shelter and food aid. In August 2010, OCHA (2010) warned that "the vast majority of those not receiving support for restarting agricultural and non-agricultural livelihoods will find it difficult to identify new income sources or non-harmful ways of sustaining themselves and their families".

A number of Pakistan's leading donors, including the US and the UK, work with Pakistan's military on recovery and reconstruction projects in NWFP and FATA. The US and UK have developed a "non-kinetic stabilization" strategy for Malakand, the district which has seen the largest displacement (US State Department 2010). Funds provided by such interventions do not form part of donors' humanitarian budgets. They resemble Afghanistan/Iraq models of Provincial Reconstruction Teams, with the difference that activities in Pakistan are nationally-led. There is apparent tension within UK agencies – with the Department for International Development (DFID) reportedly not pleased with direct Ministry of Defence/Foreign and Commonwealth Office assistance to the Pakistani military for "reconstruction".

Funding for the 2010 PHRP has fallen significantly behind needs and is now likely to be overshadowed by the August 2010 flood catastrophe. Launched in February 2010, it sought US\$538 million for the first six months of 2010, and the possibility of US\$254 million for the second half of 2010. By mid-September 2010, the PHRP had only been 44.6 percent covered, with only food (60 percent) and CCCM (60 percent) even half funded.

## Non-OECD/DAC donors

As in other recent disaster contexts, the extent of funding provided by Gulf states is not readily quantified and pledges have not necessarily been honoured. Saudi Arabia pledged US\$100 million to the PHRP in October 2009 but up until the 2010 floods, discussions were still under way to turn this into an actual disbursement, with the HCT unsure how best to pressure Riyadh. Such inability to turn a pledge into a payment highlights the general difficulty in Pakistan, and elsewhere, of how to effectively and transparently engage with non-traditional donors.



**Difficult choices for humanitarians**

Whether to cooperate or to protest is a choice faced by most operational agencies genuinely committed to upholding *GHD Principles* in Pakistan. There are no easy answers. The representative of one INGO told the HRI team of the need for “pragmatic impartiality”. Several INGOs reported “you are damned if you do and damned if you don’t”. Respondents reported that in general, “donors accepted conditions and limitations imposed... probably they didn’t have any other option”.

Some international humanitarians have expressed principled concerns about military closure of humanitarian space, while others argue the pragmatic need to align with the military agenda, despite apparent contradiction with core humanitarian principles. Humanitarian actors continue to debate the pros and cons of alignment and proximity with military actors. Oxfam has noted that “efforts to uphold and promote humanitarian principles (including the need to distinguish humanitarian action from military or political agendas) have suffered from a disjointed approach and the lack of a common strategy for engagement with government and other actors,” (Bennett 2009). Despite their reservations about military intrusions into humanitarian space, there is often a grudging recognition among the UN and INGOs that they are more bureaucratic and sluggish as responders to displacement than the Pakistani army.

**Cluster and coordination confusion**

It is difficult, in a strong state such as Pakistan, for donors to combine development and humanitarian assistance while respecting the *GHD Principles*. It has not been easy for in-country donor staff to shift from long-standing development approaches to learning to respond to a massive sudden-onset humanitarian emergency. Donor and UN agencies’ reliance on “surge capacity” resulted in the arrival of staff with little or no knowledge of the country, often to the annoyance of more experienced humanitarian workers with experience stretching back to the 2005 earthquake. Dependence on surge capacity led to frequent turnover of staff, as those provided under “surge” arrangements are often only available for short periods. Donors and UN agencies need to address this long-standing problem.

The swift re-establishment of a fully-staffed OCHA office in early 2009 was instrumental in ensuring rapid and regular compilation and dissemination of information. In the second quarter of 2009, the UN Under-Secretary-General for Humanitarian Affairs designated the United Nations Children’s Fund (UNICEF) Representative in Pakistan as Humanitarian Coordinator (HC) to lead the response to the displacement crisis. In August 2009, the UN Secretary-General also appointed a Special Envoy (SE) for Assistance to Pakistan to “promote a strategic, coherent and comprehensive approach to supporting the humanitarian, recovery and reconstruction needs of crisis-affected areas.” The UN asserts they work closely together but the Resident Coordinator (RC) and HC have little contact and the SE only comes to Pakistan occasionally. The SE’s function seems uncertain as he has no Security Council mandate – to which Pakistan would not agree anyway. The designation of a separate HC and SE indicates how difficult it has been for the UN to promote a comprehensive response strategy and to mobilise funds. The complications arise from both the Pakistani government’s desire to downplay any humanitarian issues and the UN’s internal structure. The result – three senior officials with overlapping responsibilities – lacks clarity and efficiency. The future of this tripartite structure remains uncertain.

Many actors interviewed by the HRI team thought that an HC selected for the most significant new humanitarian crisis of 2009 should be able to devote all his efforts to the HC function and should not also be expected to continue to manage the large programme of a major development and humanitarian UN agency.

In response to the displacement crisis, donors established a fortnightly informal donor breakfast, hosted by different donors in turn, at which the HC, the head of OCHA and one or two other selected representatives of humanitarian implementing agencies briefed donors. The HRI team was informed that this mechanism was particularly useful for the smaller embassies.

The coordination mechanisms put in place following the earthquake in October 2005 included the first major trial of the cluster system (Street & Parihar 2007). This was reactivated for the PHRP in 2009. Twelve clusters have been created: agriculture, camp coordination and camp management, coordination, community restoration (elsewhere known as early recovery), education, emergency shelter, food aid, health, logistics support services, nutrition, protection, and water, sanitation and hygiene (WASH).

A number of problems with the cluster system were identified during the response to the earthquake and there continues to be dissatisfaction. Many expressed concern over the use of the cluster system to allocate funds, rather than just coordinate activities and coverage. This has led to the impression that funds do not reach all implementing agencies proportionately, with the UN cluster lead agencies' own programmes, and those of the well-established INGOs, receiving preferential funding. It seems that the cluster leads, rather than being the "funder of last resort" as foreseen in the cluster guidelines, have become the "channel of first resort". The International Rescue Committee has described the use of clusters to provide project funding as an "administratively dysfunctional" perversion of their intended function which has "exacerbated the worst kind of negative competition between humanitarian actors," (Young 2010). Humanitarian organisations also shared their frustration over the extensive amount of time it takes for funds allocated to NGOs through the cluster system to actually reach the implementing agency. Respondents also reported to the HRI team that there is a perception that in some cases, representatives of newly-arrived and non-experienced INGOs, enjoying strong donor political support, took up time at cluster meetings, distracting senior staff from major operational agencies from their duties. Others reported that too many issues were referred to the agency heads on the HCT for decision because those attending cluster meetings did not have the seniority, authority, or experience to ensure cluster members reached agreement.

## Governance and mal-development

There seems to be limited understanding of the socio-political tensions and local power dynamics which helped give rise to Islamic militancy. NWFP/FATA will again become a sanctuary for insurgents unless the government and the international community address the underlying conditions of poverty, absence of state services, poor education and feudal control of land that allowed militancy to flourish. Many, if not most, Pakistani IDPs primarily regard themselves as Pashtuns, rather than Pakistani citizens. Delegitimisation of the authority of Islamic militants is not possible without programmes to develop national identity that recognise the contributions of all ethnic groups. The US military has acknowledged that imposing Western legal institutions on Pashtun communities, directed by a central government perceived as corrupt and dominated by non-Pashtuns, invites resistance (Haring 2010). Delivery of reconstruction aid through unaccountable local institutions not only limits aid effectiveness, but may also impede, rather than encourage, democratisation. A post-conflict recovery approach based on development-focused "business as usual" is not conducive to post-conflict stability.

The International Crisis Group (2009) argues that the greatest obstacle to durable solutions in FATA is malgovernance resulting from "short-sighted military policies and a colonial-era body of law that isolates the region from the rest of the country, giving it an ambiguous constitutional status and denying political freedoms and economic opportunity to the population". In recent years, Taliban militants have murdered hundreds of tribal elders, destroying traditional forms of authority. The vacuum created by the militants and military offensives may lead to more sectarian violence. Extremist groups appear to be exploiting relief efforts to advance their agenda. Communities displaced by a poorly planned war may be especially vulnerable to *jihadi* indoctrination. Media coverage is tightly restricted but there have, nevertheless, been reports that returnees are frustrated, hearing themselves frequently praised as heroes by the government, yet still waiting for key services and livelihoods support (Hussain 2010).

## Lessons learnt and recommendations for the future

Neither the government nor the international community are doing enough to protect and assist those caught up in the titanic struggle against Islamic fundamentalism in Pakistan. Pakistan needs a clear national policy and set of practices to safeguard the lives, basic rights, well-being, and livelihoods of the large number of civilians caught up in the armed struggle.

- 1 **Humanitarian access and respect for IHL:** Donor and humanitarian access to conflict and return areas is essential to verify the conditions of displacement and return. The government's main long-term development partners, particularly the US and UK, need to discuss humanitarian issues directly with the government, stop providing funds for military reconstruction and advocate for channelling of humanitarian relief through genuinely autonomous civil agencies. They must realise that "victory over terrorists" cannot be obtained by coerced IDP returns and military-driven hearts-and-minds "reconstruction" projects.
- 2 **Needs-based assistance:** Donors should engage with the Pakistani authorities on the criteria and procedures by which those affected by the displacement crisis are registered by NADRA. Assistance should reach all those actually in need, specifically those who do not have, or have lost, their identity cards, families headed by women, and those from regions not officially "notified" as being affected by the conflict. Individuals from "loyal" tribes should only be eligible for assistance if they are shown to be personally in need.

- 3 Civil military code of conduct needed:** Many argue that popular support for the struggle against extremism hinges on asserting accountable civilian control over counter-insurgency policy, relief and reconstruction. Humanitarians would like a joint understanding between the Pakistani military, provincial and federal authorities, Pakistani NGOs, donors and international humanitarian agencies specifying how the international community can work with Pakistani authorities and civil society to protect the lives, rights, and livelihoods of civilians. Humanitarian INGOs and the HCT have started to develop a set of Basic Operating Rules, akin to the Basic Operating Guidelines – a set of benchmarks issued by the UN and development and humanitarian agencies – which proved useful during the conflict in Nepal between the former royalist government and Maoist insurgents. These need to be finalised and donors should subsequently pressure the government to accept and conform to them.
- 4 Early recovery:** It is vitally important that the early recovery clusters which were woefully underfunded in the PHRP 2009 are better funded in the PHRP 2010.
- 5 Addressing cluster system inadequacies:** Cluster lead responsibilities in a crisis of this scale, cannot be met by simply adding to the workloads of existing staff. The cluster approach can only work if agencies have additional senior staff with the time, authority, experience and personal skills to understand the issues and prepare and chair meetings. Cluster heads have to be seen as acting in the interests of the vulnerable, not their own agency.
- 6 Clearer UN and donor strategy:** Donors, together with the HCT, need to act on a significant recommendation made by the IASC RTE: to “develop an active strategy of humanitarian diplomacy to work toward a more principled approach and a less constrained humanitarian space in Pakistan, including putting the issue on the agenda for donors,” (Cosgrave et al. 2010).

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- Information based on field interviews with key humanitarian agencies in Pakistan from 2 to 13 March 2010, and 171 questionnaires on donor performance (including 120 OECD/DAC donors).**
- The HRI team, composed of Fernando Espada, Matthew Kahane (Team leader), and Nacho Wilhelmi, contributed to this report. They express their gratitude to all those interviewed in Pakistan.





*Crisis reports*

# **The Philippines**

## The Philippines at a glance

### The crisis and the response

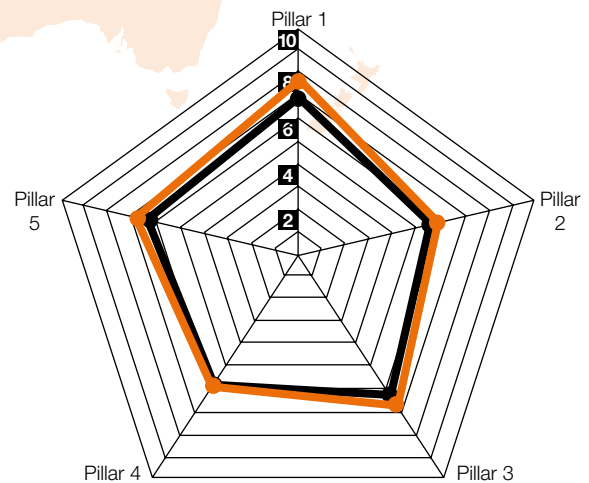
- In 2009, typhoons in Luzon affected 8.2 million people.
- The impact of unresolved conflict in Mindanao left hundreds of thousands displaced.
- The Luzon response was rapid: resources arrived within days as the US Army helped reach isolated communities.
- Post-typhoon needs assessments were uncoordinated: lack of standardised formats complicated information exchange.
- The government has been both an ally and a hindrance in crisis response: while it rapidly called for international assistance in Luzon, it has continued to downplay the Mindanao humanitarian crisis and rejected the need for robust international engagement.
- The cluster system and national coordination systems were not well aligned.

### Donor performance

- Humanitarian agencies generally praise the Luzon donor response as timely and flexible.
- However, initial support quickly peaked, leaving the Flash Appeal only 43 percent covered by October 2010. Coverage of shelter, education and is below ten per cent, with no response to livelihoods and early recovery needs.
- Donors over-relied on government declarations of post-typhoon needs and there was insufficient subsequent monitoring.
- CERF disbursement procedures were slow and bureaucratic: many would-be applicants could not meet deadlines and conditions.
- Donors have been insufficiently engaged in Mindanao.

### Key challenges and areas for improvement

- Donors should diversify funding to support the work of local tiers of government and Philippine civil society.



— The Philippines  
— All Crisis Average

#### HRI 2010 scores by pillar

**Pillar 1** Responding to needs  
**Pillar 2** Prevention, risk reduction and recovery  
**Pillar 3** Working with humanitarian partners  
**Pillar 4** Protection and international law  
**Pillar 5** Learning and accountability

- Donors should advocate more strongly for government adherence to international humanitarian law in Mindanao.
- Partners must be encouraged to genuinely involve beneficiaries in needs assessment and evaluations.
- There is a need for additional funding for both emergency and reconstruction needs in Mindanao.
- Frequency of natural disasters is likely to increase due to climate change: more substantial DDR investment, especially at community level, is imperative.

## The Philippines

### *Perils of politicisation of donor response to crises*

The Philippines is considered a reliable and stable partner by the international community. A middle-income country, in mid-table in the Human Development Index, the government projects an image of a well-governed, liberal democracy. However, responses to two major crises in 2008–2009 – typhoons which devastated the island of Luzon and particularly the capital, Manila, and a renewed upsurge of mass displacement caused by the long-running armed conflict in the island of Mindanao – produced markedly different responses. The Humanitarian Response Index (HRI) team found that while the international community mobilised in initial response to the Luzon storms – but then failed to effectively support recovery – it has done relatively little to alleviate the suffering of those who remain affected by conflict in Mindanao.

### Operational environment

The Philippines archipelago is highly susceptible to floods, earthquakes, volcanoes and climate change. Over half of the population lives in areas prone to natural disasters and/or conflict (UNICEF 2010). In September 2009, tropical storm Ondoy (international name Ketsana) was quickly followed by cyclone Pepeng (international name Parma) inundating 80 percent of Manila, home to some 12 million people. This was followed by another typhoon, Santi (international name Mirinae) in late October. The impact was primarily felt in urban areas where preparedness capacity was woefully inadequate. As a result of the storms, almost a thousand people died and 220,000 houses were damaged or destroyed. Damage was estimated at US\$4.4 billion, or 2.7 percent of Gross Domestic Product (World Bank 2009). 680,000 people were displaced and took shelter in evacuation centres. In a city where half the population lives in informal settlements, the disaster disproportionately affected already marginalised populations, including the indigenous and the urban poor, aggravating existing long-term vulnerabilities and inequalities. Several million people are still living within affected areas (flooded or affected by landslides) with irregular access to assistance. Exacerbating the Ondoy–Pepeng damage to agricultural production in Luzon, the El Niño phenomenon affected rice cultivation, the World Food Programme (WFP) warning of “a slow onset emergency” (WFP 2010).

The Philippines is also home to a conflict that caused the world’s greatest displacement in 2008–2009. As many as 750,000 people in Mindanao abandoned their homes, an event which went virtually unnoticed (Amnesty International 2009 and Norwegian Refugee Council 2009). At the heart of the conflict in the southern Philippines is the problematic integration of the Muslim minority and their resentment of decades of state-supported migration of Christians. In the impoverished Autonomous Region of Muslim Mindanao (ARMM) – which contains most of the country’s majority Muslim provinces – WFP reports that half of the population live below the national poverty line of 60 cents per person per day, 30 percent of under-fives are stunted and only a third complete primary education. Of those living in conflict areas in Mindanao, 30 percent are food insecure and an additional 40 percent are putting their livelihoods at risk by borrowing at prohibitive rates to meet household food needs (WFP 2010). Recurrent armed conflict over four decades has caused the deaths of 120,000 to 160,000 people and has displaced up to two million people at least temporarily (Lara et al. 2009). In the conflict-affected areas of southern Mindanao and the Sulu archipelago, violence is frequent, unpredictable and often highly localised. Muslim separatist insurgencies dominate media attention, particularly the conflict between the government and the internationally-designated terrorist group, the Jama’ah Abu Sayyaf which, unlike the larger Moro Islamic Liberation Front (MILF), is unrelenting in its jihadist commitment to armed struggle. Government attempts to depict the conflicts to the outside world as pitting Moro “rebels” and “terrorists” against state “security” forces simply do not reflect the facts on the ground (Hedman 2009). There are multiple insurgent movements. Substantial displacement has additionally resulted from conflict with the Maoist-inspired New People’s Army (NPA), political party rivalries, tensions between Christians and Muslims and between settlers and non-Islamised indigenous peoples and clan-based vendettas (*rido*). Currently the primary cause of ongoing displacement in Mindanao is *rido* (IRIN 2010a).

In August 2008, an MILF-government agreement to expand the boundaries of the ARMM was overruled by the Philippines Supreme Court, causing renegade MILF elements to attack Christian villages, thus provoking a major military offensive and extensive displacement. The intense fighting ended inconclusively and the MILF retains substantial military capacity. Talks in Malaysia brokered by the international community are set to resume in October 2010 and both President Benigno Aquino, who took office in June 2010, and the MILF have pledged to find a peaceful solution. However, relations on the ground remain tense and there seems little immediate prospect of resolution of the four decade-long conflict. Many regard the conflict as intractable, seeing the only solution as a referendum on the right to self-determination under United Nations (UN) supervision of the kind conducted in Timor-Leste. A survey undertaken by the International Committee of the Red Cross (ICRC), which sampled opinion across the Philippines, found 56 percent of respondents in favour of deployment of international peacemakers (ICRC 2009). This will not happen given the government's robust opposition to internationalisation of the conflict and the support it receives for this stance from key Organisation for Economic Cooperation and Development/ Development Assistance Committee (OECD/DAC) countries with which it has strategic partnerships.

### **Disparate government response**

The key government body for disaster preparedness, planning and emergency response is the National Disaster Coordinating Council (NDCC). The government is reportedly decentralised but in reality, central government agencies are relatively well-resourced while lower tiers of government – known as Local Government Units (LGUs) are not. The state gives the impression of being able to cope with disasters but in practice is often found wanting, especially in rural areas and informal urban settlements where there is little state presence. This greatly impeded the initial response to the Luzon typhoons, as those living in informal urban settlements were the most affected.

As soon as the scale of damage from Ondoy, the first typhoon, was apparent, the government appealed for international support. The first request came just two days after the first typhoon although disaster-affected areas were still mostly inaccessible and humanitarian technical teams had done no assessments. A number of nations immediately provided bilateral support to the government.

By contrast, the government sought to avert attention from the conflict in Mindanao and the pivotal role played by its security forces in expanding the impact on civilians. Many humanitarian actors confirmed to the HRI team the consistent government attempts to downplay talk of humanitarian crisis in Mindanao. International agencies continue to operate under severe security and political constraints. In June 2009, the Philippine government discouraged aid agencies from providing large quantities of food to internally displaced persons (IDPs) in an effort to prevent its alleged diversion to the MILF WFP distributions have been hampered by similar tension, and access to IDP locations remains problematic. There are reports that aid workers and local journalists visiting IDP settlements have been monitored by security personnel (Amnesty International 2009). The government has often unilaterally closed evacuation centres without consulting IDPs or international agencies, often resulting in IDPs being further displaced to remote areas out of reach of assistance (International Displacement Monitoring Centre 2009).

The government has, since the July 2009 ceasefire, started doing more to assist IDPs but not enough to ensure that they are offered sustainable livelihood opportunities and recovery assistance upon return, or to support alternative settlement options. The response has been hampered by the absence of a clear and coherent return and rehabilitation strategy, and insufficient resources. Seeking to minimise IDP numbers, the government refuses to recognise many displaced people in informal settlements as IDPs and prematurely declares people to be no longer displaced. Entire municipalities affected by the conflict are simply ignored (International Displacement Monitoring Centre 2010). IDP statistics produced by the Department of Social Welfare and Development (DSWD) – the government's IDP focal point – usually contradict those provided by other agencies. Announcing an ambitious plan to end displacement and rehabilitate all conflict-affected communities the government reported in September 2010 that there were only 60,000 IDPs remaining. Analysts point out that the number of “invisible” unregistered and untracked IDPs is undoubtedly greater (IRIN 2010b).

### **Rapid, but unsustainable international response to typhoons**

On October 6<sup>th</sup> 2009, the United Nations (UN) launched a Flash Appeal for the Luzon typhoons which was subsequently revised upwards to US\$144 million. There was a rapid initial response, but after a few weeks this quickly tailed off, leaving the appeal only 43 percent funded. However, some reported that inaccurate needs assessments led to an exaggeration of the needs. The main donors were the United States (US) (21.3 percent, the European Commission (EC) (19.9 percent), Japan and Australia (7.3 percent each). Eleven percent came from the Central Emergency Response Fund (CERF). Response to coordination, logistics and food needs was good but only eight percent of protection needs were covered and there was zero response to funding requests for livelihoods and early recovery interventions.



Operational agencies responded promptly. Over 60 non-governmental organisations (NGOs) deployed teams to help with the three back-to-back emergencies. Because it was logistically easier, many focused on the needs of those in evacuation centres. By the time of the HRI field mission in January 2010, many organisations had already left, even though needs remained, particularly for shelter, water and sanitation. The HRI team found a general lack of disaster preparedness and post-disaster coordination. The government's inaccurate needs assessments were accepted uncritically by donors and UN agencies. Many organisations shared with the HRI team their frustration over the mismatch between needs expressed in the Flash Appeal and those their teams encountered in the field. They criticised the UN and donors for relying on government declarations of needs and trusting the NDCC to respond without sufficient monitoring and follow-up. There is also general regret that needs assessment were done sectorally with little effort to integrate sectors and obtain a realistic overall picture of basic needs.

### Muted international response to Mindanao crisis

When it comes to the little-known Mindanao conflicts, the international response to the 2008–2009 displacement was limited. The government prevented any Flash or Consolidated Appeal, preferring contributions to be channeled discreetly through CERF, the International Committee of the Red Cross (ICRC) – long operational in Mindanao – and the International Organisation for Migration (IOM). The European Union (EU) has been by far the largest humanitarian donor in Mindanao, contributing some US\$30 million between August 2008 and November 2009 to assist those affected by conflict (International Displacement Monitoring Centre 2010).

Considering that the southern Philippines has some of the worst social, educational and economic indicators in the country and that a substantial number of people are made vulnerable by recurrent ongoing displacement, it is surprising there are so few operational international agencies. The response to the 2008–2009 displacement has “at times appeared to lack leadership, coordination and an overall coherent strategy” (International Displacement Monitoring Centre 2009). International staff are often unable, for security reasons, to travel extensively in conflict zones. The overall impact of international interventions is palliative and fails to address the structural causes of the conflict.

Most donors channeled their resources through the ICRC, the United Nations Development Programme (UNDP) and IOM. The ICRC especially enjoys stable financial support from a diverse range of donors, which allows the organisation to operate consistently in most parts of Central Mindanao. Also, international non-governmental organisations (INGOs) benefit from regular funding from donors such as the United States Agency for International Development (USAID), the Spanish Agency for International Development Cooperation (AECID), and the European Commission Humanitarian Aid Office (ECHO). The open grants or multiple-year conventions provided by these donors give the INGOs enough stability to maintain a permanent operational presence. The constant presence of these humanitarian partners means that they are generally accepted by the key players in the crisis, except for some of the more violent groups

WFP returned to the Philippines in response to the Mindanao displacement and has been providing aid to 1.5 million people, yet a relatively small number of international actors have provided services to IDPs or promoted peace and reconciliation projects. There are instances in which the community-based organisations INGOs have sponsored (or formed) have averted potential crises from spilling over into bloodshed and displacement. At the same time, there often appears to be an element of exaggeration of success, perhaps driven by funding imperatives? Christian NGOs hold many seminars in Cotabato City – where urban IDPs are concentrated – but cannot operate and have little credibility in Muslim majority rural areas.

### Consequences of aid politicisation

Politicisation of aid clearly affected responses to both crises. The Luzon flooding reinforced the position of presidential election candidates in Manila slums where political clientelism is rife. At the LGU level, there were similar reports of aid politicisation as many politicians saw to it that only their supporters received aid. In Mindanao, the operational methods of some donors are distorted by political or security agendas. For example, USAID deploys field teams to isolated areas in a “hit and run” strategy, accompanied by US military escorts because they lack regular access and are not necessarily accepted by the local communities. In Manila, however, US army logistical support was effective in evacuating, assessing needs and distributing relief to isolated slum communities.

A consequence of the political decision to accept Philippine government needs assessments at face value was subsequent difficulty in changing tactics. An Oxfam evaluation of the typhoon response noted that it proved very “hard to revisit very early decisions in terms of staffing, programme direction and size, partnership models and assessment findings... There was a perceived lack of flexibility to adapt programme plans as scenarios, needs and operating realities changed,” (Tinnemans et al. 2010).

### **Protection: national and international silence**

The humanitarian community did not report major protection shortcomings in response to the Luzon storms. However, some INGOs highlighted the lack of consideration of the needs of women, people with disabilities and older people. A real time evaluation echoed this concern, stressing the “urgent need to enhance camp committee structures, including IDP participation, (particularly women), incorporate protection measures for vulnerable groups in the displaced population, and facilitate the development of adequate exit strategies,” (Polastro et al. 2009).

In Mindanao, human rights groups have long drawn attention to evidence of death squad killings and state complicity in Mindanao. Powerful clans have deployed militias with full knowledge of the government who value their ancillary role in conflict with insurgents. Almost all cases of extra-judicial killings and other human rights violations remain unreported and uninvestigated (Amnesty International 2009). It was hoped that national and international outrage over the November 2009 Maguindanao massacre of civilians and journalists – the single deadliest event for journalists in history – would lead to exemplary prosecution of its elite perpetrators. However, impunity has continued as before. Implicated security personnel have not been investigated and witnesses are being intimidated and murdered as the government ignores recommendations from the UN Special Envoy on Extrajudicial Executions to establish witness protection programmes (Human Rights Watch 2010).

The International Crisis Group (2009) notes that Mindanao is a place for the military to “let off steam”, a place to win promotion, even if intimidatory acts further alienate local populations and prevent IDPs from returning. International agencies operating in Mindanao “have shown little eagerness to engage the government on sensitive human rights issues,” (Internal Displacement Monitoring Centre 2009). Most donors remain silent, expressing whatever concerns they have informally to agencies such as the ICRC. Humanitarian organisations interviewed by the HRI team reported that Norway is the sole donor directly engaging in advocacy towards all parties in the Mindanao conflict.

### **Clusters and coordination**

The UN Office for the Coordination of Humanitarian Aid(OCHA) established a country office and sub-office in Mindanao in response to the escalation of conflict in Mindanao in 2008 and the 2009 storms. Both offices were understaffed and OCHA largely managed coordination of the Luzon response remotely from its regional office in Bangkok.

The concept of clusters is nothing new in the Philippines and the term was being used within government circles prior to its adoption by the UN as part of the humanitarian reform process. In response to the natural disasters, the government established cluster systems in both Luzon and Mindanao, coordinated by the NDCC and the UN set up a parallel international cluster system. Many considered that the clusters have mainly been involved in information-sharing, with no emphasis on priority-setting and collective decision-making. This confirmed other reports that the cluster system in the Philippines is not working as intended (International Displacement Monitoring Centre 2010).

Coordination in Mindanao is plagued by political interference from the government. Whereas donors used to regularly hold meetings with partners to discuss issues around access, protection and coordination, frankly, they are now forced to sit through meetings attended by the government, a protagonist to the conflict with political interests in shaping the response. To achieve real results, humanitarian agencies have had to hold parallel coordination meetings without government representatives.

### **Root causes of crises unaddressed**

Land rights and housing issues pose significant constraints to early recovery and durable solutions for both typhoon- and conflict-affected IDPs. In urban areas, land administration and planning is inadequate. Most local governments are unable to provide accurate information about land ownership, boundaries and land value. In Manila, there is ongoing recrimination over why the typhoons were so devastating.

A Catholic cardinal described the government’s urban recovery and land use policies as a “a structure of sins” for prioritising shopping malls, upmarket residential developments and golf courses over providing safe dwellings for the urban poor. Defending slum dwellers from the accusation they were responsible for the extent of 2009 flooding, the church apportions blame to politicians, property developers and loggers and warns of future flooding (Philippine Daily Inquirer 2009). In the absence of long-term solutions –from either the Philippine authorities of the international community – and with no other option available to them (Baldwin 2009) – people have returned to regions prone to flooding and are rebuilding poor, informal housing structures that may again put their lives in danger, especially if there is no investment in disaster preparedness (IRIN 2010c).

In Mindanao, international actors seem to have limited understanding of the local dynamics, particularly around access to land, which drove Islamic radicalisation, conflict and displacement. They wrongly assume, like the government, that most want to return to place of origin. Observers note that a large number of urban IDPs are landless and have no reason to return home if they have no prospects of establishing agricultural livelihoods or regaining land taken from them at gun-point. International Alert notes that “the core of the problem is the exclusionary political economy that is developed and sustained through a complex system of contest and violence... Muslim Mindanao continues to be excluded from the fruits of national growth... growth in the region itself is unsustainable and mainly dependent on election and reconstruction-related consumption spending,” (Lara et al. 2009).

The international community seems to have washed its hands of Mindanao and provides only minimal support to reconciliation processes, which are of crucial significance. In the aftermath of the Maguindanao massacre, donors are wary of committing reconstruction funds, seeing an endless cycle of impunity, violence and revenge. The ICRC notes with regret that the conflict in Mindanao rarely gets media attention (AlertNet 2010).

### Assessing donor performance

Many donors responded quickly to the typhoons’ Flash Appeal. Humanitarian organisations highlighted the prompt response of the US and Japan. Especially slow to respond were Australia, the CERF, and ECHO, reportedly requiring long negotiations with implementing partners that deterred some agencies from working with them. Similarly, CERF disbursements took excessively long to deliver, and then imposed unrealistic spending deadlines. This was less problematic for UN agencies able to advance their own funds, but for some INGOs, these conditions meant that they were unable to use CERF funding. Feedback on the timeliness of Spain’s funding varied. While it was slow to respond to the Flash Appeal, Spanish NGOs with framework agreements with the AECID received funding quickly.

*“The international community seems to have washed its hands of Mindanao.”*



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Donors did not always channel their resources to the best placed organisations to meet the needs. In general, donors provided little support to either LGUs or the many community-based organisations found throughout the Philippines. They instead preferred to work with traditional international partners with slower deployment capacity and with early withdrawal strategies. Japan, for example, channelled the vast majority of its funding bilaterally through the Philippine government, also supporting Japanese NGOs.

Responding to needs proportionally is a challenge for many donors. Many prioritised food, despite gaps in other sectors. The US and Japan are both reported to have engaged in food dumping, which was highly inefficient and missed more isolated areas. Japan, on the other hand, is highly involved in rehabilitation and reconstruction through the World Bank’s Post Disaster Needs Assessment. Similarly, Australia is renowned for its efforts toward early recovery, which was neglected by many other donors.

Disaster risk reduction (DRR) is essential in such a disaster-prone country and this is increasingly reflected in donors' priorities for the Philippines. ECHO has been investing in long-term DRR for the past few years and Australia has established a large programme for the Philippines. The US considers DRR a priority for its future country strategies, yet some field organisations considered that the US needs to do more to ensure that risk reduction is incorporated earlier in emergency response.

The response of key donors to the Mindanao crisis is characterised by inconsistent efforts or biased agendas. The US is regularly involved in this crisis. Some attribute this to the US' security agenda to support the Philippine government and their military operation stationed there. ECHO's presence in Mindanao has been intermittent, but they recently released a new funding line for Mindanao. Australia also has a conflicting agenda in Mindanao, as a result of their security agreement with the government. They are known in the Philippines, however, for helping with coordination and engaging in advocacy, as compared to other donors. Spain is also involved in Mindanao through the Mindanao Trust Fund, a mechanism for development partners to pool resources and coordinate support for the reconstruction and development of conflict-affected areas.

### Lessons learnt and recommendations for the future<sup>1</sup>

The responses to the typhoons and conflicts in Mindanao offer opportunities to learn from the past, in the hope of improving current and future responses. The HRI team urges the international community to provide additional funding for emergency and reconstruction needs in Mindanao and to focus on key issues which have constrained the response to recent disasters in a nation which is already one of the world's most hazard-prone and is now increasingly vulnerable to climate change.

#### 1 Investment in disaster

**preparedness:** The severity of damage and loss of lives and livelihoods in Luzon should not have come as a surprise, for experts and donors have long lamented the Philippines lack of coordination and preparedness (IRIN 2010d). This is compounded by a low level of public awareness of climate change issues (IRIN 2010e). Some donors invest significantly in disaster risk reduction (such as Australia) but far more effort is needed, especially in community preparedness.

**2 Needs assessment:** Needs assessments were often carried out individually, without a coordinated analysis and common approach. This is a recurrent problem that the humanitarian system fails to address. Recent experience in the Philippines again highlights how important it is to use – and share the results of – common assessment templates and standardised needs assessments when planning responses to rapid onset natural disasters.

#### 3 Supporting local capacity:

Donors must stop uncritically channelling assistance through central government. While humanitarian agencies should not bypass national authorities, they need support from donors to clearly define national and local level state responsibilities. All must work together to enhance the preparedness and response capacity of LGUs and civil society.

#### 4 Supporting early recovery:

Much more needs to be done to support early recovery, especially around shelter and livelihoods issues. As the HRI team was told by an implementing agency: "we need more support after the 'euphoria' is over, four to five months after the disaster, for mid-term projects."

**5 Transparency:** Preventing future climate-change disasters will require transparent, accountable and results-based recovery and reconstruction programmes that will monitor activities, track funds, evaluate interventions and report these to the public.

#### 6 Making the cluster system

**work:** The cluster system needs stronger UN leadership to improve coordination with the government in order to mitigate the, generally negative, impact of government domination. Future responses should not again be based upon parallel coordination systems – one for national coordination and the other to coordinate the international effort.

#### 7 Humanitarian access: In

Mindanao, the most powerful donors do not do enough to advocate for access and respect for human rights and international humanitarian law in their bilateral talks with the government. It is essential that donor governments raise these issues, make genuine efforts to separate security and humanitarian agendas when liaising with the government and do more to promote to the authorities the importance of adhering to *Principles of Good Humanitarian Donorship (GHD)*.

<sup>1</sup> For a more comprehensive list of recommendations arising from the response to the Luzon storms, and more background information and analysis, see the DARA-led real time evaluation report (Polastro et. al. 2010).

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**Information based on field interviews with key humanitarian agencies in the Philippines from 16 to 22 January 2010, and 103 questionnaires on donor performance (including 74 OECD/DAC donors).**

The HRI team, composed of Philippe Benassi, Marybeth Redheffer and Manuel Sánchez-Montero (Team leader), contributed to this report. They express their gratitude to all those interviewed in the Philippines.





*Crisis reports*

# **Somalia**



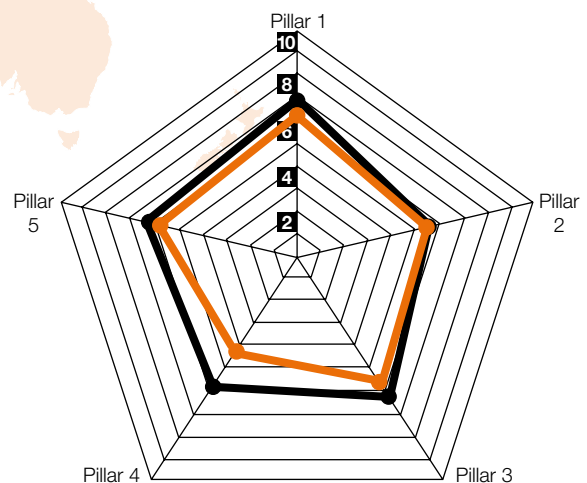
## Somalia at a glance

### The crisis and the response

- Prolonged drought, increased insecurity, further displacement, worsening restrictions on humanitarian access and high food prices have resulted in the worst food security situation since 1992.
- US restrictions on funding operations in al-Shabab-controlled areas – and an overall cut in US humanitarian funds for Somalia – caused operational cutbacks in south and central Somalia.
- The operational environment worsened: extortion and insecurity led a further reduction in international staffing, forcing more INGOs to operate remotely from Nairobi through Somali partners.
- Approximately two-thirds of those in need of food were reached in the first half of 2009, but only 44 percent in the second half.
- The humanitarian response is generally insufficient, ineffective in most sectors, often provided too late, based on inaccurate data and not provided uniformly and impartially to vulnerable populations.

### Donor performance

- By October 2010, the 2010 CAP is 60 percent covered.
- Frustrated at politicisation of the response and uncritical donor support of the transitional government, many humanitarians want an end to UN ‘double-hatting’ and a separate HC post to advocate for more impartial addressing of humanitarian needs.
- Humanitarians criticised donors for not robustly advocating for humanitarian access and *GHD Principles*.
- Some donors are commended for understanding the need for programme flexibility in a volatile environment.
- There are concerns about OCHA’s role as both coordinator and allocator of funding



— Somalia  
— All Crisis Average

#### HRI 2010 scores by pillar

- Pillar 1** Responding to needs
- Pillar 2** Prevention, risk reduction and recovery
- Pillar 3** Working with humanitarian partners
- Pillar 4** Protection and international law
- Pillar 5** Learning and accountability

### Key challenges and areas for improvement

- Donors should heed calls to support internally-driven reconciliation processes, rather than those which reflect regional and international political interests.
- More donors should fund preparedness, maintenance of contingency stocks and building capacity of Somalis.
- There is a need to clarify whether UN Security Council resolutions targeting terrorism are – as the US argues – applicable to humanitarian aid.



## Somalia

### *Humanitarian needs unmet as counter-terrorism focus constrains response*

Nearly two decades after the collapse of Somalia as a unified state, the humanitarian situation further deteriorated in 2009. Prolonged drought was accompanied by increased insecurity, displacement and worsening restrictions on humanitarian access. By mid 2009, the overall food security situation was the worst since 1992, with 3.64 million people (49 percent of the population) in need of assistance (OCHA 2009a). Ongoing conflict between Somalia's internationally-supported Transitional Federal Government (TFG) and al-Shabaab, a designated terrorist group, has further complicated the provision of emergency assistance. The warring parties continue to perpetrate grave human rights abuses, subjecting civilians to murder, rape and other forms of gender-based violence, assaults, theft, illegal arrests and child recruitment.

None of the many protagonists in the myriad conflicts engulfing Somalia, including the TFG, has made serious efforts to hold those responsible accountable, or to end the climate of impunity. Donors' political interests – shaped by the War on Terror – have influenced aid decisions and have had serious implications for the provision of neutral, impartial humanitarian assistance. As a result, the response continues to be too little, too late, mostly ineffective in many parts of the country, not provided impartially and not based on the needs of vulnerable populations.

#### Operational environment

Al-Shabaab, which emerged following the Ethiopian military intervention against the Islamic Courts Union in 2006, and Hizbul Islam are the main Islamist groups engaged in combat against the TFG and the African Union Mission to Somalia (AMISOM) which supports it. Despite the election of a moderate, former member of the Islamic Courts as President in January 2009, fighting between the TFG and Islamist fundamentalists has continued unabated. Since early 2009, the balance of power, particularly in southern and central areas, has shifted. By the end of 2009, al-Shabaab controlled most southern regions and most of Mogadishu, except for northern areas and the international airport (International Crisis Group 2010). Some analysts fear that as long as the TFG remains indecisive, an effective presence only in parts of Mogadishu, al-Shabaab will continue to gain ground.

As in previous years, the situation in the north (the de-facto state of Somaliland) and the north-east (the de-facto state of Puntland) was far better than in southern and central Somalia. In Somaliland, successes in conflict resolution, peace-building and creation of governance structures have resulted in an environment conducive to longer-term development. Despite Puntland's relative stability, it is increasingly difficult to carry out development work. Piracy continued, with 29 ships seized in 2009 (OCHA 2009b). There is evidence that al-Shabaab has coerced pirates into sharing their profits. In southern and central Somalia, conflict severely limited humanitarian access and response.

#### Increasing humanitarian needs

The Food Security and Nutrition Analysis Unit (FSNAU) – which is funded by the United States (US) and the European Commission Humanitarian Aid Office (ECHO) and given managerial support by the United Nations (UN) Food and Agricultural Organization (FAO) – worked with the Famine Early Warning Systems Network to assess conditions after the April-June 2009 rains (the *gu*). The results confirmed that Somalia faced its worst humanitarian crisis in 18 years.

The 2010 Consolidated Appeal Process (CAP) launched by the UN Office for the Coordination of Humanitarian Affairs (OCHA) in December 2009 called for assistance for 3.64 million people, noting that 1.1 million were facing an acute food and livelihood crisis (OCHA 2009). In many areas, 20 percent of under-fives were malnourished – more than 75 percent of those in need were concentrated in southern and central Somalia (FSNAU 2009a). In addition, 25 percent of under-fives assessed had suffered from acute respiratory infections and 21 percent from diarrhoea during the two weeks preceding assessment. Acute malnutrition levels in Somalia are among the highest in the world. The under-five crude death rate is nearly 30 percent higher than in the rest of sub-Saharan Africa. Half of all deaths of under-fives are attributable to malnutrition. FSNAU reported that 19 percent of the population was acutely malnourished and 4.5 severely malnourished in mid-2009. There are only 0.3 medical doctors and 1.7 nurses or midwives for every 10,000 people (FSNAU 2009b).

Displacement has assumed massive proportions. Data is unreliable but it is thought that since early 2008, the number of Somali refugees in neighbouring countries has increased by nearly 40 percent. In January 2010, some 678,000 Somali refugees were officially registered by governments and the Office of the UN High Commissioner for Refugees (UNHCR) in Kenya, Ethiopia, Djibouti, Yemen, Eritrea, Uganda and Tanzania (UNHCR 2010). Actual numbers are undoubtedly higher. In early 2009, 524,000 internally displaced persons (IDPs) were thought to be settled in the Afgooye Corridor – the strip of land between Mogadishu and the town of Afgooye – one of the world's largest IDP concentrations (OCHA 2010a). In the final quarter of 2009, drought, flooding and/or lack of livelihood opportunities accounted for approximately 40 percent of new displacement. Fighting in southern Somalia caused a new wave of internal displacement and movement across the Kenyan border in December 2009. The 2010 CAP reported 1.55 million IDPs at the end of 2009 (OCHA 2009b). Displacement is still continuing, with more IDPs fleeing to already congested areas where they do not have the right to own land.

### **Declining donor response**

The overall level of funding was less in 2009 than in 2008, with 64 percent of the CAP funded in 2009 as compared to 72 percent in 2008 (OCHA 2010b). This was mainly due to a sharp decrease in funding of food, which is by far the largest sector and absorbs more than two thirds of the total available amount. There was considerable differentiation in donor response per sector.

The decrease in funding in 2009 was primarily the result of significantly reduced US funding. While US funding was US\$237 million in 2008, it declined to US\$99 million in 2009 and only US\$27 million had been allocated in the first five months of 2010. The United Kingdom (UK) has followed suit, its contribution of US\$40 million in 2008, declining to US\$18 million in 2009. Other donors who provided less included Norway, Italy and France. By contrast, Spain's contribution has risen from US\$4 million in 2008 to US\$36 million in 2010. As of mid-October 2010, 60 percent of requirements set out in CAP had been met, much of it a late funding carry-over from 2009.

Enormous difficulties were encountered in the attempt to assist the severely malnourished under-five population in 2009. The objective to stabilise the level of malnutrition was not achieved in many areas, particularly where fighting was intense. The World Food Programme (WFP) was unable to meet monthly distribution in terms of quantities and numbers of beneficiaries. In the second half of the year, distribution targets were reduced due to pressure from local authorities to reduce general food distributions during harvests, incomplete access and weak food pipelines. The WFP monthly average case-load of food aid beneficiaries was 1.74 million in 2009, an increase of more than 50 percent from 2008. The International Committee of the Red Cross (ICRC) (2009) provided food to 464,118 beneficiaries. Some two thirds of those in need of food were reached during the first half of the year, but a mere 44 percent were reached in the second.

Due to funding limitations, health sector objectives were also not met. However, more than 50 outbreaks of communicable diseases were investigated, and in most cases, an appropriate response was provided. An innovative new approach – called “child health days” – allowed more than two million children and an estimated 380,000 women of child-bearing age to be aided (Morooka 2009).

Education needs also remained unmet. Only 20 percent of IDP children in the Afgooye Corridor received any education. In the South, only 100,000 people were provided with formal or informal schooling. School-feeding was largely discontinued and school attendance decreased dramatically. The level of funding earmarked for education in 2009 was a mere US\$4.5 million, half the allocation for 2008 (OCHA 2010b).

Funding to strengthen local service delivery, preparedness and response capacity continued to be insufficient. Humanitarians interviewed by the Humanitarian Response Index (HRI) team generally expressed disappointment at donor failure to adopt a holistic approach to building local capacity, some arguing that this played into the hands of the Islamists. There was also considerable disappointment in donor prioritisation of life-saving activities over addressing long-term needs. One respondent to the HRI noted that “funding goes to emergency relief first... and last to food security”.

In regard to livelihoods support, funding increased by 16 percent in 2009, but the US\$19.7 million was only 34 percent of the sum required. There is a general regret that, in the words of one respondent: “donors are only interested in saving lives, not in saving livelihoods”. Another wryly observed that for donors “the sexiest term is emergency”.

Over a third of humanitarians who were interviewed noted that the 2009 donor response was negatively affected by the global financial crisis. Rising global food prices, particularly in the first half of 2009, seriously impacted food delivery agencies. Fluctuation in the value of sterling and the US dollar affected funding availability. Some respondents noted that withdrawal of international staff generated doubts among donors as to whether programmes could be implemented.

## Impact of War on Terror

Nearly all agencies interviewed during the HRI mission said that non-humanitarian interests and political criteria were influencing donor decisions. A key event in 2009 was the decision of the Office for Foreign Assets Control (OFAC), a US agency implementing global counter-terrorism measures, to follow up the US State Department's designation of al-Shabaab as an international terrorist group by refusing to issue a waiver for the provision of humanitarian aid in areas under its control. Previous waivers have been issued for humanitarian assistance provided in Sudan, Iran and the Gaza Strip as well as for areas controlled by US-designated terrorist groups such as Hezbollah in Lebanon (Scribner 2009). The US Agency for International Development (USAID) cited the OFAC approval process as grounds for not funding partners working in non-TFG areas. The OFAC ruling has led to a total freeze of US humanitarian funds for Somalia in areas controlled by al-Shabaab. Some humanitarians interviewed by the HRI team described USAID's stance as "cowardly", arguing it should do more to advocate within the US Administration for a more nuanced stance. One noted that efforts by USAID to meet with OFAC to explain operational realities in Somalia had been rebuffed.

US counter-terror policies have provoked debate on whether UN Security Council resolutions targeting terrorism (UNSCR 1844 and 1267) are applicable to humanitarian aid, and have also initiated disagreement between many donor states' foreign and aid ministries on how to deal with the issue. According to many agencies interviewed, US policy has not only held up funding but has also further politicised the delivery of humanitarian aid. Many implementing agencies report that OFAC has made them waste time and energy – with very little support from donors who usually firmly uphold humanitarian principles – on demonstrating compliance to anti-terrorism measures which should have been spent on improving and increasing response to humanitarian need. Some interviewees report they fear prosecution for potentially aiding a terrorist group.

*“Donors’ political interests have influenced aid decisions and have had serious implications for the provision of neutral, impartial humanitarian assistance.”*



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In February 2010, the UN's Resident Coordinator/Humanitarian Coordination (RC/HC) called US aid rules impossible to follow (BBC News 2010). Many aid actors complain that the TFG is manifestly incapable of improving security, delivering basic services, or seeking an agreement with clans and opposition groups that might encourage accountable governance. It has been argued that if the international community is serious about addressing the reality of failed states, it should eschew the polarising rhetoric of the War on Terror and instead begin engaging in earnest with a multitude of “uncomfortable” actors involved in “ugly birth-processes” of re-configurations of political authority (Verhoeven 2009). Yet, most Organisation for Economic Co-operation and Development /

Development Assistance Committee (OECD/DAC) donors continue to support the TFG. Some, including Norway and the European Commission (EC), are trying to convince agencies to focus more on TFG-controlled areas.

Another cause of concern is reports that USAID tenders have attracted for-profit contractors and private security companies to operate in Somalia as they have in Iraq and Afghanistan. There are fears that their presence and lack of interest in humanitarian principles could further affect the often negative image of established humanitarian actors (Bradbury 2010).

## Security, protection and access

Incidents targeting Somalis and humanitarians included improvised explosive devices, kidnapping, abduction, assassination and piracy. In 2009, 10 aid workers were killed compared to 34 in 2008, a reduction explained both by less targeting of humanitarian workers and their assets and the reduced profile of the humanitarian community in many areas. In the second half of 2009, the number of UN international field staff dropped from 66 to 28 and international staff of international non-governmental organisations (INGOs) from 168 to 67 (OCHA 2009d). The vast majority of remaining in-country UN and INGO international staff are in Somaliland. There is no permanent presence of international staff in southern and central areas.

Agencies remain stymied by extortion and theft from armed groups. A report to the Security Council estimated that 30 percent of all food aid was skimmed by local partners and local staff of WFP, ten percent by ground transporters and between five and ten percent by armed groups (UN 2010). As a result, WFP decided in January 2010 to stop delivering food aid to al-Shabaab-controlled areas, after having tried for months to negotiate access. The Islamist group responded by ordering WFP and its staff to leave Somalia. The largest group of IDPs – those in the Afgooye Corridor – have not received any food from WFP since November 2009. Reports of corruption and pilfering of aid have reinforced US arguments justifying cessation of aid to al-Shabaab areas, but the end result has been failure to meet the needs of a significant proportion of the vulnerable population.

Access problems and insecurity have further increased reliance on Somali national staff and national NGOs. Day-to-day supervision is typically via lengthy calls to Nairobi using Somalia's well-functioning mobile networks. Humanitarian agencies report that access to nutrition and health interventions is barely affected by the absence of international staff. However, response to new crises is highly problematic due to constraints around establishing new logistical mechanisms and staff hiring and firing. An unfortunate consequence of insecurity-driven remote management is that INGOs are effectively becoming donors for national implementing agencies. This inevitably increases overhead – an additional burden which many donors are unwilling to meet.

Agencies that have traditionally relied on national partners – such as the ICRC – have faced fewer problems. OXFAM/NOVIB uses several mechanisms to ensure the high quality of programmes that are implemented by partners. An important element is the involvement of Somali communities in programme design and multi-level monitoring. In 2009, there was increased use of Somali diaspora-based consultants and information technologies to monitor programme implementation.

OCHA and the UN Department of Safety and Security (UNDSS) jointly developed an access coefficient, based on eight indicators such as international staff presence, humanitarian flights and security incidents. Mogadishu scored two out of a possible 100 points, while the averages for southern and northern Somalia were much higher: 25 and 70 respectively. UN agencies and NGOs undertook several initiatives in 2009 to reduce the vulnerability of humanitarian staff. Ground rules developed by the UN provide guidance to humanitarians and beneficiaries. The Somalia NGO Consortium published a position paper on operating principles including thresholds and criteria regarding access, security, and the provision of aid.

A major challenge in 2009 was the lack of field presence and the resultant inability to conduct field missions and assessments. Several strategic towns, which had previously served as significant UN operational hubs, are now in the hands of anti-TFG forces, with which humanitarian access has had to be negotiated anew.

Despite mounting problems in 2009, donors did not generally advocate for access. There were some exceptions. Sweden was very outspoken about the need to facilitate humanitarian access, but was said to have done little. The EC was circumspect, but helped to facilitate access by informally providing medical evacuations. ECHO undertook a considerable amount of political lobbying.

Activities related to security, protection and shelter were only 28 percent funded. Donors who contributed to protection included ECHO, Denmark, Ireland, Japan, the Netherlands, Norway, Sweden, UNHCR and the United Nations Children's Fund (UNICEF). Lack of funding led to non-implementation of programmes addressing IDP/child protection and gender-based violence. Australia, Belgium and Ireland contributed to the creation of the UN's Security Information and Operation Centre, which collects data on the access and security situation in the country. Information on security and access is published in OCHA Somalia's *Humanitarian Access Analysis*.

Funding air transport for movement of humanitarian goods and personnel is seen as vital to ensure access to areas in dire need. Donors funding UN/WFP flights included Canada, Denmark, Germany, Ireland and Spain. The Central Emergency Response Fund (CERF) and WFP also provided funds for air services. Agencies are concerned at the high charges for passengers – currently US\$800 per person – and want to see improvements in air transport logistics.

## Coordination

Coordination of interventions in southern and central Somalia was undertaken in Nairobi, primarily through the cluster system. Field coordination further declined in 2009 and is now largely limited to Somaliland and, to a lesser extent, Puntland. Instability has prevented coordination from humanitarian hubs such as Gaalcaayo, Belet Weyne and Baidoa.

Agencies interviewed generally reported that most Nairobi-based clusters effectively coordinated CAP activities and reporting, contingency planning and prioritisation of projects funded by the Humanitarian Response Fund (HRF) – a pooled fund at the disposal of the humanitarian community established in Somalia in 2004. In some clusters, however, coordination was confined to unfocused information exchange. Major contributors to OCHA's coordination in 2009 included ECHO, the Netherlands and Spain; while Canada, Italy and Switzerland made smaller amounts available. Some concerns were expressed at OCHA's role as both coordinator and allocator of funding. There is a perception that cluster effectiveness is reduced as national NGOs seek funds from OCHA. There was little coordination between clusters and within the UN. Agencies operating in central and southern Somalia were said to be reluctant to share information, lest this compromise their capacity to work. Geographical coordination was largely limited to assistance for IDPs in the Afgooye Corridor.

The Somalia NGO consortium, established in 1999, now has over 50 international and 20 national NGOs. It has facilitated information exchange and produced a position paper on operating principles. At a meeting in Naivasha, Kenya in November 2008, the Somali Donor Group (SDG), consisting of seven OECD/DAC donors (including Canada, the US, the UK and several other European countries), the EC, the UN and several multilateral agencies, agreed on a framework for improving coordination, monitoring and accountability and undertook to regularly review progress.

The Coordination of International Support to Somalis Executive Committee (CISS ExCom) brings together representatives from the SDG, the clusters/sectors, the NGO consortium and the UN country team and is co-chaired by the Resident Coordinator (RC) / Humanitarian Coordinator (HR) and the World Bank. Several informants noted that coordination through the NGO consortium and the CISS ExCom was effective. However, agencies were not impressed by coordination among donors in the SDG, particularly their inability to forge a common position on the US-driven ban on funding activities in al-Shabaab-controlled areas. In retrospect, the commitments made in Naivasha were too ambitious, a participant noting “this was presented as a window of opportunity... I have seen many windows, but very little improvement”.

Humanitarian agencies report considerable barriers to effective coordination. NGOs and UN agencies are in competition to be viewed as in charge of coordination, a reality most donors do not address. Some respondents urged donors to be stricter with NGOs at an early stage of relationship-building, specifying who should do what. One noted that “each NGO has its own mandate, and fighting for funding is going on”. It was suggested that donors should set a better example for each other in order to promote coordination, acquire Somalia-specific expertise and improve their technical capacity.

## Respondents' reflections on donors

Humanitarians interviewed by the HRI mission noted marked divergences in the capacity of individual donors and UN agencies to make informed decisions. Some cited positive examples of donors – including ECHO, the US Office for Foreign Disaster Assistance (OFDA), USAID, and the Netherlands – who have staff familiar with field realities in Somalia. Others are reported to have little capacity or expertise. The UK Department for International Development (DFID) and Canada each had only one dedicated regional officer, and most of their time was spent on other countries.

ECHO received more positive remarks than any other donor. Those praised for flexibility included the Netherlands and Sweden. Managers of the HRF were praised for willingness to fill general funding gaps and DFID and ECHO were praised for plugging gaps in food aid funding. Norway had emergency funds available for minor funding gaps. Most interviewees acknowledged greater awareness among donors of the need to operate outside the box. Donors cited as more transparent included DFID, the EC, Sweden and USAID.

Lack of timely provision of funding was frequently mentioned as a poor donor practice. Donors whose funding arrived late in 2009 included ECHO and the US Office of Foreign Disaster Assistance (OFDA). The HRI team learned through respondents that some donors prefer to fund their own national agencies (e.g. Norway); to focus on particular sectors (e.g. US emphasis on food aid and UK prioritisation of health) and that they prefer particular agencies (e.g. the UK's disproportionate funding for the ICRC and UN agencies).

Humanitarians reported that donors had little way to verify whether flexibility was justified due to limited, and at times completely impossible, scope for field monitoring. Donors rely on reports and feed-back from UN agencies and international NGOs which are sometimes significantly dependent on input from national implementing partners.

Some donors were praised for their attention to maintaining standards, learning lessons from evaluations and promoting beneficiary involvement in programming. These included ECHO, USAID, and DFID. In 2009, there were several examples of donor support of learning and accountability, including a Danish-funded project to improve the quality of humanitarian action. In 2008 and 2009, donors were severely criticised for their failure to work with their humanitarian partners to ensure evaluation-derived recommendations are incorporated into future programming. OECD/DAC donors' 2009 performance was even worse in this regard than in 2008. Some donors who actually visited projects and gathered information included Finland, Japan and DFID.

Humanitarian agency representatives told the HRI mission they were reasonably satisfied with donors' reporting requirements. Some mentioned that donors generally understood their operational constraints, not insisting on unrealistic monitoring and evaluation requirements. Others, including ECHO, were criticised for imposing procurement and tendering standards which are not practical in Somalia.

Many agencies want donors to realise the value of funding for preparedness and contingency planning. They would welcome having the freedom a block grant would provide to preposition and store stocks, fund security measures and allow capacity building, particularly to boost the technical and operational capacity of Somalis. Norway and ECHO were commended for permitting agencies to keep a part of the funding to maintain contingency stocks. Some agencies said that donors should, in general, better analyse strengths and weaknesses of agencies before providing funds for strengthening organisational capacity.

Several agencies expressed concern about an increasing number of donors who, when asked for a quick response, instead referred them to the HRF. They noted that HRF funding was generally restricted to emergency IDP assistance.

Nearly all donors have separate budget-lines and departments for development and humanitarian departments. Hardly any development aid is available for southern and central Somalia. Donor policies regarding flexibility and reallocation of pledged funds vary widely. Larger actors – including UN agencies and bigger INGOs – appeared better informed about these variations and possibilities for flexible funding and reallocation of non-earmarked funding for under-funded activities.

Humanitarian organisations generally thought the CAP priority to strengthen the protective environment for civilians was unrealistic. Even the ICRC, despite its extensive protection experience in southern and central Somalia, is now restricted to the promotion of international humanitarian law (ICRC 2010). Services for those who have experienced fundamental human rights violations do not exist. Some of those people interviewed suggested UN agencies stressed protection in order to compete for donor funds. Protection activities focused on improving data collection and mostly depended on Somali UN and INGO staff. Informants reported that there is no evidence that improved data collection has led to more effective UN advocacy.

Some humanitarians criticised donors for not doing more to advocate for humanitarian access. It was noted that while countries like Sweden were very outspoken, they did little to actually promote better humanitarian access. Donors were also criticised for refusing to acknowledge how insecurity greatly increased operational costs and for failure to fund security mitigation measures, communication networks, air transport and war risk insurance.

### Lessons learnt and recommendations for the future

So grave are operational constraints in Somalia that one INGO is reported to have changed their approach from “needs-based programming” to “constraints-based programming” – only responding to those needs which can feasibly be addressed (Bradbury 2010). The concerns expressed by many of those interviewed by the HRI team are echoed by the conclusion of a study of the inherent tensions between stabilisation and humanitarian goals in Somalia: “State-building efforts that insist humanitarian relief be channelled through the nascent state in order to build its legitimacy and capacity undermine humanitarian neutrality when the state is a party to a civil war. Counter-terrorism policies that seek to ensure that no aid benefits terrorist groups have the net effect of criminalising relief operations in countries where poor security precludes effective accountability,” (Menkhaus 2010).

There are fundamental differences of opinion among humanitarian agencies and donors on the way forward. Most INGOs would like donors to push for inclusive, internally-driven reconciliation processes, and some wish to bring Islamist groups, including al-Shabaab, into a national reconciliation process. Many humanitarian workers, including some UN staff, criticise donors and the RC/HC for primarily supporting externally-driven mediation efforts reflecting. Some want an end to “double-hatting” and have demanded a separate post for an HC able to act more impartially to meet humanitarian needs. Many are highly critical of donor and UN support to the TFG, particularly the European Union's training of Somali troops in Uganda (ReliefWeb 2010), and find little evidence that the TFG has any interest in assisting those it claims to govern. They argue that the international community should be neutral and acknowledge the transitional nature of the TFG. There was much criticism of the international tolerance for the TFG's shortcomings, one noting that the international community indulgently “treats the TFG as a toddler... and does not hold it accountable”.

Looking ahead, donors could do much more to:

**1 Advocate for IHL:** Donors must defend the human rights of affected populations and argue for adherence to humanitarian law and guarantees for safe humanitarian access, including with the TFG, al-Shabaab and the authorities in Somaliland and Puntland

**2 Defend a needs-based approach:** It is essential to protect humanitarian assistance from political and security objectives and challenge pressures on humanitarian organisations to work only in TFG-controlled areas. Donor should foster a common approach towards *all* parties to the many conflicts in Somalia, following the examples of Canada and Sweden – the only donor governments that were consistently praised for being scrupulously non-political.

### 3 Go beyond lifesaving:

Humanitarian programming must expand to foster capacity-building of Somali communities and civil society, support livelihoods and provide health and education services. The wider donor community should follow Sweden in funding education services, and France in contributing to livelihoods.

**4 Defend humanitarians:** Donors can provide more support to enable greater protection for humanitarian workers, both international and Somali.

**5 Allow flexibility:** The constraints of remote management cannot be overcome, and the challenge of building implementation, monitoring and evaluation capacity of Somali partners cannot be achieved unless donors simply procedures and welcome innovative programming.

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**Information based on field interviews with key humanitarian agencies in Nairobi from 14 to 23 February 2010, and 209 questionnaires on donor performance (including 155 OECD/DAC donors).**

The HRI team, composed of Fernando Espada, Daniela Ruegenberg, Albertien van der Veen (Team leader) and Frank Vollmer, contributed to this report. They express their gratitude to all those interviewed in Nairobi.







*Crisis reports*

# **Sri Lanka**

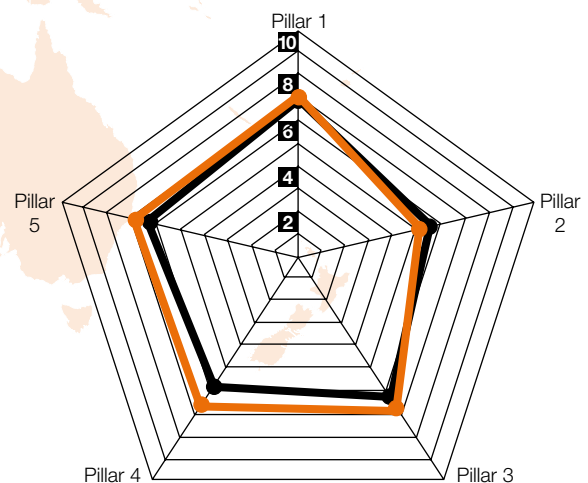
## Sri Lanka at a glance

### The crisis and the response

- IDPs face multiple difficulties: destroyed homes, the danger of returning to areas not yet cleared of mines and challenges regaining land.
- By August 2010, 90 percent of the 280,000 Tamils forcibly interned after victory against the LTEE had been released from government-controlled camps.
- Assistance includes immediate shelter cash grants of US\$220 per family, supplied by the UN, NGOs and the Sri Lankan government.
- CHAP 2010 initially called for US\$337,688,785, but was revised down to US\$287,799,870 in June 2010 due to low implementation capacity, staff security issues and funding shortfalls.
- There are significant gaps in funding for some clusters: economic recovery and infrastructure (one percent funded); WASH (seven percent); mine action (22 percent) and agriculture (23 percent).
- Overall response is limited by government's micromanagement, lack of access and a diminishing number of humanitarian staff.

### Donor performance

- Donor coordination was perceived as more active and effective.
- There is widespread concern that donors are now prioritising northern Sri Lanka, with severe consequences for eastern areas where humanitarian needs remain following 20 years of LTTE occupation.
- Donors were criticised for not more highly prioritising the involvement of beneficiaries in the design and implementation of programmes.



— Sri Lanka  
— All Crisis Average

#### HRI 2010 scores by pillar

- Pillar 1** Responding to needs
- Pillar 2** Prevention, risk reduction and recovery
- Pillar 3** Working with humanitarian partners
- Pillar 4** Protection and international law
- Pillar 5** Learning and accountability

### Key challenges and areas for improvement

- The government robustly leads the response, has an antagonistic relationship with the international community and seeks to convey a negative image of aid agencies and disparage their efforts.
- The government restricts access, controls reporting of the crisis, manipulates language used to describe it and continues to reject the CHAP.
- Agencies generally lack access to resettlement areas and/or are unable to directly approach communities and vulnerable people.

## Sri Lanka

### *Antagonistic Relations imperfect response*

In May 2009, government forces won a decisive military victory over Tamil secessionists – the Liberation Forces of Tamil Eelam (LTTE) – following 26 years of fluctuating conflict which had already displaced some 200,000 people (Internal Displacement Monitoring Centre 2010). In the final months of fighting, grave violations of human rights were committed by both sides and around 300,000 Tamil civilians were displaced, most finding themselves helplessly trapped between combatants. The humanitarian consequences were, and remain, enormous. Most of those forcibly interned for months after the conflict have now been released but durable solutions to displacement –

particularly for the old cohort of internally displaced persons (IDPs) – remain elusive. While much of Sri Lanka is relatively prosperous, and there is now extensive investment in infrastructure in northern and eastern areas, most communities in war-affected former LTTE-controlled regions are chronically poor. Humanitarian indicators are markedly worse in former conflict areas: for example, 40 percent of under-fives are underweight (World Food Programme 2010). The humanitarian response and post-war reconstruction has been government-led with hardly any international engagement. Relations among the government, the United Nations (UN) and traditional donors are fraught with tensions, misunderstanding and accusations while the increasingly autocratic government of President Mahinda Rajapaksa has forged new alliances with regional powers.

The sequence of events which follows most humanitarian disasters has not happened: no independent needs assessments; no international conference; no government-UN appeal for donor assistance; no international peacekeepers; no protection monitoring; no consultations with those in humanitarian need; no monitoring to ensure the resettlement of IDPs meets international standards for safe and dignified returns and a modest and virtually impotent UN presence. In short, both a major apparent violation of *Principles of Good Humanitarian Donorship* (GHD) and a challenge for international humanitarians not used to a confident national government insisting on taking care of humanitarian needs. During its mission the Humanitarian Response Index (HRI) team was repeatedly told by donors and humanitarian agencies that many questions they asked were simply inapplicable to the situation in Sri Lanka.

### Disenchantment with traditional donors

Since the 2004 tsunami, and particularly since protracted Norwegian-brokered attempts at peace between the LTTE and the government conclusively broke down in 2008, the government has become increasingly estranged from traditional donors. The post-tsunami influx of large numbers of aid agencies heightened national concerns over sovereignty and prompted moves towards greater state scrutiny and control of international non-government organisations (INGOs). Often classifying INGOs as “neo-colonial”, operational agencies were required to regularly meet government administrators for lectures on national sovereignty and to provide details of their programmes. It became increasingly difficult for international staff to obtain permission to work. HRI 2009 reported how state agents harassed national staff of INGOs, but managers were unable to protest due to fears for the safety of their colleagues. INGOs were thus forced to increasingly rely on expatriates who then found that their movements were increasingly restricted and visas and residence permits harder to obtain (Hidalgo 2010). Over time, many INGOs became frustrated and left the country (Gowrinathan & Mampilly 2009).

The government consistently protested at contacts between Western governments and Tamil diaspora associations which it alleged were LTTE front organisations. It felt irked by criticism of its efforts to pursue a military solution to restore national unity and defeat an internationally-proscribed terrorist organisation. The government perceived double standards, rebuked by the same donors who themselves vigorously prosecuted the War on Terror in Iraq, Afghanistan and Pakistan – despite “collateral” damage to civilians – yet urged a political settlement in Sri Lanka. The West’s determination to promote pro-peace objectives tarnished its humanitarian engagement as humanitarian endeavours became perceived as an extension of Western geopolitical objectives (Harris 2010).

Relations deteriorated further in the final months of the conflict when traditional donors called for a cessation of hostilities to enable assistance to civilians trapped by a beleaguered LTTE. Tensions escalated after the war’s decisive climax when donors criticised the mass interment of Tamil civilians along with surviving LTTE cadres. Sri Lanka argued that its security policies – designed to separate Tamil civilians, hard-core LTTE cadres and those who were unwillingly pressed to take up arms – were standard international practice. In October 2009, the government reacted with fury when a US State Department enquiry found “credible and well substantiated” evidence that government forces abducted and killed civilians, attacked no-fire zones and hospitals and killed senior rebel leaders with whom they had brokered a surrender (US State Department 2010a). There was further anger in June 2010 when the UN Secretary-General, Ban Ki-moon, appointed a three member panel (who are thought to have international business interests) to advise him on ensuring accountability for the alleged abuses during the war. There is concern that the panel – which held its first meeting with the Secretary-General in September (UN New Centre 2010b) – could result in restrictions on key government figures. In August 2010, the US State Department alleged no progress on improving

accountability, noting there had been no effective investigation into laws-of-war violations (US State Department 2010b). The government is further irritated by international criticism of the trial of Sarath Fonseka, the former commander of the Sri Lankan military who unsuccessfully opposed Mahinda Rajapaksa’s re-election.

### **New donors and regional contestation**

Since re-commencement of military efforts to recapture the northern and eastern territories under LTTE control, the Sri Lankan government has markedly increased its foreign relations with a number of Middle Eastern and Asian states – notably Pakistan, India, China and Iran. The new donors have no interest in the global humanitarian agenda – in the words of a respondent: “they are very different animals in this setting and can’t be compared. Far less principle-driven”. The Asian states competing for influence share Sri Lanka’s vehement rejection of Western “interference” in their internal affairs and have provided powerful support at the UN. India is the major provider of funding for reconstruction of housing in war-affected areas and has committed to rebuild 50,000 of the 160,000 houses in conflict-devastated areas which need to be repaired or rebuilt (IRIN 2010a). China’s investment and provision of soft loans is highly significant – building a new airport, power plant, oil refinery, and bunkering, ship, and container repair facilities as part of a strategic drive to secure a string of assets across the Indian Ocean between China and its oil and mineral extraction interests in the Horn of Africa and the Middle East. China is substantially assisting the government to restore transport links in war-ravaged eastern and northern areas. China’s growing influence in Sri Lanka also serves its objective of containing India, which has been providing Sri Lanka with assistance for much longer.

### **Displacement resolved? Government assertions disputed**

After proclaiming victory on 19 May 2009, President Rajapaksa announced formation of a Presidential Task Force (PTF) to oversee humanitarian assistance, rehabilitation and reconstruction. He appointed a Minister for Resettlement who pledged that all displaced families would be resettled within six months. The government has consistently cited its capacity to respond effectively to displacement, saying it has learned lessons from the tsunami and previous waves of conflict-induced displacement. The president has said that his visit to observe post-earthquake operations in China further enhanced his government’s competence to implement resettlement programmes.

The exact numbers of those trapped in the final weeks of fighting is contested by the PTF, the UN and human rights groups and the true figure is unlikely to ever be determined. There has been no official recognition that very large numbers of people are still missing (Fonseka 2010). What is clear is that some 280,000 IDPs were forcibly interned, the majority in a massive military-run camp known as Manik Farm. Denial of international access was justified on dubious grounds – NGO vehicles would cause environmental pollution, international humanitarians would not respect the privacy of IDPs and would treat camps as “photo opportunities”. Access to the “surrendered” population was initially denied to the International Committee of the Red Cross. Rebutting critics, the government asserted that IDPs could live with dignity as “no other IDP camps elsewhere in the world had playgrounds, cooperatives, waste management projects, libraries, health centres, ayurveda, schools, hospitals, recreation facilities and farms” (Amarasinghe & Kahandawaarachchi 2010). Most humanitarians regarded such statements with derision. The HRI team was told that at very short notice the government asked the International Organisation for Migration (IOM) to transport IDPs to new locations. While IOM then informed the UN High Commissioner for Refugees (UNHCR) there was no opportunity for rigorous IDP registration.

In the run-up to presidential elections in January 2010 there was a sudden policy shift, – apparently driven with a view to win votes and to assuage international criticisms. In October 2009, the government unveiled a Crash Resettlement Programme and by mid-November over 100,000 IDPs were said to have returned to their places of origin. In August 2010, the government claimed that 90 percent of those displaced by the post-2008 fighting had been resettled (Daily Mirror 2010).

Government IDP data is disputed by international observers and Sri Lankan civil society. Many who the international community would regard as IDPs are not officially registered. Sri Lankan officials use the terms ‘return’ and ‘resettlement’ interchangeably without regard to international standards such as the *Guiding Principles on Internal Displacement*. This has resulted in a situation where upon returning to the district of origin, regardless of whether a person has returned to his/her own home and land, there is an erroneous assumption by the state that return is complete. Knowledgeable local government officials, many with extensive experience working with tsunami- and conflict-displaced populations, have been sidelined by officials in PTF headquarters in Colombo who make all decisions, including on IDP numbers and deregistration of individual IDPs (Fonseka 2010).

IDPs are returning to areas that have been heavily damaged and completely emptied of population for long periods. The majority of houses in return areas are completely destroyed, heavily mined and lacking in water. As a result, many ex-detainees are living with host families and there are reports of some seeking to return to camps because conditions in areas of origin are even more dire. There are grave fears that most returnees have inadequate shelter to protect them from the annual northeast monsoon rains which begin in November (IRIN 2010b). On return to places of origin, some find their land appropriated by the army for a High Security Zone (HSZ). The destruction of housing and property due to

conflict, secondary occupation of private lands by actors including the security forces and police and creation of numerous HSZs have all adversely affected IDPs’ ability to access their human rights to adequate housing, return and restitution. The lack of policies consistent with human rights obligations has left many marginalised and vulnerable communities no remedy to defend their housing, land and property rights in the face of the larger security and development interests of the government and the military (Centre on Housing Rights and Evictions 2009). In September 2010, there are reports that some freed IDPs have to regularly report to the army and cannot move without military permission (Fonseka 2010).

Forgotten in the aftermath of the latest displacement crisis are “old IDPs” – the hundreds of thousands displaced by decades of conflict – Muslims expelled by the LTTE, Sinhala IDPs from northern Sri Lanka and IDPs from all communities in the east. Many suspect that the government is set to declare displacement to have ended, thus denying all responsibility to provide ongoing assistance to those who are often even more vulnerable than recent IDPs and returnees. The return of “old IDPs” is significantly lagging behind that of the new with humanitarian agencies strongly pressured by the government only to support the latter. Most old IDPs who are returning are doing so spontaneously and are chronically vulnerable (Raheem 2010). Particularly ignored by government and non-government actors are Muslims who have been living in a state of protracted displacement for two decades (Norwegian Refugee Council 2010). Prospects of their return to former homes in northern Sri Lanka are uncertain (IRIN 2010c).

War widows – particularly those whose husbands were LTTE combatants – are another vulnerable group whose needs are being insufficiently addressed. Save the Children notes that there are over 26,000 war widows in the Jaffna peninsula alone (Calyaneratne 2010). Insufficient support for livelihood recovery support, agriculture and de-mining creates a risk of long-term food dependency. The majority of Sri Lanka’s 160,000 amputees – most of them war victims – lack prosthetic limbs (IRIN 2010d). 1.2 million people are thought to be in need of food assistance (World Food Programme 2010).

### Protection, war crimes and human rights

There is broad agreement among traditional donors and Western observers of the need for a thorough investigation of violations of international humanitarian law in Sri Lanka. As most of the LTTE perpetrators are dead, this must focus on alleged encouragement of, or complicity in, war crimes, at the highest level of the Sri Lankan military and political establishment. The International Crisis Group reflects the broad liberal consensus by arguing that “an international inquiry into alleged crimes is essential given the absence of political will or capacity for genuine domestic investigations, the need for an accounting to address the grievances that drive conflict in Sri Lanka, and the potential of other governments adopting the Sri Lankan model of counter-insurgency in their own internal conflicts”. Less comforting is The International Crisis Group’s observation that “much of the international community turned a blind eye to the violations when they were happening. Many countries welcomed the LTTE’s defeat regardless of the cost of immense civilian suffering and an acute challenge to the laws of war. The United Nations too readily complied with the government’s demands to withdraw from conflict areas,” (International Crisis Group 2010).

The UN High Commissioner for Human Rights, Navi Pillai, has been a rare UN voice when it comes to talking about war crimes, with the rest of the UN opting for a quiet approach to “keep the doors open” (Philp 2009). In effect, UN staffers in Sri Lanka had little choice because the numbers were against them. In May 2009, human rights advocates were appalled when the UN Human Rights Council backed a Sri Lankan resolution – strongly supported by Asian and Muslim states – welcoming the defeat of the LTTE and describing the conflict as a “domestic matter that does not warrant outside interference”. A critic has argued that the UN thus gave “carte blanche to armies to use whatever means available to achieve victory”, endorsing the view that “victory in civil war is paramount, and that any incidental abuses are no one else’s business,” (Binyon 2009).

Protection issues have long been a bone of contention between the government and traditional donors. The Minister of Economic Development (a brother of the president) has declared that IDPs are “given the best protection, not left vulnerable to exploitation, their privacy protected and their interests safeguarded,” (Amarasinghe & Kahandawaarachchi 2010). In May 2010, the government established a Commission on Lessons Learned and Reconciliation. Run by the Ministry of Defence, it has a mandate to “find out the root causes of the terrorist problem,” (Sri Lankan Ministry of Defence 2010). Few observers believe it is impartial as all eight members have previously worked for the government. Amid a climate of ongoing intimidation of local and international media, the BBC was banned from attending evidence-gathering sessions (BBC News 2010). The International Crisis Group warns that the commission is likely to simply perpetuate a culture of impunity (IRIN 2010e). Human Rights Watch (2010) notes that Sri Lanka has a long history of establishing ad hoc inquiries to deflect international criticism over its poor human rights record and widespread impunity, none of which have produced any significant results.

### Donor dilemmas

At the height of the humanitarian crisis in 2009 – as they observed with much frustration the dominance of state actors and inability to respond to calls for help from those in Manik Farm who could get heard – traditional humanitarian actors in Sri Lanka faced a major dilemma: “should they stay silent but involved, or speak out and be expelled?” (Salignon 2009). There has been no consensus answer and there is ongoing division among donors on how rights and protection issues should be approached.

In order to receive permission from the PTF to carry out projects, agencies report they have been forced to adopt the government’s preferred terminology. There is debate on whether to placate the government by using the terminology it prefers to use. The HRI team received several comments: “clusters is a dirty word”; capacity building, psychosocial... are not terms that can be used in Sri Lanka”; “we also had to drop or stop advocating for the *Guiding Principles* because the government started using the language against us and to its benefit.”

### Response of traditional donors

International response capacity was limited by the post-tsunami winding down of engagement and the subsequent frustrated withdrawal, or reduction in staff numbers, of agencies whose efforts to work with conflict-affected IDPs were not welcomed. The UK Department for International Development was among those who had wound up operations in Sri Lanka after the tsunami – not wanting permanent engagement in a middle-income country – but deployed humanitarian experts in early 2009. It has been difficult for some donors to accept that they are not in the driving seat and also frustrating that the UN has not been in a position to provide leadership or even to gather comprehensive information on what was disbursed and who did what in the turbulent period leading up to and following the LTTE defeat.

Responding to needs has been challenging. Many donors have humanitarian and development programmes but nothing in between to link the different types of interventions. With no peace agreement or UN-government cooperation framework the government has been able to retain complete control over the humanitarian response. The HRI team was told of several attempts by donors to fund needs assessments which never happened due to prohibition of access. Needs were thus never formally identified and humanitarian aid was largely limited to the relatively small numbers who managed to flee the conflict area.

The 2009 Common Humanitarian Action Plan (CHAP) sought US\$155.5 million, revised upwards to US\$270 million in the mid-year review. It was 73.5 percent funded. Requests for food aid and protection were met, but sectors which attracted insufficient response included education (36 percent), health (32 percent), agriculture and food security (18 percent) and economic recovery and infrastructure (six percent).

A further CHAP was prepared in early 2010 but the government refused to endorse it in protest at UN investigation of alleged war crimes. It sought US\$337.7 million, a figure reduced downwards to US\$287.8 million in June 2010 as a result of restricted implementation capacity, time-consuming NGO-approval processes and safety issues associated with ongoing mine/unexploded ordnance contamination (OCHA 2010). By mid-October 2010, 47 percent had been covered. The food cluster has been best supported (81 percent covered), while economic recovery and infrastructure has received only eleven percent of the amount requested and water and sanitation ten percent.

Given the extensive amount of support from non-traditional donors, data from the Financial Tracking Service (FTS) of the UN Office for the Coordination of Humanitarian Affairs (OCHA) is not comprehensive. (Indeed donors from the Organisation for Economic Cooperation and Development's Development Assistance Committee who were interviewed in Colombo said they had prepared their own, more accurate database). According to FTS data, by late September 2010 the largest providers of humanitarian assistance in 2010 have been the US (19.7 percent of the total, Australia (15.7 percent), Canada (5.7 percent), the European Commission (4.5 percent) and Norway (4.5 percent). 9.1 percent has come from the Central Emergency Response Fund (CERF) – to which India has contributed.

The HRI team found evidence of donor fatigue and reluctance to support reconstruction initiatives which it is believed the government is able to afford. There is widespread concern that humanitarian needs and livelihoods support are being overlooked, the UN calling on donors in August 2010 to “stay the course” and provide funding to ensure durable solutions to displacement (UN News Centre 2010).

### Coordination

Despite the realities that the humanitarian response in Sri Lanka is largely operating without a real framework and that donors have markedly different policies regarding cooperation with the government, the HRI team was told that coordination has improved. Despite official disdain for the cluster system it is reported that in general it works well in Colombo and elsewhere and PTF representatives attend meetings.

Donor coordination was perceived as more active and effective. There are several donor coordination groups and sub-groups which most of those interviewed during the HRI mission regarded as useful sounding boards and fora for gauging the positions of other donors. However, donors' expectations of coordination are extremely divergent. While donors such as the European Commission and Switzerland argue for strong leadership, countries such as Japan are uncomfortable with the

idea of participating in a decision-oriented platform. Many donors adopt the position that if the government wishes to take over responsibilities that it should do so and should use its own resources.

### Humanitarians' evaluation of donors

The HRI team was repeatedly told that many questions they asked were simply not relevant to the situation in Sri Lanka. Lessons learnt from the numerous evaluations of the tsunami response are also regarded as inapplicable. There is a general comment that while the *Principles of Good Humanitarian Donorship* may be of relevance to informing responses to other crises, they are inapplicable in Sri Lanka.

The HRI team learned that the reputation of ECHO – previously considered one of the best donors in Sri Lanka – has suffered. UN agencies resented being pressured by ECHO on humanitarian principles, especially since they believed that the European position was ineffective and un-nuanced. ECHO was criticised for inflexibility, one respondent complaining that “in the midst of a crisis, ECHO becomes too bureaucratic and unrealistic”, another saying it cannot “think out of the box and is stuck in its procedures.”

*“The humanitarian consequences of the final fighting were, and remain, enormous.”*



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In general, agencies interviewed by the HRI team felt they received funding in a timely manner for those actions that they were able to carry out. Australia was praised for quickly supporting initiatives – such as UNHCR’s shelter cash grant programme – but it was also noted that its humanitarian agenda in Sri Lanka is shaped by geopolitical considerations and desire to prevent Sri Lankan asylum seekers reaching Australia. Japan was also criticised for allowing its humanitarian allocations to be influenced by national political considerations. Switzerland is commended for its principled advocacy of human rights. Canada, the Netherlands, the UK and Sweden were complimented for flexibility in reallocating funds as needs changed.

There is widespread concern that donors are now prioritising northern Sri Lanka, with severe consequences for eastern Sri Lanka where humanitarian needs remain following 20 years of LTTE occupation.

### Lessons learnt and recommendations for the future

Recent experience in Sri Lanka “provides international humanitarian actors with a cautionary tale of the sensitivities surrounding operations in a conflict affected environment beset by opposing constructs of nationalism and a state determined to maintain control over the nature and direction of humanitarian response”. Humanitarian agencies need to be aware of the ways in which nationalist agendas can shape perspectives of humanitarianism (Harris 2010).

Key implications for donors committed to humanitarian principles are that:

- Donor (and UN) pressure to allow humanitarian access and space is unlikely to be effective if alternative donors are readily available.
- Non-traditional donors are likely to be more attractive because of their lack of conditionality and interest in domestic affairs
- Once lost, donor and UN/aid agency influence may be difficult to regain and avenues for effective engagement with humanitarian issues may be lost for ever.

Despite the general pessimism about the effectiveness of humanitarian advocacy, there are those who think that decreased post-conflict and post-election tensions could provide opportunities to move away from past tensions and find common ground with the government of Sri Lanka. Some of those interviewed by the HRI team urged the humanitarian community to be patient, to understand government nervousness and sensitivities, to show greater respect for Sri Lankan security concerns and to find avenues to enter into dialogue about how to avert the risk of long-term aid dependency and to agree on development priorities in impoverished conflict-affected areas of the country.

Key areas of concern which traditional donors must address include:

- 1 Lack of a consistent and comprehensive policy on IDP resettlement.** Donors need to work with the UN, INGOs and Sri Lankan civil society to persuade the government of the need to ensure IDP returns are voluntary and informed and to provide assistance to ensure returns lead to durable solutions for all displaced and conflict-affected populations.
- 2 Avoiding excessive aid conditionality:** Donors should bear in mind that non-traditional donors present a viable and willing alternative to Western assistance.
- 3 Dialogue:** It is important to reach out to non-traditional donors and assimilate them into donor consortia.
- 4 Equality of response:** Donors must ensure that humanitarian assistance is not simply focused on areas which were last to be liberated from the LTTE. The large number of war widows must be included in resettlement and rehabilitation programmes.
- 5 Implementors’ capacity:** Donors should be more cautious about supporting international agencies to take on activities for which they have no mandate or expertise when there are qualified Sri Lankan implementing partners.

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**Information based on field interviews with key humanitarian agencies in Sri Lanka from 17 to 27 April 2010, and 116 questionnaires on donor performance (including 99 OECD/DAC donors).**

**The HRI team, composed of Silvia Hidalgo, Daniela Mamone and Riccardo Polastro, contributed to this report. They express their gratitude to all those interviewed in Sri Lanka.**





*Crisis reports*  
**Sudan**

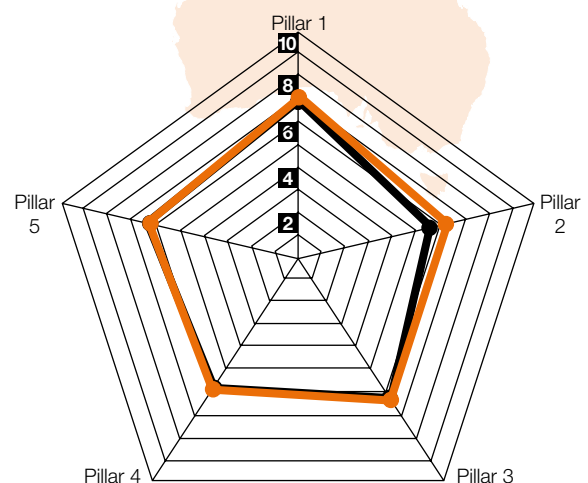
## Sudan at a glance

### The crisis and the response

- Sudan has world's largest IDP population: at least 4.9 million.
- Protracted displacement has accelerated urbanisation and created an assistance-dependent population with limited capacity for self-sufficiency.
- More people are now being killed by violence in Southern Sudan than in Darfur.
- Slow recovery in eastern Sudan: drought and new refugees from Eritrea and Somalia have increased humanitarian needs.
- In 2009, donors provided more than US\$1.65 billion for humanitarian assistance, twice that of second largest CAP.
- Some donors restrict funding to Darfur and Southern Sudan, blaming monitoring and access constraints in the east.
- In early 2010, the UN proposed a comprehensive mechanism to coordinate the protection of civilians in armed conflict settings.

### Donor performance

- New initiatives for better coordination have not led to notable successes.
- The failure to improve protection is partly attributable to lack of advocacy by donors and UN officials who are afraid of being declared *persona non grata*.
- In Southern Sudan, most donors fail to hold regional authorities accountable for aid disappearance and for not providing previously committed resources.
- Most INGOs were dissatisfied with donor efforts to facilitate humanitarian access, especially after the expulsion of several humanitarian organisations from Darfur.



— Sudan  
— All Crisis Average

#### HRI 2010 scores by pillar

- Pillar 1** Responding to needs
- Pillar 2** Prevention, risk reduction and recovery
- Pillar 3** Working with humanitarian partners
- Pillar 4** Protection and international law
- Pillar 5** Learning and accountability

### Key challenges and areas for improvement

- Donors must identify qualified partners and staff to avoid a lack of response capacity.
- Effective and consistent systems for information gathering and analysis of threats need to be established.
- The international community must reach consensus on how to interact with the government of Sudan and strengthen efforts to facilitate humanitarian access.
- The roles of peacekeepers and humanitarian actors need to be more clearly differentiated in order to strengthen protection coordination mechanisms.

## Sudan

### *Humanitarian mission without end?*

Sudan continues to struggle to cope with conflict, displacement and insecurity. In 2009, humanitarian operations in Sudan were, once again, the world's most significant – in terms of funding provided and the number of beneficiaries (OCHA 2009a). Analysts fear Sudan may be sliding towards violent breakup (International Crisis Group 2010) as peace accords – between the government and its adversaries in Darfur, southern and eastern Sudan – all appear to be increasingly fragile. Five years have elapsed since the internationally-brokered Comprehensive Peace Agreement (CPA) ended the five decade-long north-south civil war. Essential benchmarks such as border demarcation, agreements on wealth-sharing and citizenship issues remain unresolved. Insecurity and failed harvests have led to an alarming deterioration of humanitarian conditions in Southern Sudan. The World Food Programme (WFP) is providing assistance to 11 million Sudanese, the agency's largest operation in the world (WFP 2010a).

The number of people in Southern Sudan in need of food assistance has more than quadrupled from almost one million in early 2009 to 4.3 million by February 2010 (WFP 2010b). There are concerns that disruptions to the Southern Sudan self-determination referendum scheduled for January 2011 – the lynchpin of the CPA – or northern rejection of its expected vote for independence – could spark renewed north-south conflict.

The extent and duration of displacement in Darfur has created an assistance-dependent population with limited capacity for self-sufficiency. The peace process in Darfur is stalled and the United Nations (UN) warned in July 2010 that bureaucratic impediments to humanitarian access and incidents targeting aid workers are steadily shrinking humanitarian space (OCHA 2009a).

#### Operational environment

During the first Humanitarian Response Index (HRI) mission in 2006, Sudan – Darfur in particular – was receiving high publicity in the international media, but by the next mission in 2007, the crisis was already losing airtime (DARA 2007 and Herrera 2008). Today, the Darfur conflict may no longer attract the headlines it once did but the crisis has not disappeared. Large-scale attacks on civilians are less common but generalised insecurity prevails in most of the region. Displaced communities have been unable to return despite a peace agreement between the Government of Sudan and the main rebel faction – the Justice and Equality Movement – and rapprochement between Sudan and Chad. Peace talks brokered by Qatar continue to drag on inconclusively amid little optimism (Flint 2010). Darfur's numerous anti-government movements have fractured. Violence has intensified as a result of renewed fighting between the Sudanese army and Darfur's second largest rebel movement, the Sudan Liberation Movement, as well as intra-tribal violence. In fact, significant numbers of people have now lived in Darfur IDP camps for seven years. Most have, in effect, become urban settlements as conflict has brought about traumatic urbanisation (de Waal 2009).

Humanitarian access to populations remains a challenge in all three states of Darfur. The kidnapping of humanitarian staff, vehicle hijacking and banditry have continued to curtail activities and delivery of humanitarian aid. Humanitarian response capacity is further reduced by a shortage of qualified partners and staff.

Sudanese President Omar al-Bashir is the first sitting head of state ever indicted by the International Criminal Court (ICC). The Government of Sudan reacted to the March 2009 ICC announcement of an arrest warrant by expelling 13 international non-governmental organisations (INGOs) and three national NGOs from northern Sudan. There was additionally a further clampdown on activities of independent human rights organisations (African Centre for Justice and Peace Studies 2009). Humanitarian organisations reported considerable evidence of the ongoing operational and protection consequences of the expulsion of some of the largest and most experienced agencies. Cooperation between the international community and the government's Humanitarian Aid Commission (HAC) – which accused the expelled INGOs of “violating their humanitarian mandates and threatening National security” (HAC 2009) – has been significantly reduced. Oxfam GB, one of the expelled agencies, has noted that with fewer operational agencies information on needs in much of Darfur is now harder to obtain. Fourteen of the 16 agencies expelled from Darfur had projects working to support victims of sexual violence and many of the trauma counseling projects, women's health centers and support networks that were shut down have not been adequately replaced (Oxfam 2010).

Nation-wide legislative, local and presidential elections held in April 2010 were the first multi-party polls since 1986. While the Carter Center described the process as “highly-chaotic, non-transparent and vulnerable to electoral manipulation” (Carter Center 2010), the international community accepted the results. In circumstances which bode ill for prospects of good governance, the two dominant parties – Bashir’s National Congress Party and the Sudan Peoples’ Liberation Movement (SPLM) – reinforced their hold on power in the two regions. “The hasty way in which elections have been put aside by those Western governments which had actively supported them – actually imposing them on the parties during the CPA negotiations – is due to the fact that the vote had a predictable but equally disappointing outcome: instead of giving birth to one, democratic Sudan, the elections have ratified the emergence of two authoritarian Sudan(s),” (Musso 2010).

In 2010, the autonomous Government of South Sudan abandoned the strategy of seeking reform at the federal level in Khartoum and its leader, Salva Kir, now openly urges secession. There has been no progress on resolving fundamental issues left unresolved by the CPA – provisions on power and wealth sharing, demarcation of the north-south border and resolution of the conflicts in Southern Kordofan, Blue Nile and Abyei. The regimes in Khartoum and in the southern capital, Juba, have, in effect, stopped trying to resolve the numerous issues which divide them, perilously entrusting the African Union to mediate following the expected southern vote for independence in January 2011 (IRIN 2010a).

In Southern Sudan, humanitarian needs have intensified due to ongoing violence, drought and food insecurity. Many agencies had been aligning their activities towards recovery and development in 2007–2008, expecting a smooth post-conflict transition. Most have been slow to respond to conflict and drought-induced needs. In June 2009, the UN reported that the number of people killed by violence in Southern Sudan had surpassed the number killed in Darfur.

Intra-South violence killed over 2,500 people and displaced 370,000 more in 2009 (OCHA 2009b). Recent research dispels the standard explanation for post-CPA violence – alleged destabilisation by Khartoum and manipulation of tribal tensions – and reports that efforts by the SPLM-led autonomous government to build governance institutions are themselves fuelling new conflict (Norwegian Refugee Council 2010).

In eastern Sudan, there has been less conflict since the Government of Sudan signed an agreement with an opposition coalition in 2006. However, recovery has been slow and drought and the arrival of new refugees from Eritrea and Somalia have increased humanitarian needs.

### Humanitarian indicators

Although in some respects Sudan – thanks to rapidly increasing oil wealth – can be ranked as a middle-income country – enjoying a per capita Gross Domestic Product (GDP) of US\$2,086, it ranks in 150<sup>th</sup> place on the United Nations Development Programme’s (UNDP) Human Development Index. The United Nations Children’s Fund (UNICEF) reports an under-five mortality rate of 112 deaths per 1,000 live births and a maternal mortality ratio of 1,107 deaths per 100,000 live births. Sixty-eight percent of children have not been fully immunised and less than 20 percent of children complete primary education (UNICEF 2010). All these indicators are significantly worse in Southern Sudan.

Sudan has the highest number of internally displaced persons (IDPs) in the world. The fact that some have been displaced for several decades – and significant numbers have been born in places of displacement – makes it impossible to reach consensus on the total number of IDPs or the number who have found durable solutions to their displacement. It is generally agreed that there are at least 4.9 million IDPs (UNDP 2009) in Darfur, the greater Khartoum area, South Kordofan and Southern Sudan. The post-CPA return of IDPs has not been as significant as expected. While two million are thought to have returned south, some ten percent of them are believed to be have been further displaced

by ongoing insecurity (Internal Displacement Monitoring Centre 2010). Humanitarian access to the settlements in Khartoum State, where approximately 1.5 million IDPs live, has recently become even more restricted. Food shortages in Southern Sudan are expected to intensify in the run-up to the 2011 referendum as more Southerners, worried about being on the wrong side of the border, are expected to try to return (IRIN 2010b).

### International dilemmas

The international community has been unable to reach consensus on how to interact with the Government of Sudan. It is also now increasingly unable to agree on how to work with the Government of Southern Sudan and to address the crisis in the region and the likely consequences of the self-determination referendum.

The UN’s operational structure in a complex and divided country is itself, unsurprisingly, complex. There are two separate missions with a peacekeeping mandate. The first, the United Nations Mission in Sudan (UNMIS), was established by the UN Security Council (UNSC) in 2005 and is primarily charged with implementation of the CPA. It is headed by a Special Representative of the Secretary-General (SRSG). The Deputy SRSG – who is also Resident Coordinator and Humanitarian Coordinator (RC/HC) – is based in Khartoum. He has two deputies for Humanitarian Affairs, in Khartoum and in the Southern Sudan capital, Juba. The second, the African Union (AU) – United Nations Hybrid Operation in Darfur (UNAMID) is a joint AU/UN peacekeeping mission, established by the UNSC in 2007. Charged with ensuring safe provision of humanitarian assistance and humanitarian access in Darfur, it reports both to the UNSC and to the AU Peace and Security Council. It is led by a UN/AU Joint Special Representative (JSR) and in June 2010 had around 22,000 uniformed personnel. Its mandate was extended for a year in August 2010, prompting the Government of Sudan to impose further restrictions on movement of UNAMID personnel.

The HRI team was told of inherent tension, within the UN and the donor community, between political agendas and commitment to humanitarian assistance in accordance with the *Principles of Good Humanitarian Donorship* (GHD). Agendas and approaches differ between peace keeping, humanitarian assistance and development. Funding for recovery is affected by the failure of the UN and the donor community to reach agreement on the best way to prevent further conflict in Darfur.

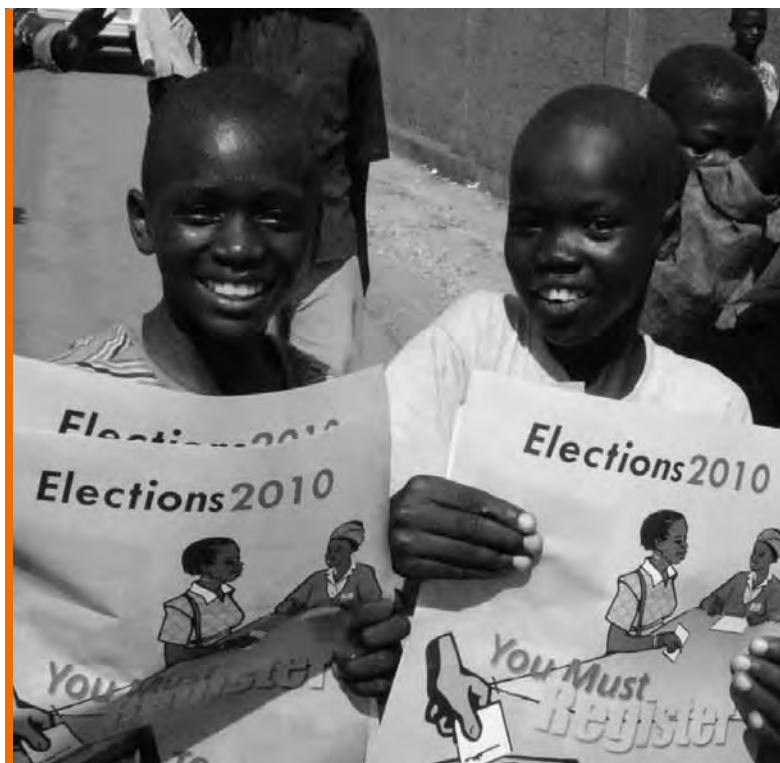
### Protection

The Sudanese crises continue to be characterised by brutalities against civilians and a climate of nearly complete impunity. In 2005, the UN Security Council asked UNMIS peacekeepers to protect civilians but failed to give the mission sufficient or appropriate staff and resources. The role of donors with regard to promotion of protection and international humanitarian law is limited to bilateral discussions with government officials on the occasion of high official's visits to the country. There is no concerted strategy. UNAMID has continuously failed over the course of its deployment to protect itself, let alone the people it military personnel have been dispatched to protect.

As an INGO representative noted, "UNAMID has no staff in the rural areas, only in big towns. The villages are abandoned. What kind of peacekeeping is this?"

While the Office of the UN High Commissioner for Refugees (UNHCR) has been able to assist and protect IDPs in other countries, it cannot do so in Sudan. For many years UNHCR's activities have been severely restricted by the Sudanese authorities. UNHCR has only been allowed to operate in certain areas and to only provide protection to refugees – although in late 2009, the refugee agency was granted access to IDPs in Nyala in Darfur. The government of Sudan insists that it is its responsibility to protect IDPs and for many years has discouraged the international community from assisting and advocating for the millions of IDPs who live in and around Khartoum. The government entrusted the

*“Three decades later there is a dependency syndrome, with the number of those in permanent need of support showing no sign of decreasing.”*



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International Organisation for Migration (IOM) to assist IDPs in Al Fasher and Al Geneina. IOM is not a UN agency and does not have a legal protection mandate. The agency told the HRI team that its activities contribute to protecting human rights as registration, verification and assistance implicitly provide IDPs with a form of protection. Despite its repeated claims the government clearly lacks protection capacity. This was further demonstrated by an upsurge in violence in Darfur in May-June 2010 which left over 800 dead.

Protection coordination mechanisms have several weaknesses. There is a lack of permanent staff in many of the regions where their presence is most required. The HRI team learned that about one third of protection of civilian posts are vacant and neither UNMIS nor UNHCR have permanent staff in three of the ten states of the South. A large number of UNAMID's dedicated protection posts are also vacant. Both in Southern Sudan and Darfur there is widespread confusion regarding the respective roles of peace keepers and humanitarian actors with regard to protection. It is unclear which entity, if any, currently coordinates protection and where. Many of those who are manifestly in need of protection are neither IDPs nor returned IDPs and refugees.

The UN should acknowledge that protection structures are inconsistent, ineffective and complicated by dual reporting to the UN and the AU. There is an urgent need to clarify the responsibilities and reporting lines of UNMIS/UNAMID and policies related to protection of IDPs and other vulnerable civilians. Both UNMIS and UNAMID need to have a mission-wide protection strategy that consolidates existing protection initiatives, builds on current cluster leads and ensures the best use of available military, police and civilian resources to confront actual and potential violence.

There are efforts to raise awareness of government officials who, for the most part, have little notion of the broader meaning of protection. UNHCR has run workshops and since 2004, UNDP has engaged in an ambitious project to bring together government officials, civil society and local communities to raise awareness of basic human rights in Darfur (UNDP 2010). However, considering the size of protection needs over this vast area, these remain modest interventions.

In Southern Sudan, the regional government and the humanitarian community are focusing on strengthening protection activities, especially helping communities protect themselves. Community groups receive training and early warning mechanisms are underway. Radios are provided to enable communication with the authorities and UNMIS when under threat. Following the signing of an action plan between the Sudan People's Liberation Army – the military force of the autonomous southern government – and the Special Representative of the Secretary-General for Children and Armed Conflict, the release and reintegration of child soldiers is progressing steadily.

A senior UN official told the HRI team that a key challenge is to establish more consistent and effective systems for information gathering and analysis of threats to civilians, including from the staff of UN and non-governmental agencies and communities. Senior UNAMID/UNMIS leaders, together with humanitarian actors focusing on protection, need to ensure a constructive and ongoing engagement and dialogue between peacekeepers and the humanitarian community. In 2010, UNHCR and UNMIS's Protection of Civilian (POC) section were tasked with examining future protection challenges and proposing a comprehensive protection coordination mechanism. A proposal for Southern Sudan is under discussion. In early 2010, the UN proposed a comprehensive mechanism to coordinate the protection of civilians in armed conflict settings involving collaboration between the Deputy Resident/Humanitarian Coordinator, the UNMIS Regional Coordinator, the Deputy Police Commissioner of Southern Sudan and UNMIS Sector Commanders (UN Sudan 2009). It remains to be seen whether these interventions will produce more effective protection activities.

### Coordination

The Darfur expulsion triggered several initiatives for improved coordination. The Humanitarian Donor Group (HDG), a platform for Western donors to discuss humanitarian issues and prepare meetings with the government, UN agencies and INGOs, was reinforced. Initiatives were taken to broaden the group by inviting China, India, South Africa, Egypt, Qatar, South Korea, Malaysia and the United Arab Emirates. However, this extended group has only met once. Many donors have centralised decision-making on humanitarian assistance at headquarter level and there is no special capacity for humanitarian assistance at embassy level apart from, at best, a diplomat responsible for humanitarian matters in addition to other duties. This meant that internal coordination and coordination with humanitarian partners also often fell upon the same people in Khartoum.

Also in response to the Darfur expulsion, donors, the Humanitarian Country Team (HCT) and the HAC established a High Level Committee co-chaired by the UN and the Government of Sudan to ensure better coordination. At the highest level – including ministers, ambassadors and the SRSG – the committee has only met twice. At national level, they have met only on a few occasions in Khartoum (the last in November 2009) and Darfur, although the original agreement was to create similar platforms in all states.

The cluster approach was introduced formally in Sudan in December 2008. Many humanitarian organisations reported feeling that in 2009, the United Office for the Coordination of Humanitarian Affairs (OCHA) coordination in Khartoum was weak, due to lack of human resource capacity, senior management and delays in filling key posts. An interviewee summarised: "OCHA should really embrace its role, by setting up inter-agency assessments and by sharing insights". Another said that "even the government wants a stronger OCHA". In Southern Sudan, agencies report OCHA has started playing a better coordination role.

Results of new initiatives for better coordination have not led to notable successes. The failure to deliver dividends is partly attributed to lack of leadership by donors and United States (US) officials who are afraid of being declared *persona non grata*. The US is said to have the capacity to provide leadership, but is not doing so. A donor representative told the HRI team that clear terms of reference for the HDG would be beneficial.

### Funding Response

Data from OCHA's Financial Tracking System (FTS) indicates that in 2009 donors provided more than US\$1.65 billion for humanitarian assistance in Sudan, twice as much as the amount given to the second largest UN Consolidated Appeals Process (CAP) (for the occupied Palestinian territories) and the third largest (for the Democratic Republic of the Congo) combined and more than the entire post-cyclone updated 2010 appeal for Haiti. This represents a significant increase since 2006, when resources available for the humanitarian action component of the Work Plan for Sudan were a little over US\$1 billion (OCHA 2010).



The United States (US) has long been the leading international donor to Sudan, contributing over US\$8 billion in humanitarian, development, peacekeeping, and reconstruction assistance in Sudan and eastern Chad since 2005 (US State Department 2010). As of August 2010, the US had provided US\$533 million, 36.6 percent of the total reported by FTS. The second and third largest donors are the European Commission, providing on average thirteen percent per year and the United Kingdom (UK) contributing seven percent during the last five years.

Most of those interviewed by the HRI team were fairly satisfied with donor financial responsiveness. However, several interviewees mentioned that in 2009 the amount of aid, in particular from donors in Western Europe, had decreased due to the financial crisis. Those mainly relying on funding from the US said they were already feeling the effects of Haiti for their 2010 budgets.

This was linked to media attention which in Sudan had resulted in disproportionate funding for Darfur, from donors but also from agencies' headquarters. Because of a preference for Darfur, it has been difficult to find funds for projects in other parts of the country. Coverage of the work-plan for Darfur was more than 60 percent while coverage of Southern Sudan was only 40 percent.

Some donors restrict funding to Darfur and Southern Sudan, despite mounting needs in the east. The HRI team learned that donors including the European Commission and the Netherlands have a policy of not providing humanitarian funding for eastern Sudan, as the region has developmental needs which these donors consider the responsibility of the Sudanese government. Several donors told the HRI team that they did not fund humanitarian projects in the east because they said it was impossible to monitor any project as permission to travel is virtually impossible to obtain. Respondents also said that it was very difficult to get funds for development activities in Darfur because no one wanted to implicitly endorse the government's contention that the humanitarian crisis is under control and needs are satisfied.

### Donors lack advocacy strategy

Restrictions on access of humanitarian personnel and materials are nothing new in Sudan and have been in place for decades, and previous editions of the HRI have made mention of these restrictions as well (DARA 2007 and Herrera 2008). During the 2009 mission, those interviewed by the HRI team held a variety of opinions on what donors can or cannot do to advocate for humanitarian access and the protection of humanitarian workers. While several INGOs preferred donors' role to be restricted to consular support, most were dissatisfied about donor efforts to facilitate humanitarian access. There was strong protest from all Organisation for Economic Co-operation and Development / Development Assistance Committee (OECD/DAC) donors after the Darfur expulsions, but their approaches differed. Whereas the US had a high profile, other donors used silent diplomacy. Some aid agencies praised the US for being outspoken, but others thought that a lower profile would have been more effective, giving the Sudanese authorities an opportunity to change policy without losing face. There is also no agreement on how to best deal with the issue of impunity of kidnappers and armed attackers in Darfur, although all agree this is a major factor limiting humanitarian access. The HRI team was surprised to note that few donors interviewed mentioned the clear politicisation of humanitarian assistance. This is despite the fact that there have been several instances in which representatives from donors' headquarters have been denied visas for monitoring visits.

Interviewees told the HRI team that the agencies expelled from Darfur were those who were most committed to, and effective, at humanitarian advocacy. Today most NGOs keep a low profile. The government is now targeting individuals, expelling five UN and International Committee of the Red Cross (ICRC) staff in August 2010 for alleged engagement in advocacy, including forwarding of a petition against hunger (Arab News 2010). In Southern Sudan, donors are also missing opportunities to advocate with local authorities, most failing to hold the regional authorities accountable for the disappearance of aid goods or not providing funds or capacity they had committed to.

The aftermath of the expulsion from Darfur showed that, at the end of the day, there is neither the will nor sufficient common ground for a common pro-active advocacy strategy. "You have to find your own way and resort to your own tools. No one really knows what to do," an INGO Country Director reported.

### Humanitarians' evaluation of donors

Humanitarian agencies interviewed by the HRI team were relatively satisfied with the support provided by donors. Many OECD/DAC donors were praised for respecting roles and responsibilities of all actors and being flexible in allowing reallocation of funds. Coverage of the Sudan Work Plan funding requirements for coordination, air services and logistics was 98 percent, on average, during the last three years, higher than for any other sector. OCHA was very positive about donors' financial support and also commended the technical support they received, particularly from the UK's Department for International Development (DFID). Donors with humanitarian capacity at the field level were singled out as being very supportive and making informed decisions. But these donors were few. Only the European Commission Humanitarian Aid Office (ECHO) and the US have field offices in both Darfur and Southern Sudan, while DFID has one staff member for humanitarian assistance continuously traveling between Darfur, Khartoum and Juba.

Respondents generally reported the idea that donors uncritically prioritise Darfur. The HRI team was told by interviewees that "there is overfeeding in Darfur. Appeals are inflated"; "there is very good response to the Darfur crisis. Gaps are quickly filled" and that "allocation of resources is very unbalanced between Darfur and the rest."

There have been positive developments in donors' willingness to fund emergency preparedness, risk reduction and recovery activities. The amount of funding available for these activities has doubled over the past four years from US\$119 million to US\$243 million. Humanitarian organisations noted that timely donor support enabled agencies to pre-position food and medicines in time for the rainy season. In Southern Sudan, the US funded WFP to pre-position food, while ECHO has funded two NGOs for emergency preparedness and response, which included stockpiling. Some NGOs told the HRI team that Norway and Canada provided support to build disaster preparedness and the response capacity of communities in Southern Sudan. The US Office of Foreign Disaster Assistance (OFDA) funded preparedness for disease outbreak (including logistics and medicine stocks) and capacity building at the village level throughout Sudan. The mission learned that the UK and Japan do not have separate allocations for humanitarian aid and development in Sudan, allowing for flexible disbursements.

Despite disappointment about the lack of donor advocacy for access and maintaining humanitarian space, most actors generally approve the overall response of their donors. OFDA, DFID and, to a lesser extent, ECHO – donors with a humanitarian field presence both Darfur and Juba – are well rated. This could indicate that field presence contributes to a good reputation. However, the UN, which had the most extensive field presence of all donors was not awarded a particularly high score for overall response. Merely being present is apparently not enough.

There is considerable criticism of the Common Humanitarian Fund (CHF) – a pooled funding mechanism established for humanitarian activities in Sudan in 2005. The CHF – intended to allow for speedy response to new life-threatening needs – was described by aid organisations as “bureaucratic”, “UN-focused” and “simply a bank”. The mission was told that UN agencies that are unable to get money directly from donors get priority access to the CHF, one interviewee telling us “we have all become beggars. How can small NGOs compete with the UN?” Research from the Overseas Development Institute revealed similar concerns, also noting that UN management costs meant that less money was available to cover NGO overheads and that efficiency was compromised (Fenton and Philips 2009).

Many humanitarian organisations shared with the HRI team their disappointment that after so many years of humanitarian assistance to Sudan so little has been achieved in terms of peace-building. As a result of the expulsions from Darfur and new crises in southern Sudan, peace-building initiatives – already few to start with – have been further marginalised. Initiatives to build local capacity for reconciliation continue to remain underfunded.

### Lessons learnt and recommendations for the future

Sudan's immediate prospects look grim. The International Crisis Group has expressed concern widely shared by analysts: “Unless the international community, notably the US, the UN, the AU Peace and Security Council and the Horn of Africa Inter-Government Authority on Development (IGAD), cooperate to support both CPA implementation and vital additional negotiations, return to North-South war and escalation of conflict in Darfur are likely” (International Crisis Group 2010).

After almost three decades of massive humanitarian assistance, the international community has to acknowledge the reality that there is now a dependency syndrome, with the number of those in permanent need of support showing no sign of decreasing. Much more can be done to strengthen the coping mechanisms of the most vulnerable. In a highly political context such as contemporary Sudan, it is hard to see how to guarantee the neutrality of humanitarian assistance. Without achieving a proper political settlement of Sudan's myriad disputes, humanitarian assistance will become a mission with no end. Humanitarian assistance cannot endlessly be provided along a linear scheme from emergency aid to (occasional) recovery and back to emergency aid.

There are a number of key issues which donors need to address:

- 1 Donors, together with the UN, should affirm the principle that humanitarian and early recovery programming must always be based on needs.
- 2 Donors need to provide flexible funding for early-recovery and rehabilitation.
- 3 They should recognise their lack of humanitarian capacity in Sudan and extend and consolidate collaboration with non-traditional donors.
- 4 Donors should encourage and support humanitarian actors to develop practical contingency plans for the referendum / post referendum period and anticipated additional displacement, conflict and food insecurity.
- 5 Donors and the UN could do more to coordinate different financing instruments (including the CHF, Work Plan and development funds) and to work to speed up CHF disbursements.
- 6 Donors must do more to support local peace building processes and community coping mechanisms.
- 7 Finally, the Humanitarian Donor Group needs to specifically establish a policy which includes advocacy for *Principles of Good Humanitarian Donorship*.

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**Information based on field interviews with key humanitarian agencies in Sudan (Al Fashir, Juba and Khartoum) from 13 to 27 May 2010, and 235 questionnaires on donor performance (including 155 OECD/DAC donors).**

**The HRI team, composed of Lucía Fernández, Nahla Haidar (co-Team Leader), Manuel Sánchez-Montero, Albertien van der Veen (co-Team Leader) and Frank Vollmer contributed to this report. They express their gratitude to all those interviewed in Sudan.**





*Crisis reports*

# **Yemen**

## Yemen at a glance

### The crisis and the response

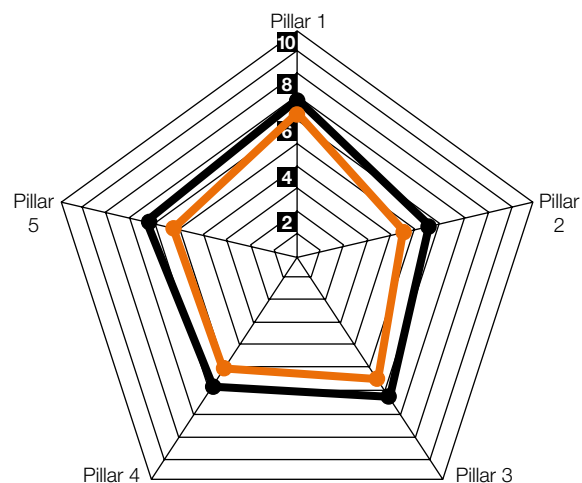
- There are now at least 340,000 IDPs displaced by conflict in northern Yemen: return prospects are limited as the conflict has become regionalised.
- The international community seems powerless to prevent further closure of humanitarian space as both sides violate international humanitarian law and prevent the free flow of assistance.
- Yemen struggles, with minimal international funding, to cope with the continuing influx of Somali refugees.
- Multiple shocks have exacerbated the vulnerability of families and left millions trapped in hunger and poverty.

### Donor performance

- Humanitarian funding has dropped: by October 2010 only 49 percent of the 2010 CAP had been covered.
- Donors are preoccupied with a development agenda despite the humanitarian crisis.
- Less than ten percent of the US\$4.7 billion pledged for 2007–2010 at a major donor conference in Yemen has been provided.
- Primarily focused on the al-Qa’ida presence in Yemen, most Western donors have remained silent about government human rights abuses, do not push for humanitarian access and lack knowledge of *GHD Principles*.
- Substantial Gulf aid to the government and non-state actors is untransparent and unquantifiable – as is US support for the Yemeni military.

### Key challenges and areas for improvement

- Donors need to engage more with in-country humanitarian actors, Yemeni civil society and opposition forces committed to democratic transition.



— Yemen  
— All Crisis Average

#### HRI 2010 scores by pillar

**Pillar 1** Responding to needs  
**Pillar 2** Prevention, risk reduction and recovery  
**Pillar 3** Working with humanitarian partners  
**Pillar 4** Protection and international law  
**Pillar 5** Learning and accountability

- Donors should see linkages between geostrategic objectives and humanitarian and development assistance: counter-terrorism objectives are best realised through fostering good governance and enabling the Yemeni state to provide basic services.
- Coordination between traditional donors and Gulf donors is essential to build capacity for early warning, contingency planning and recovery.
- The many aid actors who continue to see Yemen primarily through a development lens must acknowledge the scale of immediate life-threatening needs.

## Yemen

### *Can donors avert state collapse?*

Yemen is wracked by a chronic and under-reported humanitarian crisis. There are fears of state collapse in the only Least Developed Country in the Arab World and the most populous nation in the Arabian Peninsula. With an estimated population of 23 million growing at a rate of 3.56 percent per annum, and with one of the world's most extreme water shortages, analysts doubt whether Yemen, despite its fertility, will ever again be food self-sufficient. Modest oil resources – which have been providing three quarters of national income and which have been grossly misappropriated – are in sharp decline, threatening the informal patronage networks and unrecorded payments to tribal leaders which have held the disparate country together. The increasingly autocratic regime of President 'Ali 'Abdullah Saleh – who has been in power since 1978 – is threatened on several fronts: by a major conflict in the north against a rebel force known as the Houthis; renewed demands from southerners who wish to reassert independence; al-Qa'ida-inspired terrorism and unrest sparked by the collapse of government services, reduction in state subsidies (especially of petrol), intensifying food insecurity and high youth unemployment. Yemen is thought to have the world's greatest proliferation of small arms. In addition to a very large population of Somali refugees, Yemen is further destabilised by having to cope with a major internal displacement crisis.

The international community seems powerless to halt Yemen's slide into anarchy and to assert the right to supervise crucial upcoming parliamentary elections in 2011. The Yemeni government and most of the international community remain committed to a development/security agenda which they insist is the solution to the country's ills. Members of the Gulf Cooperation Council (GCC) – a regional body bringing together oil-rich states in the Arabian Peninsula – are increasingly focusing on what to do about Yemen. However, the GCC is divided, especially by tensions between Saudi Arabia – now a pro-Saleh protagonist in the Houthi war – and Qatar which has sought a mediatory role. The GCC has not responded to suggestions that it should provide a safety valve by easing labour permit restrictions on Yemenis. Western donors, particularly the United States (US) and the United Kingdom (UK) – concerned at the prospect of a lawless Yemen providing a haven for Islamic terror – have been generally quiescent about Saleh's stalled democratisation, disregard for human rights, censorship of the press, disappearances, the use of live fire against peaceful demonstrators seeking regional autonomy and government transparency and plans to transfer power to his son. The Humanitarian Response Index (HRI) team was repeatedly told of concerns at lack of donor leverage over the Yemeni government which has exploited Western support for counter-terrorism to suppress domestic opposition.

Neither regional states nor the West have managed to coordinate policies to combat arms trafficking, piracy, trafficking of children and women for purposes of economic or sexual exploitation and clandestine migration into Yemen and onwards to Saudi Arabia. After being ignored under the Bush Administration, the Obama Administration – responding to a terrorist act plotted in Yemen in December 2009 – has boosted military assistance and aid to Yemen. Donors continue to see Yemen through a developmental lens and have been slow to recognise the extent of the crisis and respond sufficiently. The overall response to Yemen's needs – both from traditional and neighbouring donors – remains disappointing.

### The Houthi conflict

The Houthi insurrection began in 2004 as a local protest against the perceived declining influence in national affairs of Zaidis – a sect with origins in Shi'ism who dominated Yemen under the Imamate which was overthrown in 1962. The conflict has been punctuated with a series of ceasefires, during which both sides have regathered their forces. Following intermittent clashes between Houthi groups and the Yemeni government in July 2009, the situation in Sa'ada governorate escalated into a sixth round of hostilities. The governorates of 'Amran, Hajjah and Al Jawf have been particularly affected. A February 2010 ceasefire has been fragile and intermittent violence continues.

It has been suggested that, despite its chronic budget deficit, the Yemeni government may have spent up to a billion dollars in hard currency during the latest episode of fighting (Boucek 2010). Despite deploying the might of the Yemeni armed forces – and using Saudi and American assistance – the Houthis remain resilient, both militarily and – through spokesmen abroad and via the Internet – on the ideological front. Yemenis assert that underpaid soldiers have sold their weapons and ammunition to the Huthis.

The conflict has become regionalised. The intervention of the Saudi military alongside Saleh in 2009 is deeply destabilising in view of the long history of animosity between the two countries. The Saleh regime claims Iranian and al-Qa'ida support for the Houthis in an attempt to depict the conflict as an integral part of the War on Terror. This is not credible as Huthis, like other Zaidis, are just as hostile to al-Qa'ida's Salafism as they are to Saleh's regime (O'Neill 2010). Nevertheless, the taint has gained traction: Western media generally depict northern Yemen's conflict in terms of a Shi'ite "proxy war" (Salmoni, Loidolt & Wells 2010). Survival at any cost is the Yemeni President's greatest skill, and he has deftly relied on extremist elements to either confront or placate rivals (King 2010). He has also succeeded in imposing a virtual news blackout, preventing international journalists and most humanitarian workers from going to the conflict zone, threatening Yemeni journalists with reprisals if they report on the conflict and disconnecting mobile phone networks.

### Unanticipated displacement crisis

The scale of displacement during the most recent round of hostilities took both the Yemeni authorities and the international community by surprise. As of July 2010, approximately 342,000 were registered as internally displaced people (IDPs), and more than 800,000 people had been indirectly affected by the conflict, including communities hosting IDPs and residents who had lost access to basic services. Only about 15 percent of IDPs live in camps or identified informal settlements, the remainder thought to be living with relatives or in rented accommodation. Most IDPs are from poor rural families and for many, of those it was their second or third displacement. The actual number of IDPs may be even greater, as the Yemeni government only registers those who are able to produce a valid identity card and the United Nations (UN) has identified substantial numbers of IDPs who either never had one or lost it during flight. Widows and orphaned or separated children are particularly likely to fall through the cracks (IRIN 2010a).

IDP returns have been limited to date: the UN Office for the Coordination of Humanitarian Assistance (OCHA) reports that only 14,000 are confirmed as having returned home (OCHA 2010a), although government figures suggest many more have done so. IDP returns have remained limited due to protection, food and livelihood concerns in places of origin. Many areas are littered with mines and unexploded ordinance and returning IDPs are given no support to reconstruct housing. IDPs are, additionally, very wary of the durability of the ceasefire. The Yemeni authorities have noted that provision of assistance to IDPs in places of displacement creates a 'stay' factor and has urged the international community to instead support its own reconstruction plan to enable return (IRIN 2010b). Critics note, however, that the government exaggerates the prospects for safe return as part of its propaganda to insist it, rather than the Houthis, is setting the agenda.

### Human rights abuses and access constraints

The international community and UN are seemingly unable to stop the shrinking of humanitarian space. Limited and inconsistent access continues to place obstacles on humanitarian activities, particularly for IDPs in host communities or living in Sa'ada (IDMC 2010). Humanitarian workers are only allowed to provide assistance within a seven kilometer radius of the city of Sa'ada (OCHA 2010c). Both sides in the conflict have disregarded principles of international humanitarian law. Indiscriminate shelling and aerial bombardment by the Yemeni government and the Saudis has targeted civilians. Both the government and the Houthis have politicised delivery of humanitarian assistance by diverting aid to their respective supporters. To put pressure on the Houthis, the Yemeni military has blocked movement of commercial goods, including basic foods and fuel, an act that appears to constitute collective punishment. The Huthis have used captured Yemeni soldiers as human shields and allegedly prevented civilians from leaving to seek medical assistance. The government has taken no steps to investigate or hold accountable those responsible for enforced disappearances (Human Rights Watch 2010). At times, tribesmen not directly involved in the conflict have taken advantage of it, establishing roadblocks to block delivery of aid to pressure the government to provide employment or local services. Many areas affected by the Houthi displacement crisis have never known the rule of law from Sana'a and agencies have had to show patience and diplomacy as tribesmen have expeditiously hijacked vehicles and diverted humanitarian goods from intended beneficiaries (IRIN 2010c).



The human rights abuses suffered by the hundreds of thousands of refugees from the Horn of Africa – both during their, often fatal, passage across the Gulf of Aden or in Yemen – have gone largely ignored by the outside world. Somalis are given prima facie refugee status by the government of the only country in the Arabian Peninsula to have signed the UN Refugee Convention, but receive no support from the government and negligible support from the Office of the UN High Commissioner for Refugees (UNHCR) and international non-governmental organisations (INGOs). In violation of international law, Ethiopians are tracked down, arrested and deported to face unknown fates at the hands of the Ethiopian regime (Human Rights Watch 2009).

In southern Yemen, the government has responded to massive and largely peaceful protests in favour of secession with unprovoked deadly gunfire on numerous occasions. Though these incidents are well-documented, there has been no effort by the UN, the GCC, the Arab League or major Western donors to press for adherence to international humanitarian law and to urge protection of Yemeni civilians and refugees. United States (US) silence is particularly notable. In a March 2010 visit to Yemen, US Assistant Secretary of State for Near Eastern Affairs said that Washington “consider[s] what is happening in the southern provinces to be an internal affair, for Yemen alone, and we do not believe that any outside party should intervene,” (Wicke & Bouckaert 2010).

### Humanitarian needs

Yemen is characterised by widespread poverty, food insecurity, malnutrition, unemployment, low levels of education, high gender disparities, rapid population growth and insufficient access to safe water and to land. Multiple and simultaneous shocks have exacerbated the vulnerability of families and left millions trapped in absolute hunger and poverty. Health services have virtually collapsed as even basic medications are no longer available. Up to two thirds of Yemenis eligible to attend school are not doing so. Almost half of Yemen’s population lives on less than US\$2 a day (King 2010). Yemen continues to rank last in the list of countries assessing the closure of the gender gap (World Economic Forum 2009).

Hunger and malnutrition are widespread. In July 2010, the World Food Programme (WFP) reported that one in three Yemenis is acutely hungry, making Yemen the 11th most food insecure country in the world. Life-threatening levels of hunger and malnutrition are not confined to conflict-affected areas but are often even worse in regions where there is relative stability. Food insecurity and child malnutrition in rural areas are much worse than in cities. WFP has identified 1.7 million people in immediate need of food assistance but lacks the resources to assist them (IRIN 2010d). It has warned that funding shortages mean that over two million residents of Yemen – Somali refugees, IDPs and those in severely food-insecure regions – who need food assistance are being left unaided. Some unassisted IDPs may be able to obtain food by working for farmers in areas of displacement, but widows and persons with disabilities are being left to fend for themselves (IRIN 2010e). As of June 2010, only 14 percent of beneficiaries planned for under the Yemen Humanitarian Response Plan (YHRP) received food rations (OCHA 2010b).

### Funding response

In September 2009, a Flash Appeal for US\$23.75 million was launched and was nearly 88 percent funded. However, the response to the subsequent 2010 Yemen Consolidated Appeal – which has become known as the YHRP – has been disappointing. As of early September 2010, only 43 percent of the revised YHRP total of US\$187.5 million had been obtained. The best response has been to food needs (58 percent). Early recovery is only 12 percent funded and education five percent. Providing US\$30.4 million, the US has been the largest responder (30 percent), followed by the United Arab Emirates (UAE) (almost 14 percent). Eight percent has come from the Central Emergency Response Fund and approximately six percent from Germany. The United Kingdom (UK), the former colonial power in southern Yemen, joins the US as a major provider of development assistance, but has only provided US\$2.7 million (about three percent) for the YHRP.

The US has increased considerably its involvement in Yemen. While the US provided less than US\$400 million for the 2002–2009 period, the Obama Administration allocated over US\$250 million for 2010 – some two thirds of it in security assistance – and seems likely to demarcate over US\$300 million for 2011 (King 2010).

Between 2007 and 2010, the European Commission (EC) provided roughly 165 million in financial assistance to Yemen, an amount set to increase by 40 percent annually (Boucek, de Kerchove & Hill 2010). However, its recent response to immediate humanitarian needs has been negligible – as of early September 2010, the EC had provided only US\$1.45 million, approximately one percent of total pledges.

Organisations interviewed reported to the HRI team that the poor response to the YHRP and reduction in international funding is partly because donor representatives in Sana’a argue that the GCC states should be helping Yemen in its time of dire need. There is also recrimination among donors after less than ten percent of the US\$4.7 billion pledged for 2007–2010 at a major donor meeting in London in 2006 is thought to have actually been provided (IRIN 2010f). Donors differ about prioritisation activities within the consolidated Appeals Process (CAP), with some disputing the assessment process jointly undertaken by the UN and the government, feeling they have been presented with a random shopping list which blurs emergency and recovery needs. Interviewees also confirmed widespread reports that donors feel the Yemeni government has limited absorptive capacity and little commitment to transparency.

The major non-traditional donors contributing to Yemen are GCC members. As with assistance they provide in other regional humanitarian crises, it is impossible to quantify the level of support they provide. It is thought – but there is no evidence – that Saudi Arabia is the largest non-traditional donor. One analyst suggests total Saudi annual disbursements in Yemen reach US\$2 billion (Boucek, de Korchove & Hill 2010). Much Saudi assistance goes not to the government, but to tribal leaders and religious institutions. Bahrain undertakes technical assistance in Yemen through the Social Development Fund – the state body which is the main conduit for development assistance – and is emerging as an important investor in Yemen’s under-developed financial sector.

The UAE has consistently pledged large sums of development assistance but has admitted significant problems in disbursing. The UAE is continuing a policy which was criticised in southern Lebanon following the 2006 Israeli invasion of ‘adopting’ particular communities and lavishly bestowing disproportional assistance which it highly publicises. In Mazraq II camp in Hajja province – which is supported by the UAE – it is reported that IDPs receive three substantial meals a day, have constant electricity, fans in tents and a resident-to-medical staff ratio of less than 400:1, thus creating an extraordinary disincentive to return (IRIN 2010g and IRIN 2010h).

A number of UN agencies have a significant presence in Yemen, including WFP, UN Children’s Fund (UNICEF), UN Development Programme (UNDP) and UNHCR. However, the UN Office of the High Commissioner for Human Rights (UNHCHR) has no representation. All UN agencies and INGOs follow strict security protocols which generally restrict movement outside Sana’a and sometimes even within the capital.

### **Dilemmas of working with the Yemeni government**

Donors seem generally aware of the lack of capacity and accountability within state institutions. The US Agency for International Development (USAID), for example, does not follow general practice elsewhere and declines to work directly with the Yemeni government – apart from funding an anti-corruption agency – instead working with implementing partners such as Save the Children, the National Democratic Institute and UNDP.

The West is understandably concerned both by the increased evidence of al-Qa’ida presence in Yemen and the fact that 40 percent of those detained in Guantanamo are Yemenis. There are also fears that elements of the Yemeni government have, in effect, given a green light to those who have promoted extremist Salafist ideas. Analysts warn these concerns should not prevail over wider foreign policy considerations. One argues “an exclusively military counter-terrorism focus using airstrikes may alienate local allies, as in Afghanistan. One lesson in counter-terrorism from Afghanistan and Pakistan is that armed militant groups thrive when the government does not enjoy the support of its people... Mounting civilian casualties in the fight against al-Qa’ida, along with excessive use of force in the south and indiscriminate attacks against armed rebels in the north, are grist for al-Qa’ida’s publicity mill,” (Wilcke & Bouckaert 2010).

Yemen is ranked by Transparency International (2009) as highly corrupt, exceeded in the region only by Iraq and Sudan. In general, Yemenis are highly skeptical of protestations by the government that development or humanitarian aid reaches those in need. Many analysts note that, in practice, there are no mechanisms to ensure international aid reaches its intended recipients rather than corrupt officials. As part of patronage networks by which the Saleh regime retains support considerable amounts of international aid are funneled to senior tribal leaders.

### **Lack of coordination**

Humanitarian organisations reported that there is poor coordination among development and humanitarian actors. A Donor Coordinating Committee – which is co-chaired by UNDP and the World Bank – brings together UN and Yemeni government actors for regular meetings to discuss development issues but there is no such body when it comes to coordinating humanitarian response. The coordination mechanism convened by the UN Humanitarian Country Team (HCT) – which is chaired by the UN’s Resident Coordinator/ Humanitarian Coordinator (RC/ HC) – has limited membership and is said to lack capacity for early warning, preparedness, contingency planning and early recovery. The system has suffered from lack of fiscal and human resources, including the failure to appoint an OCHA Head of Office to give leadership and guidance to the humanitarian community. The cluster approach, launched in late 2009, is still in its infancy in Yemen.

Humanitarians generally note that the Yemeni authorities lack capacity for both disaster preparedness and response. The government has established a high-level Inter-Ministerial Committee for Relief Operations and a Technical Relief Committee but lacks a reliable database, data collection and assessment system.

The Friends of Yemen, a group established by UAE, other Gulf countries, Italy and now joined by a number of other Western donors, met in Abu Dhabi in April 2010. An analyst has suggested that its 20 members have some potential to assist the country’s stability and development as a counterbalance to the US, which over-emphasises the security agenda. However, this requires striking a balance between addressing security and developmental concerns. The Friends of Yemen must deliver action and not just talk, and needs to do more to align the expectations of the Yemeni government with those of the international community (Hill 2010).

### **Good Humanitarian Donorship Principles bypassed**

The HRI team found that most donor representatives in Sana'a have little or no understanding of either *Principles of Good Humanitarian Donorship* (GHD) or humanitarian issues. Many seem unclear of their roles and working relationship with humanitarian agencies. Most embassy personnel entrusted with humanitarian assistance have a development background. While many are well-intentioned, they are unprepared and lack technical skills and humanitarian response experience. The mission found INGOs are insufficiently aware of how to apply *GHD Principles*. Lack of application of *GHD Principles* has meant that donors and implementing agencies do not reflect on their performance and conformity to international standards. Evaluation and monitoring are often perfunctory and respondents informed the HRI team that only UNICEF has conducted real time evaluations.

### **Humanitarians' evaluation of donors**

In general terms, Organisation for Economic Co-operation and Development / Development Assistance Committee (OECD/DAC) donors applied *GHD Principles* slightly better than non-OECD/DAC donors. Non-traditional donors performed well in responding to needs, promoting protection and international law and in working with humanitarian partners. They were weaker with regard to prevention, risk reduction, recovery, learning and accountability.

The HRI team gathered general impressions concerning particular donors. In terms of flexibility of funding, several donors were praised including Germany, Japan, Ireland and Spain. However, the European Commission Humanitarian Aid Office (ECHO) and the Australian Agency for International Development (AusAID) were criticised for procedural inflexibility and conditionality. Sweden and Germany were commended for their focus on refugees, while AusAID was praised for its stance on protection. Italy, however, was criticised for its lack of attention to this area. Several donors were criticised for supporting and engaging with partners: Italy, Japan, Spain, and Australia.

*“The international community and the UN are seemingly unable to stop the shrinking of humanitarian space.”*



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The HRI team noted a wide range of views regarding timeliness of funding. This indicates a need for agreed time-bound funding, implementation and monitoring of programmes. One donor was commended for quickly responding to the Flash Appeal despite having no in-country presence but another was criticised for deciding to ignore the joint needs assessment and recommendations included in the YHRP.

Most of those interviewed objected to donors attempting to link the level of humanitarian assistance to progress in promoting good governance, accountability and other matters on the political reform agenda. A number of NGOs complained about donors denying funding simply because there are no expatriates to implement interventions.

### **Lessons learnt and recommendations for the future**

Analysts predict a continuation of the Houthi conflict, further displacement and the likelihood that Saleh's regime may struggle to muster sufficient resources to continue combat (Salmoni, Loidolt & Wells 2010). If donors continue to respond so poorly to the nutrition needs of the displaced, and rations remain below Sphere Standards, it is likely that demonstrations and volatility will escalate. Future instability in Yemen could expand a lawless zone stretching from northern Kenya, through Somalia and the Gulf of Aden to Saudi Arabia (Hill 2010). Yemen is confronting a “perfect storm” of problems (King 2010) and the response of donors has proven grossly inadequate.

Based on its findings, the HRI team believes the Yemeni government, the international community, the UN and Yemen's oil-rich neighbours can do much more to address the root causes and the consequences of Yemen's myriad crises.

- 1 Promoting coordination and more cohesive international engagement:** OCHA needs to appoint a permanent Head of Office to provide decisive leadership for the humanitarian community. The UN should appoint a Secretary-General's Special Envoy to support peace talks, promote peace-building, protection and human rights and ensure that linkages between the crises in Yemen and the Horn of Africa are better understood. Without a serious international effort at mediation, further intense fighting between the Houthis and the government and ongoing displacement appears inevitable. ECHO could play a larger role advising those embassy staff in Sana'a whose knowledge of development and humanitarian issues in Yemen is limited.
- 2 Access:** Donors and the UN must engage in more high-level and consistent advocacy to ensure access of humanitarian actors – and donor representatives – to areas of greatest vulnerability and to end the climate of impunity for those who abuse human rights.
- 3 Appropriate balance of humanitarian and development responses:** The many aid actors who continue to see Yemen primarily through a development lens must acknowledge the massive scale of immediate life-threatening needs.

- 4 Flexibility:** Donors should approve more substantial amounts of un-earmarked funding, including of operations run by capable national actors in areas where expatriate staff are absent. Donors need to consistently advocate for greater decentralisation of decision-making and budgetary control to district level and consider channelling more development funding through international and national civil society organisations, alongside its direct support to government and parastatal agencies.
- 5 Good Humanitarian Donorship:** It is important to ensure that *GHD Principles* are better known, and consistently adhered to, by the leading traditional and non-traditional donors.
- 6 Transparency and participation:** Given the high level of cynicism among the Yemeni public about misappropriation of international support, it is essential: a) that donors stand up to the government and insist on working more closely with Yemeni civil society, especially community-based organisations and women and b) that the Donor Coordinating Committee should establish a system for reporting, recording and accounting for all humanitarian funding including in-kind-contributions.

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Information based on field interviews with key humanitarian agencies in Yemen from 4 to 11 June 2010, and 52 questionnaires on donor performance (including 35 OECD/DAC donors).

The HRI team, composed of David Bassiouni (Team leader), Anas Bukhash, Fernando Espada and Nahla Haidar, contributed to this report. They express their gratitude to all those interviewed in Yemen.





*Crisis reports*

# Zimbabwe



## Zimbabwe at a glance

### The crisis and the response

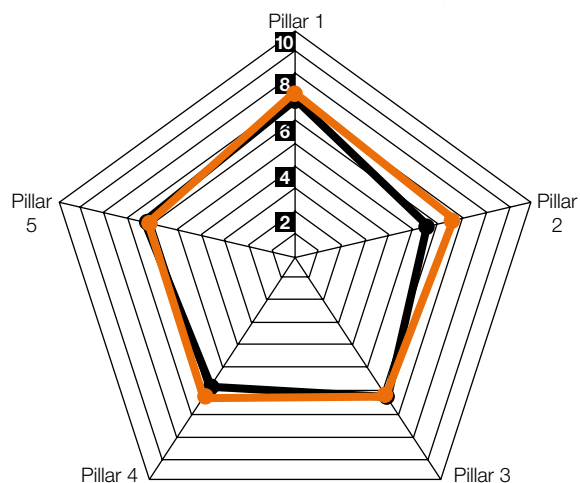
- From August 2008 to July 2009, over 4,200 Zimbabweans died in one of the worst recorded cholera outbreaks in Africa.
- The high death toll – far beyond the worst case UN scenario – was the result of collapsed water and sanitation infrastructure and state health services rendered dysfunctional by political tension and hyperinflation.
- Zimbabwe continues to face widespread food insecurity. Many lack access to safe water and sanitation.
- The government’s refusal to declare an emergency and restrictions on INGOs delayed international aid and allowed the cholera outbreak to proliferate.
- The cholera crisis caught the UN unprepared. Its capacity to lead – weakened by the resentment of the Mugabe regime towards the west and high turnover of OCHA staff – was further reduced by the apparent unwillingness of the HC to confront the government.

### Donor performance

- The OECD/DAC freeze on direct government-to-government links means most funding goes through the CAP framework.
- It is difficult to quantify overall humanitarian funding: FTS data is incomplete.
- There was relatively good coordination among traditional donors: most are praised for responsiveness and flexibility.
- Donors seem fatigued: coverage of the 2010 CAP was 44 percent in October 2010.

### Key challenges and areas for improvement

- Contingency planning must be realistic, factoring in the likelihood and potential consequences of further political crisis, state-directed violence and displacement.
- The widespread local perception that aid is untransparent needs to be countered.



— Zimbabwe  
— All Crisis Average

#### HRI 2010 scores by pillar

- Pillar 1** Responding to needs
- Pillar 2** Prevention, risk reduction and recovery
- Pillar 3** Working with humanitarian partners
- Pillar 4** Protection and international law
- Pillar 5** Learning and accountability

- Independent evaluations should be encouraged, beneficiaries should be involved in their design and the results publicised.
- Substantial funding is needed for both prevention and treatment of HIV/AIDS.
- Funding systems should be supported by robust information management systems and a facilitated process to help members agree on clear priorities, roles and responsibilities and accountability.



## Zimbabwe

### *Not yet out of the woods*

The Humanitarian Response Index (HRI) mission to Zimbabwe in May 2010 sought to understand the international community's evolving role in addressing various humanitarian crises, including the cholera epidemic which broke out in August 2008 and food insecurity, which subsequently became the major focus of humanitarian concern. Since the 2009 cholera crisis, there have been significant, mostly positive, changes in humanitarian indicators, but what has remained constant is the heavily politicised nature of humanitarian response. The international community has had some success in helping to address food security issues that have plagued the country for the past decade, but the cholera epidemic has starkly illustrated the limitations of current humanitarian systems used by the international community in highly politicised contexts.

Precise data for the cholera crisis is difficult to obtain, but it has been estimated that over 4,200 people died in one of the worst recorded cholera outbreaks ever witnessed in Africa (Jongkwe 2009). By the time the former Health Minister declared the end of the epidemic in July 2009, over 100,000 infections had been registered, although actual numbers may well have been greater. The number of recorded infections represents a caseload twenty times larger than the worst case scenario envisaged in United Nations (UN) contingency plans. With timely and effective treatment of cholera, mortality rates are typically under one percent. The death rate in Zimbabwe was more than four times greater. These high mortality rates resulted from the virtual collapse of a health system and water infrastructure which were once models in sub-Saharan Africa.

Rehabilitation of water supply infrastructure and improved health delivery prevented a recurrence of cholera in 2010, but political instability and food insecurity remain. Many commentators note that a nation with high levels of education, arable land and diamond and other mineral resources should be able to recover quickly. However, in August 2010, the UN warned that “the lack of major funding for recovery and development remains one of the key hindrances to moving the country out of a situation of generalised humanitarian need” (OCHA 2010a).

#### **Operational environment**

Zimbabwe witnessed substantial economic growth following independence in 1980, as agricultural exports increased and Zimbabwe became a regional breadbasket. Land reform commenced in 2000 in response to long-standing resentment that a highly disproportionate share of the country's prime arable land was owned by white Zimbabweans, who comprised only around one percent of the total population. Prior to land reform, the agricultural sector provided 45 percent of foreign exchange revenue and livelihoods for over 70 percent of the population (Otto 2009). Abandonment of commitment to a market-oriented economy, ill-managed and often cronyistic land confiscations, government price controls, corruption,

the HIV/AIDS epidemic, drought and deepening conflict between the ruling party and its opponents resulted in economic collapse, massive population displacement and increasing food insecurity. Hyperinflation reached historic levels as Zimbabwe became the fastest shrinking economy in the world. While the World Food Programme (WFP) had, until 1999, run a procurement programme purchasing Zimbabwean food for distribution elsewhere in the region, by 2009, the agency was distributing free food rations to some seven million people, over half of the country's resident population.

Despite improved sorghum, millet and maize harvests in 2009, WFP was still assisting around 1.5 million people in the first quarter of 2010. There have been a number of joint initiatives to assess the food situation in Zimbabwe, but it has proved difficult to fully understand the food security situation as much of the information about prices in local markets and illegal importation of food is anecdotal (Otto 2009). This area has also seen several improvements in cooperation since 2008–2009, including a request by the government for the UN Food and Agriculture Organisation (FAO) and WFP to conduct an independent evaluation of the food security situation. The resulting assessment in June 2010 indicated that 1.68 million people still needed food assistance, mainly due to their lack of resilience after drought and other shocks (FAO & WFP 2010).

While most donors attribute responsibility for food shortages to economic mismanagement, Robert Mugabe and his Zimbabwe African National Union – Patriotic Front (ZANU-PF) party have repeatedly blamed Zimbabwe's problems on drought and Western interference. Mugabe has vociferously accused the European Union (EU) – most notably the United Kingdom (UK) – and the United States (US) of economic sabotage and plotting regime change through channeling funds to non-governmental agencies (NGOs) allegedly allied to the main opposition political party, the Movement for Democratic Change (MDC). In 2007, the government revoked registration certificates for all NGOs in order to sift out “pro-opposition and Western

organisations seeking to force regime change in Zimbabwe from genuine organisations working to uplift the well-being of the poor,” (Mail & Guardian 2007). Legislation in 2007 laid out strict conditions for NGOs, requiring them to seek approval on specific activities and geographic areas of operation or forfeit rights to operate. Zimbabwe joined Myanmar and Sudan in having more than half a million people beyond the reach of any international assistance (UNDP 2009). From June 2008, NGO staff were confined to their offices and rights to operate and to move freely around the country were only fully restored in early 2009. The situation for NGOs has since improved, but political uncertainties encourage caution. NGOs and UN agencies remain unsure about their status and the security of their staff members. Despite improvements, humanitarian agencies face ongoing obstacles in obtaining visas and work permits for international staff, registering vehicles and clearing goods through customs.

Protracted parliamentary and presidential elections from March to August 2008 were accompanied by widespread violence and government restrictions on the press, civil society, human rights activists and the humanitarian community. After drawn-out talks brokered by the Southern African Development Community, ZANU-PF agreed in February 2009 to enter a coalition government with the two factions of the MDC and to pursue a shared reform framework known as the Global Political Agreement (GPA).

Formation of the unity government was swiftly followed by reopening of schools and hospitals. Civil servants were paid and returned to work. Human rights activists reported a significant drop in abuses. Hyperinflation was halted once Zimbabweans were permitted to use foreign currency and goods returned to shelves. Inflation fell from a peak of over 89.7 sextillion (10<sup>21</sup>) percent in mid 2008 (Hanke 2010) to an average of six percent during 2009. In May 2010, the International Monetary Fund announced that Gross Domestic Product (GDP) rose four percent in 2009, the first expansion of the economy for eleven years.

However, many observers see the transition as far from assured. Senior figures within ZANU-PF, the army and the police – fearful of losing land, power, and wealth – continue to block economic and constitutional reform, exercising veto power over the transition as they intimidate opposition supporters and officials (International Crisis Group 2010).

Tensions rose further in April 2008, when an Indigenisation and Economic Empowerment Act was signed into law. It requires all companies operating in Zimbabwe which have more than US\$500,000 in assets to arrange for 51 percent of equity to be owned by indigenous Zimbabweans. In January 2010, further regulations required companies to provide the government with specific indigenisation plans. The resulting information will be used to determine required levels of indigenous ownership of companies in various economic sectors and a schedule for achieving them. As with land reform, opinions have been sharply divided. Supporters have applauded the action for righting past wrongs and critics claim it will only serve to deter foreign investment and stifle the slow pace of economic recovery (Hawkins 2010).

Western governments have indicated a willingness to ease sanctions – which target more than 100 senior ZANU-PF members and business supporters – and resume direct government-to-government support. However, they require evidence that the transitional government is fully committed to the GPA and to respect the Hague Principles for International Engagement with Zimbabwe – a set of benchmarks including un-restricted humanitarian access, rule of law, enforcement of contracts, independent judiciary, respect for human rights and commitment to internationally-supervised elections.

### Humanitarian indicators

Zimbabwe has slipped from 130<sup>th</sup> place on the 1999 Human Development Index to 151<sup>st</sup> in 2009 (UNDP 2009). Rates of chronic and acute malnutrition among Zimbabwean children in early 2010 were estimated at 35 percent and 2.4 percent respectively (OCHA 2010a). Around 4.5 million people have limited or no access to safe water and sanitation. Infant mortality is estimated at 64 per 1,000 births and average life expectancy has fallen to under 44 (UNDP 2009). There are 1.3 million orphaned children (UNICEF 2008).

### HIV/AIDS

Zimbabwe has one of the highest HIV/AIDS rates in the world – described as “the most pervasive HIV epidemic on record,” (Navario 2010). The prevalence rate has declined from a peak of some 28 percent in the 1990s to just over 15 percent in 2007 (World Bank 2010). The reduction has been due to a combination of factors, including high mortality rates, some success with condom use, and, ironically, years of economic and social upheaval that ruptured the social networks vital to HIV transmission. An April 2010 report from Zimbabwe’s National AIDS Council showed a 75 percent increase in the number of patients treated for syphilis, gonorrhoea and chlamydia between 2008 and 2009. This seems likely to presage a torrent of new infections, especially if Zimbabweans return en masse from South Africa. There is concern at the recent shift in focus from prevention to treatment, under-funding of a health system already struggling to treat 1.5 million patients, irregular supply chains, a black market in HIV drugs and spread of drug resistant strains (Navario 2010).

### Displacement

Large numbers of people in Zimbabwe remain displaced. Their numbers, like those of the Zimbabwean population as a whole, can only be estimated. There may be as many as one million internally displaced persons (IDPs) (Internal Displacement Monitoring Centre 2010). It is thought that up to 700,000 people may have been displaced

in 2005 as a result of Operation Murambatsvina (“discarding the filth”), an attempt to control the informal sector in Harare. It primarily targeted opposition supporters and disproportionately affected women who constituted the majority of informal market traders. In addition, significant numbers of farm workers and their families – many of whom trace their origins to Malawi or Mozambique – have been displaced as a result of land reform. Five years later, hardly any of those who lost their homes and livelihoods during Operation Murambatsvina have received any compensation or any targeted support (Amnesty International 2010).

It is not possible to estimate the number of Zimbabweans who have fled abroad, particularly to South Africa. The volume of asylum applications lodged by Zimbabweans has made South Africa the largest single recipient of asylum-seekers in the world (UNHCR 2010). The International Organisation for Migration (IOM) estimates there are up to two million Zimbabweans in South Africa (AlertNet 2010) but others have suggested an even higher figure (Cornish 2010). The South African government classes them as “voluntary economic migrants” and less than five percent of asylum-seekers are granted refugee status, meaning they do not qualify for legal status that would ensure their protection. Despite their precarious status, many manage to remit funds. Zimbabwe is heavily reliant on remittances sent back by the Zimbabwean diaspora. Zimbabwean migrants and asylum seekers in South Africa are on edge, fearing renewed xenophobic violence.

### Response to the cholera crisis

In August 2008, in the midst of the post-election political crisis, the first cholera cases were spotted in Chitungwiza, 30 kilometres south of the capital, Harare. The disease spread rapidly to all ten provinces. Poorly maintained water and sanitation infrastructure and a dysfunctional health care system, together with strikes by health staff, contributed to the epidemic’s spread. NGOs were powerless to act, as they

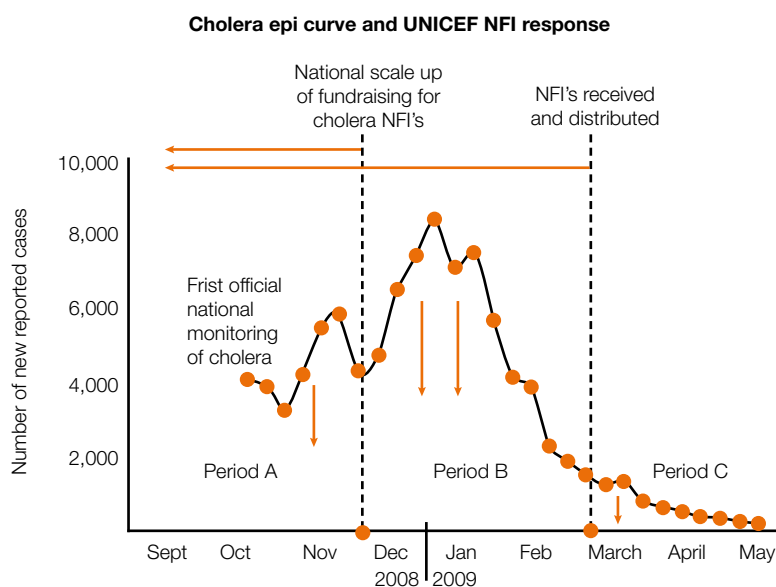
were confined to their offices by government legislation. At the end of October, the government activated its national disaster response agency, the Civil Protection Unit, to counter the spread of cholera. The United Nations Children’s Fund (UNICEF) started an emergency response, although the government did not declare a national emergency or appeal for international assistance until early December.

The humanitarian response to the cholera epidemic was widely recognised as being too little, far too late. The scaling up of the response was delayed at each stage, from declaring a disaster and requesting outside assistance, to procurement and distribution of relief supplies, by which time cholera had already largely run its course.

Early warning disease surveillance systems were not functioning since the health system had virtually collapsed. A 2009 joint evaluation by the World Health Organization (WHO), the European Commission Humanitarian Aid Office (ECHO) and the UK Department for International Development (DFID) noted the health cluster was only created in July 2008 and coordination and surveillance systems were only established after the peak of the cholera epidemic had already passed.

UN agencies and NGOs had only planned for 5,000 cholera cases in the “worst case scenario” during an interagency contingency exercise led by the UN Office for the Coordination of Humanitarian Action (OCHA) (Oxfam 2009). Contingency planning done jointly with the government did not note the danger that social services and infrastructure might be overwhelmed by political crisis. Hyperinflation – and prohibitions on international agencies using foreign currencies for local transactions – made it difficult to locate suppliers who would accept Zimbabwean dollars as payment.

Humanitarian agencies in Zimbabwe were accustomed to dealing with slow-onset crises, food insecurity and HIV/AIDS. Most agencies only recognised the potential scale and threat of the outbreak when it was too late and even after alarm bells had sounded. Many lacked the human, financial and material resources to rapidly scale-up their response. The response was largely reactive with most human and material resources allocated to responding to new outbreaks throughout the country, instead of preventing the spread by targeting high risk populations.



Though initial support from various donors was provided, large scale fundraising and emergency response commenced on 3 December 2008 when the Minister of Health officially requested international assistance. Source: UNICEF 2009

In the absence of state response capacity and specialist agencies, a disproportionate share of the response fell onto one NGO, Médecins Sans Frontières (MSF) – which has been working in Zimbabwe since 2000. Between August 2008 and March 2009, MSF reported treating some 55,000 cholera patients both by their own staff and by Ministry of Health personnel whose salaries were temporarily paid by MSF (Fournier and Whittall 2009).

Funds channeled through the clusters were slow to be released. Some bilateral donors were relatively quick to provide funding directly to agencies to combat the crisis, but the bulk of the funding was not made available until the Zimbabwean government appealed for international assistance. Attempts to channel donor funds through the clusters during the cholera crisis highlighted well-documented problems of over-reliance on a single funding channel. This approach not only resulted in considerable delays in agencies receiving funds and relief items, but also absorbed considerable amounts of staff time.

### **Did the UN downplay the cholera crisis?**

In February 2010, the former head of the OCHA Zimbabwe office complained that his warnings of the likely scale of the cholera epidemic were stifled by UN bureaucrats intent on maintaining good relations with Robert Mugabe. He alleged that the UN Resident Coordinator/Humanitarian Coordinator (RC/HC) “forced us to put the figure very low. Because the government did not accept that there was cholera, the United Nations was forced to align with that position”. The International Council of Voluntary Agencies (ICVA) has described this as “criminal neglect on the part of the UN” (Dickinson 2010). In October 2008, NGO heads wrote to the RC/HC, expressing decreasing confidence in OCHA’s leadership and warning that the UN was undermining their already tenuous position with the Zimbabwean government. Interviewees confirmed that the former HC’s tenure had been characterised by tense relationships with donors, NGOs, and UN agencies. The facts behind the breakdown in trust between the RC/HC and the head of OCHA during the cholera crisis were still in dispute at the time of the HRI mission and have been the subject of a UN appeals tribunal.

The situation does not appear to have been helped by a high turnover of OCHA staff. Three OCHA heads came and left within a three-year period. The negative consequences of RC/HC “double-hatting” are, by no means confined to Zimbabwe. As the RC, s/he needs to maintain good relations with the host government while as HC the priority should be upholding of humanitarian principles.

Some UN agencies and donors vigorously attempted to fulfil their humanitarian mandates. As an example, NGO staff interviewed by the HRI team who had been present during the cholera crisis praised efforts by some UN agencies, notably WFP and UNICEF, and several donors for their lobbying efforts with the government to ease restrictions on NGOs.

### **Current donor response**

A continued freeze on government-to-government funding has meant that the bulk of Organisation for Economic Co-operation and Development / Development Assistance Committee (OECD/DAC) donor funding continues to be channeled through international agencies. The Consolidated Appeal Process (CAP) has become the main vehicle for strategic humanitarian response, with donors channeling over 80 percent of their funding to activities within the CAP framework. However, overall funding as of September 2010 stood at 43 percent, lagging in comparison to the previous two years when coverage was an average of 50 percent by the time of the Mid Year Review in July. The food cluster is the best funded at 91 percent. The lowest are agriculture and nutrition (both 15 percent), education (11 percent) and protection (four percent).

In August 2010, the UN cited “economic and political challenges” and insufficient recovery and development funding in support of an upward revision of CAP 2010 requirements. The revised CAP document said Zimbabwe was at a crossroads, and the humanitarian situation “remains fragile due to the prevailing degradation of infrastructure in the basic sectors of health, water and sanitation, and food security.” (OCHA 2010a).

### **Evaluation of donors’ practices**

Needs assessments and targeting of beneficiaries are invariably difficult in such politically-charged environments. However, the HRI team found general agreement that the annual vulnerability surveys led by WFP and the Zimbabwean government have been relatively impartial. The active involvement of NGOs during these assessments contributed in a good level of confidence in the results and consistent application of findings. There have been periodic reports of attempts by politicians on both sides of the political spectrum to use food aid to support their electoral campaigns. However, the combination of pre-agreed beneficiary lists coupled with an effective crisis monitoring system run by WFP has reportedly mitigated this problem.

Donor humanitarian approaches are generally perceived positively by UN agencies and international non-governmental organisations (INGOs). During the HRI mission, the European Commission (EC) and the UK were most often cited as good examples of donors who were both responsive and flexible in supporting changing needs. Approaches to monitoring and evaluation by donors (particularly OECD/DAC donors) were rated highly.

The Swiss Development Corporation piloted seed voucher and cash transfer activities as an alternative to food aid in 2008 and communicated – the largely successful – results to the international community. As a result, WFP’s programme now contains a significant cash transfer component.

Donors appear ready to fund activities that promote greater participation of beneficiaries and community-level accountability systems, but few of the agencies interviewed could think of any examples where donors had proactively suggested enhancing participation or establishing beneficiary accountability systems.

### **Is aid untransparent?**

The overall level of satisfaction of INGOs and UN agencies with donors is not necessarily shared by all Zimbabweans. Interviews with Zimbabwean government officials across the political spectrum indicated a widespread notion that there is lack of

transparency on how donor funds are used. Some of this dissatisfaction may be due to frustration at not being able to lift donor restrictions that are preventing channeling of bilateral funds directly to the government. Unhappiness may also stem from the lack of a centralised database for tracking information. Donors and humanitarian agencies readily provided budgetary and other financial information when requested during interviews, but it was impossible to interview all donors as many do not have a permanent in-country presence. The HRI team thus found it challenging to compile a comprehensive picture of the humanitarian funding situation. It soon became evident, however, that a considerable amount of humanitarian funding is not included in OCHA's Financial Tracking System (FTS).

This appears to be inconsistent with FTS' defined purpose to be "a global, real-time database which records all reported international humanitarian aid," (OCHA 2010b). Among examples of programmes that do not appear in the FTS are the C-SAFE programme, which was established in 2002 as a parallel food pipeline funded by the US Agency for International Development's (USAID) Food for Peace. Operating in Zimbabwe since January 2003, during 2009 it accounted for just over 50 percent of USAID's US\$130 million budget for food aid in the country (OFDA 2009). Funding provided by the UK's Department for International Development (DFID) for its long-established Protracted Relief Programme is also not included in the FTS.

When the HRI team asked donors why information is not included in the FTS, there were several responses. Some said this was because this category of funding was outside the CAP while others attributed the lack of some information to administrative delays in compiling and uploading data. Others said funding information was not included in the FTS as it fell under the rubric of transition activities that were meant to provide a bridge between relief and future development activities. However, there has been inconsistency. A significant proportion of activities planned under the 2010 CAP, particularly those relating to infrastructure and food security, could be classified as

*“The humanitarian response to the cholera epidemic was widely recognised as being too little, far too late.”*



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transition activities. The planned addition of the African Development Bank (ADB) –administered multi-donor trust fund – which may, some claim, manage over US\$1 billion – will add a further layer of funding complexity and ambiguity.

The challenge of accessing comprehensive donor funding information along with the inconsistent interpretation of the use of the FTS by different donors appear to be creating perceptions that donors are not being fully transparent. UN and international agencies receive large sums for recovery and transition programmes that in other countries would be provided as bilateral government assistance. This makes it doubly important for donors to devise a better way to consolidate and communicate information in a transparent manner.

### Coordination and clusters in Zimbabwe

Major donors have formed an effective coordination mechanism – the Friends of Zimbabwe – also known as the ‘Fishmongers Group’ after a Harare restaurant where they initially met. It brings together the US, Australia, Canada, Denmark, Finland, France, Germany, Ireland, Italy, Japan, the Netherlands, Norway, Spain, Sweden, Switzerland, the UK, the EC, the International Monetary Fund, the World Bank, the ADB and the UN. At their June 2010 meeting in Oslo, the Friends of Zimbabwe acknowledged the important role played by the Southern African Development Community (SADC), particularly South Africa, but expressed concern at a continuing lack of respect for the rule of law, protection of fundamental freedoms and the slow pace of progress in implementing

the good governance aspirations set out in the GPA. They confirmed that they would continue their practice of channeling aid through existing pooled funds and programmes along with a newly-created Multi-Donor Trust Fund managed by the ADB and would not provide direct budgetary support to the government. While critics allege the Fishmonger's Group was set up to bring about regime change (Eagle 2010), many of those interviewed during the HRI mission noted that it has provided an unusually coherent and consistent approach towards humanitarian action. Specific good practice examples cited by international humanitarian agencies included effective gap-filling by donors, collaborative interventions with groups of donors and consolidated reporting systems.

The cluster approach was formally adopted in Zimbabwe in March 2008 and Zimbabwe was one of five countries reviewed during a DFID-funded NGO and Humanitarian Reform project. The 2009 study found that on average, each INGO attended seven coordination mechanisms. Interviewees felt that the water, sanitation and hygiene (WASH) cluster was "action-oriented with a good working atmosphere" whereas other clusters were described as "theoretical" and not very relevant (Otto 2009). The study also found participation of local NGOs to be marginal.

The HRI team learnt that humanitarian reform mechanisms have improved since 2008–2009, with many welcoming increased participation by government representatives in clusters. The UNICEF-led WASH cluster led continues to be highly rated by members, not least for its conscientious efforts to ensure that interests of the cluster come before those of UNICEF (ICVA 2010). ICVA states that the WASH cluster has helped to reduce NGO cynicism about UN dominance of clusters and has "demonstrated how principles of partnership can be operationalised by giving proportional representation to NGOs on decision-making forums," (ICVA 2010).

A study in 2009 discovered widespread dissatisfaction amongst NGOs regarding the Central Emergency Response Fund (CERF), notably around transparency and delays in approval (Otto 2009). The HRI team encountered similar complaints from NGOs about UN-managed pool funds, where priority-setting and allocation of funding was not felt to be particularly transparent. Since significant funds continue to be channeled through the clusters it will be important to address these issues.

Although the 2008 cholera epidemic was one of the largest in history, Oxfam's Real Time Evaluation (Oxfam 2009) is the sole evaluation posted on Active Learning Network for Accountability and Performance in Humanitarian Action's (ALNAP) Evaluative Resource Database. While some agencies, notably UNICEF and DFID, readily shared independent evaluations with the HRI team, other agencies were reluctant to do so.

### Lessons learnt and recommendations for the future

One of the main conclusions of the HRI mission is that there is no room for complacency. The HRI team was repeatedly told that the Zimbabwe crisis has not been resolved. There is concern that donors are focusing resources elsewhere. There was evidence that disbursements for Haiti have affected funding for Zimbabwe from OFDA and the EC.

It remains to be seen whether the changed political environment in Zimbabwe will enable international agencies to truly prioritise humanitarian principles. There are several issues which need to be addressed by donors and the humanitarian community:

- 1 Contingency planning must be realistic, factoring in the likelihood and potential consequences of further political crisis, state-directed violence and displacement.
- 2 The widespread notion that aid is untransparent needs to be countered by developing a system that clearly shows how funds are being used and provides a model for the Zimbabwean government.

- 3 Evaluation results must be better used. It is commendable that donors have funded evaluations, but it is important to sit down with partners to review and act on recommendations. Independent evaluations should be encouraged, beneficiaries involved in their design and results be publicised and shared with them.
- 4 Donors need to recognise the real risk that post-recovery plans could be fatally undermined by an upsurge in HIV/AIDS. Substantial funding is needed for both prevention and treatment.
- 5 Humanitarian funding systems must become more responsive, strategic and timely. Funding through clusters can potentially add considerable value, but only if this is supported by robust information management systems and a facilitated process to help cluster members agree on clear priorities, roles and responsibilities and hold each other to account.

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**Information based on field interviews with key humanitarian agencies in Zimbabwe from 20 to 30 April 2010, and 163 questionnaires on donor performance (including 111 OECD/DAC donors).**

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