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Towards good humanitarian government
The role of the affected state
in disaster response

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About the author

Paul Harvey is a partner with Humanitarian Outcomes, an independent team of professionals providing evidence-based analysis and policy consultations to governments and international organisations on their humanitarian response efforts (http://www.humanitarianoutcomes.org).

Acknowledgements

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Chapter 1
Introduction

The past three decades have seen an increasingly rapid growth in research and analysis relating to humanitarian crises. This growing literature has largely focused on what international aid agencies and donor governments do in response to disasters. Standards such as Sphere have been developed to guide aid agency responses, and donors have committed themselves to principles of good humanitarian donorship. Strangely absent from this body of work, however, is any analysis of the role of the affected state in responding to the needs of its own citizens in the face of disaster and conflict. Questions about how international aid agencies should relate to host governments, the operational challenges of commitments to independence and neutrality and the terms of principled engagement have all been neglected. International humanitarian agencies rarely have a thorough map of the capacities of the states in which they work, nor typically do they understand how these capacities might be supported. As a result, agencies often simply assume that state structures have been overwhelmed, and that external assistance is therefore justified. Where are the principles of good humanitarian government to complement Sphere and Good Humanitarian Donorship? This report argues that we need to know more about how states respond to emergencies, and how international humanitarian actors can better support states in that response.

In the absence of strong analysis of state capacities to respond to disasters, changes in how donors and aid agencies relate to states appear to have been as much a consequence of fashion and wider trends in aid policy and practice as of informed decision-making. In responses to droughts in the 1970s and 1980s, donor governments would often provide direct bilateral support to affected governments, sometimes even through balance of payments support to finance food imports. Growing suspicion of the state and the vogue for civil society in the 1990s saw a wholesale shift to support through UN agencies, international NGOs and the International Red Cross and Red Crescent movement. An international model of humanitarian assistance took shape in which it was implicitly assumed that governments were either too weak or too corrupt to manage large volumes of humanitarian aid.

In recent years, the role of affected states in responding to disasters within their borders has attracted renewed attention. In part, this is a result of the increasing wealth of some developing countries, their growing willingness and ability to respond to disasters without external assistance and, in some cases, their emergence as providers of external aid themselves (Harmer and Cotterrell, 2005). Wealthier developing countries are starting to claim greater control over responses to emergencies on their soil. In parallel, trends in development policy have seen donors refocus on the role of the state, providing direct aid to governments through budget support and signing up to principles of aid-giving that emphasise harmonisation, alignment and the national ownership of development strategies, representing a clear shift in responsibility from the donor to the host government (OECD, 2005). Governance reform and initiatives within countries are also key components of the disaster risk reduction agenda.

This shift within development thinking has yet to be fully reflected in humanitarian policy or practice, and the state-avoiding model of international assistance largely remains in place. Aid funding for humanitarian responses is overwhelmingly international: the major Western donors fund UN appeals, and international NGOs respond to disasters in countries in simultaneous receipt of direct budget support for development. Consideration of the role of the state has also been largely missing from the current humanitarian reform agenda. An evaluation of the cluster system carried out in 2007, for instance, highlighted the lack of attention given to how systems for the coordination of international aid actors relate to national governments (Stoddard et al., 2007). Financing reforms such as the Central Emergency Response Fund (CERF) and pooled funding arrangements have largely focused on roles and responsibilities among international actors, rather than between them and national governments (Stoddard et al., 2007b).

This is not to say, of course, that the role of states is not clearly recognised in law, and most statements of principle start with a reaffirmation of the primary responsibility of states for the welfare of victims of humanitarian emergencies within their own borders. According to the key UN humanitarian resolution, Resolution 46/182 of 1991:

> *Each State has the responsibility first and foremost to take care of the victims of natural disasters and other emergencies occurring on its territory. Hence, the affected State has the primary role in the initiation, organization, coordination, and implementation of humanitarian assistance within its territory.*

Likewise, the Sphere guidelines 'acknowledge the primary role and responsibility of the state to provide assistance when people's capacity to cope has been exceeded'.

Aid agencies have always worked with state structures in delivering services, notably technical line ministries in sectors like health and education. States are central to the conduct

and delivery of humanitarian aid, and the actions of non-governmental and international humanitarian actors have always been intrinsically linked with the action or inaction of states. Indeed, the modern international humanitarian system developed partly in response to the inability of states to fulfil their responsibilities to protect and assist their citizens. The work of international aid actors depends on the consent of states: whether a state is strong or weak, abusive or concerned for its citizens' welfare, it is still the central determinant of whether or not humanitarian actors can be present in crises.

For better or worse, therefore, affected states are at the heart of humanitarian action. Yet little attention has been paid to the *actual* role these states play in emergency response, including institutional arrangements and the levels of public financing made available. This report seeks to address this gap. Based on detailed case studies, it explores how national governments around the world have responded to crises and disasters on their soil. It discusses the legislative, bureaucratic and policy-making frameworks governing state action, and the civil and military structures states have developed to manage and implement their responses: how states arrange and manage their disaster response systems, and how they fulfil their roles as providers, regulators and coordinators of assistance. In doing so, this report challenges the accepted view within the international system that disasters inevitably overwhelm the capacity of states to act. To be sure, large-scale emergencies – the Indian Ocean tsunami, for instance, or the South Asian earthquake – may well be overwhelming in their impacts, and may call for substantial outside assistance; indeed, as the United States found to its cost in the aftermath of Hurricane Katrina, major disasters can defeat the efforts of even the most advanced countries. But this does not mean that states struck by disaster do not have the capacity to mount effective responses, whether in tandem with or independent from international aid.

A greater focus on the role of the affected state in disaster response raises complex questions of principle and practice. What tools do agencies need to assess state capacity, and how do they know when that capacity has been overwhelmed? What is the right balance between support and substitution? How do the various sets of principles governing humanitarian and development action relate to questions of state capacity, and to what extent does international action undermine or enhance the ability of affected states to mount responses themselves? How should agencies position themselves in relation to states that are predatory, corrupt or otherwise undesirable partners? What if, like Zimbabwe, the state itself has precipitated the humanitarian crisis agencies are seeking to address? Where do issues of civilian protection fit in? How should or could financing systems change to promote state involvement? What kind of staffing profiles do aid agencies need? These are not simple or straightforward questions, and this report does not pretend to have all the answers. It does,

though, represent an initial attempt to address the problem of affected-state capacity in humanitarian relief.

1.1 Methodology – and a caveat

This report is based on a series of case studies conducted in Mozambique, Peru, El Salvador, India and Indonesia.[1] The case study researchers carried out interviews with government officials involved in disaster response, and with staff from donor governments, local and international NGOs, UN agencies and the Red Cross movement. These studies were complemented by desk-based reviews of Ethiopia, Pakistan, Colombia and Latin America.[2] Finally, a comprehensive literature review was conducted.

The case studies for the project focus on responses to natural disasters. It was originally intended to conduct case studies for conflict-related disasters as well, but planned work in Sudan had to be shelved due to the extreme sensitivity of the operating environment for international aid agencies. This is an obvious gap: there are clear distinctions between different types of disasters in how international humanitarian actors relate to states. While a simplistic division between conflicts and natural disasters is unhelpful and misleading, working with and through governments is clearly simpler in responses to natural disasters, and where states have the capacity, resources and willingness to assist and protect their citizens in times of crisis. In conflicts and complex emergencies, the state may be both an active party, and involved in regulating and coordinating humanitarian actors, raising difficult issues in relation to principles of neutrality and independence. The literature review for this study included conflict- and complex emergency-related cases, and so, whilst natural disasters are the main focus, the report includes some discussion of the particular issues raised by conflict.

1.2 Structure of the report

The report begins by outlining the roles and responsibilities of concerned states in the management and delivery of humanitarian aid, with a particular focus on states' responsibilities towards their citizens. This chapter also explores the wide variety of structures states have developed to administer and organise relief, and the civil and military agencies that can be deployed in response to disaster. This sets out the context for the chapters that follow, which tease out the implications an understanding of the role of affected states has for the principles and practices of the international humanitarian system. Thus, Chapter 3 explores the process of assessment and analysis by which aid agencies decide how to relate to states, and states decide whether or not to appeal for international assistance. Chapter 4 examines what key humanitarian, development and fragile states principles mean

1 Elhawary and Castillo (2008); Fagen (2008); Foley (2007); Willitts-King (2009); Price and Bhatt (2009).
2 Cochrane (2008); Fagen (2008); Lautze et al. (2009); Wong (2008).

for state roles in disaster response, and Chapter 5 looks at how international humanitarian action can both build and erode state capacity. Chapter 6 looks at recent changes in the financing of humanitarian action, and how these changes might enhance the role of affected states in disaster response. The report concludes with a final chapter examining the implications of the analysis for international aid agencies and governments.

Chapter 2
An overview of state roles, responsibilities and structures

In the development sphere, donor policies have increasingly focused on ways to support and promote good governance, and donors have provided substantial funding and technical assistance for governance reforms in developing countries. Although humanitarian aid represents a significant and growing proportion of overall international assistance, surprisingly little attention has been paid to the way national governments structure and manage their responses to disaster, and their relations with international relief actors.

This chapter starts with an overview of the historical role of the state in disaster response, and how states have related to international relief. It then surveys the main roles and responsibilities states have towards the management and delivery of humanitarian assistance within their own borders. It explains the state's role in determining when a crisis is under way, and initiating an international humanitarian response; providing relief and protective functions to its own citizens; and setting the legislative and regulatory environment in which aid takes place. The chapter also discusses the key governance structures involved in assistance, and the tensions that may arise between them, including in the coordination of international aid and between the various levels of government that are often in play in a relief response. Finally, the chapter sketches out some of the key features of affected-state engagement with the major humanitarian debates, with particular reference to the United Nations.

2.1 The role of the state in disasters in historical perspective

State action in response to disasters has a very long history indeed. Maxwell and Walker (2008) document cases from contexts as diverse as Egypt in the twenty-third century BCE and the Roman and Ottoman empires. Following the Lisbon earthquake in 1755, Portugal's first minister, the Marques De Pombal, is credited with ordering the rapid burial of the dead, the prompt distribution of food and freezing of grain prices, the dispatch of peacekeeping troops and the proclamation of a city rebuilding plan a week after the disaster. State action to combat famine in India was entrenched in the nineteenth century through the development of the 1883 Famine Code, which proposed a complex web of interventions including public works and food distributions (Dreze and Sen, 1990; Devereux, 2000). Dreze and Sen (1989) note that the political system in post-independence India made it hard for any government in office to neglect prompt and extensive anti-famine measures at the first signs of crisis.

The nineteenth and early twentieth centuries also saw the emergence of organised non-governmental international humanitarian action, in the shape of the International Red Cross and Red Crescent movement, major NGOs such as Save the Children and Oxfam and, after the Second World War, the creation of the United Nations and its operational relief agencies. Save the Children was established in 1919 to pressure the British government to lift its blockade against Germany and Austria-Hungary. Oxfam started life as a campaign against an economic blockade of Nazi-occupied Greece during the Second World War. Médecins Sans Frontières (MSF) and Concern were founded during the Nigerian civil war over Biafra from 1968 to 1970 (Maxwell and Walker, 2008). In these and other crises, international humanitarian action often entailed trying to get help to suffering civilian populations in the face of deliberate attempts by states to restrict access. As such it was (and remains) an intensely political process. As Brian Walker, a one-time head of Oxfam, put it in relation to the Cambodian crisis of 1979–80, humanitarianism articulated 'a kind of conscience to governments, multinationals and the general public' (Walker, 2007, in Minear and Smith, 2007).

In contrast to this non-governmental tradition, during the Cold War international relief responses were largely bilateral, with Western governments providing funding directly to their developing country counterparts. This was the case for instance in the response to the 1973–74 Sahel drought, in which independent humanitarian agencies played a peripheral role (Maxwell and Walker, 2008). In 1976, the European Commission channelled over 90% of its relief budget through national governments in affected countries (Macrae, 2001). This emphasis on the central role of the state in relation to disaster response was a function of the connections between relief and the wider sphere of development aid assistance, which has largely been constructed as a 'state-centred' endeavour, with the state defining both 'the purpose of aid and the mechanism by which it was delivered' (Macrae, 2001: 21).

During the 1980s, the way development assistance was conceived began to change as a growing recognition that states in receipt of development aid had largely failed to deliver on development goals led to a radical move towards a more market-oriented model. Led by the International Monetary Fund (IMF) and the World Bank, what became known as the Washington consensus emphasised the role of NGOs, rather than states, as the 'preferred channel' for service delivery (Edwards and Hulme, 1996: 4; Meyer, 1992; Robinson, 1993). This shift in development policy was reflected in the

humanitarian sphere, particularly in relation to complex emergencies. By the early 1990s, for instance, the European Commission was channelling just 6% of its humanitarian aid directly through national governments in affected countries (Macrae, 2001). Meanwhile, the end of the Cold War weakened the absolute respect for sovereign borders and opened up new opportunities for non-state humanitarian action by enabling greater international access to internal conflicts and disaster zones.

The demise of the Washington consensus in the late 1990s has stimulated a move back towards support for the role of the state and a rethinking of the relationship between states and non-governmental organisations. Now, donors are directly aiding governments through general budget support, the new aid vehicle for Poverty Reduction Strategy Papers (PRSPs). The OECD's 'Paris principles of aid effectiveness' emphasise national ownership of development and donors' harmonisation and alignment with government strategies as key goals of good practice (OECD, 2005). Notions of state-building are also at the heart of donors' increasing preoccupation with the problems of so-called fragile states (OECD, 2007). As Jones and Chandran (2008: 11) argue, 'independent, sovereign states are the bedrock of the international system, with critical roles in development, management of shared and scarce global resources and human and collective security'.

There are tentative signs that renewed attention on the role of the state in development action is filtering through into the humanitarian domain. NGOs are beginning to accept the need for closer engagement with government structures, even in fragile states, while the disaster risk reduction agenda stresses the importance of host government involvement, domestic resilience and governance reform (Laurence and Poole, 2005; Fidler, 2005). According to the Hyogo Framework for Action, agreed in 2005, states have the primary responsibility for taking effective measures to reduce disaster risk, and 'disaster risk reduction is a national and local priority' (ISDR, 2005). Larger developing country governments themselves are seeking a more active role in the management of disasters on their soil. India, for instance, rejected offers of international help following the tsunami in 2004 and the South Asia earthquake in 2005 (Price and Bhatt, 2009), and Mozambique's successful response to floods and a cyclone in 2007 shows that it is also possible for African governments to assert greater control over relief processes (Foley, 2007). International financial institutions are also becoming increasingly involved in relief and recovery following disasters, reinforcing the trend towards a more central role for affected states. Since 1980, the World Bank has lent an estimated $26 billion in 528 disaster responses. The Bank has also introduced a 'Global Facility for Disaster Reduction and Recovery', a new initiative intended to support national capacity-building, and has established a Hazard Risk Management team to improve disaster responses (World Bank and ISDR, 2007). Likewise, the Inter-American

Development Bank and the Asian Development Bank have established new disaster management focal points (Benson and Twigg, 2007).

2.2 State roles and responsibilities

Broadly speaking, the roles and responsibilities of states in relation to humanitarian aid are four-fold: they are responsible for 'calling' a crisis and inviting international aid; they provide assistance and protection themselves; they are responsible for monitoring and coordinating external assistance; and they set the regulatory and legal frameworks governing assistance.

2.2.1 'Calling' a crisis
The international relief machinery can only be activated by a formal request for assistance from the affected government. Thus, UN Resolution 46/182 ('Strengthening of the coordination of humanitarian emergency assistance of the United Nations', approved in 1991), states that:

> The sovereignty, territorial integrity and national unity of States must be fully respected in accordance with the Charter of the United Nations. In this context, humanitarian assistance should be provided with the consent of the affected country and in principle on the basis of an appeal by the affected country.

As Maxwell and Walker (2009) explain, in theory the process of initiating an international humanitarian response is straightforward: a crisis hits, overwhelming the ability of local authorities and communities to cope, leading to an appeal for international humanitarian assistance. Needs are assessed, supplies delivered and suffering eased. The crisis recedes, and the international humanitarian response is wound up. In practice, of course, the process is 'far messier, far less effective and far more political' than this, and initiating international assistance is often fraught with difficulty. A government may refuse to request or accept international help even where needs have outstripped national capacities; may delay making statements about the need for international relief; or may issue ambiguous and conflicting statements (IFRC, 2007: 89). It can be politically difficult for governments to declare a disaster for fear of appearing weak and damaging national pride; states may mistrust the motivations behind the provision of international assistance, or they may fear that international actors will usurp their role and challenge their sovereignty. The Myanmar government, for instance, was reluctant to call for international assistance in the wake of Cyclone Nargis in 2008 (Darcy, 2008). In the end, a Tripartite Core Group comprising the Association of South-East Asian Nations (ASEAN), the UN and the Myanmar government provided 'international assistance with a regional character', a less threatening, face-saving way for the Myanmar leadership to accept an international relief operation (Belanger and Horsey, 2008). In its response to floods in 2007, the

Mozambique government decided not to declare an emergency and issue an appeal for international assistance, and Pakistan likewise refused to accept international aid following floods in 2007 (IASC, 2007).

Following the Indian Ocean tsunami, the Indian government decided not to launch an appeal for international assistance on the grounds that the country had sufficient resources to provide relief, and foreign assistance should go to more severely affected countries. In early January 2005, following some domestic and international criticism, the government announced that it would accept contributions for longer-term rehabilitation from international agencies such as the World Bank, the International Monetary Fund (IMF) and UN agencies. Assistance from bilateral donors was also welcomed, provided it was routed through multilateral agencies. International NGOs active in the disaster response had programmes in India before the tsunami, often in the affected areas, and India's decision not to request outside help prevented the kind of influx of agencies seen elsewhere in the region (Price and Bhatt, 2009).

How a government labels a humanitarian emergency can also affect the nature of the response. Fighting in Colombia, for instance, is regarded by the government as a struggle against terrorism rather than an internal armed conflict, which would trigger the provisions of international humanitarian law and create humanitarian space for assistance and protection activities. This refusal to recognise the formal existence of an armed conflict was in part responsible for the failure of UN efforts to formulate a 'humanitarian action plan'. In the absence of such an agreement, 'the UN remained on a short tether, its political and humanitarian representatives not authorised to deal with the internal armed actors even on humanitarian issues and OCHA not authorised to issue a consolidated appeal to donors' (Minear, 2006; Wong, 2009). In Indonesia after the tsunami, many officials were uncomfortable with the concept of an 'Appeal', which they saw as demeaning and as presenting their country as aid-dependent. This is partly an issue of terminology, since these same officials appreciate that there are areas where external support is useful.

A more politically sensitive way has to be found for governments to request international assistance without undermining perceptions of sovereignty or damaging national pride. By the same token, donors need triggers for providing assistance to international or national actors in the absence of a government declaring the existence of a disaster. One suggestion, put forward by the ICRC, is for a more flexible model, whereby governments make a blanket statement welcoming international assistance, while at the same time protecting their right to decide which organisations should participate in the response, for example by linking legal facilities such as visas and customs clearances to a system of registration (IFRC, 2007: 93).

2.2.2 Assistance and protection

States act as direct providers of relief assistance. Government agencies organise evacuations and provide food aid, temporary shelter and health care. State ministries and agencies are likely to be involved, including key line ministries responsible for health and water, ministries with specific responsibility for disaster risk management and both local and central levels of government. In many countries, national Red Cross and Red Crescent societies play a large part in national responses, and in some cases, such as Iran, Jordan and Kenya, these organisations can take on a leading role. Following election violence in 2008, the Kenyan Red Cross led the response with the relevant government services, with UN agencies and NGOs supporting and complementing this national response (OCHA, 2008).

States are also key actors in relation to protection: it is fundamentally the responsibility of the state to ensure the safety and security of its citizens (O'Callaghan and Pantuliano, 2007). To the extent that there is a global framework for the protection of civilians, it is principally enshrined in IHL, human rights law and refugee law. The fact that the conduct of warring parties is the primary determinant of the threats faced by civilians in conflict is reflected in IHL, which is concerned with limiting the effects of armed conflict on designated categories of protected persons and property, chiefly through setting limits on the methods and means of warfare. The protection of civilians, whether understood primarily in physical or legal terms, remains first and foremost the duty of governments, a reflection of their sovereign authority over, and responsibility for, all those living within their territory. States have a responsibility to enforce respect for IHL, which means that they must incorporate its provisions into their domestic legislation and ensure that national penal sanctions exist in cases where violations occur. Governments are the main entities held accountable under humanitarian law because they have the means to apply it and enforce its respect (Bouchet-Saulnier, 2007).

The role the Sudanese government has played in the violence in Darfur, in particular its involvement in attacks on civilians, has posed serious challenges for the humanitarian response. Reluctant to engage with the government, humanitarian actors – with the exception of the ICRC – have scaled down their efforts to work alongside the government and the armed forces. Thus, whilst humanitarian agencies and other actors have sought to educate the government about its protective responsibilities through training, capacity-building, reporting, persuasion, denunciation and other means, there has been a reluctance to work with the government on joint initiatives. In turn, this has given rise to deep suspicions in government circles of agencies' protection work, and protection staff are perceived as pursuing a political agenda aimed at undermining the government's authority. Pantuliano and Callaghan (2007) argue that aid agencies could perhaps have done more to engage constructively on less contentious

issues with potential reformers within the government. The work of advocacy groups in Europe and the United States has exerted further pressure on the relationship between humanitarian agencies and the government, culminating in March 2009 with the expulsion of 13 international NGOs following the indictment of Sudanese President Omar al-Bashir by the International Criminal Court (ICC) (Pantuliano et al., 2009).

The host state also has a role to play in the protection of aid workers, albeit this is a sensitive issue and one which has become much more political since the bombing of UN premises in Baghdad in 2003 and Algiers in 2007. The most recent system-wide analysis in the UN, the Independent Panel on the Safety and Security of United Nations Personnel and Premises Worldwide, found that member states were not equally well-equipped to provide security – and that those countries where capacity was modest or lacking were precisely those where the most serious risks existed (Brahimi, 2009). In response to the panel's recommendations, the Secretary-General called upon member states to address a set of related issues, including the unlawful arrest, detention and harassment of UN staff and restrictions on the freedom of movement of UN and other humanitarian workers. The Secretary-General also called on member states to end impunity for crimes against aid workers, and to refrain from public statements that could jeopardise the safety and security of aid staff. Operational agencies are understandably sensitive about the role of the state in directly protecting humanitarian workers (Stoddard, Harmer and Haver, 2006). For the most part, agencies do not want the state to provide 'protection' for humanitarian workers directly; rather, they prefer to distinguish between the provision of ambient security (the general security environment in which humanitarian work takes place) and proximate security (such as travel escorts and the protection of property).

2.2.3 Coordination issues
States also have a role in coordinating and monitoring the quality and effectiveness of external assistance. According to the IFRC's 'Guidelines for the domestic facilitation and regulation of international disaster relief and initial recovery assistance' (IDRL), 'affected States have the sovereign right to coordinate, regulate and monitor, disaster relief and recovery assistance provided by assisting actors on their territory, consistent with international law' (IFRC, 2007b). Line ministries are usually involved in sectoral coordination, disaster units with overall coordination and local and regional governments with coordination at local levels. Some countries have in place legislation which formalises their coordination role; in Guatemala, for instance, a law passed in 1996 obliges all private and state bodies to cooperate with the country's system of disaster management (Picard, 2007). In practice, however, the relationship between government coordination systems and the systems set up by international agencies is often tense, and coordination problems are common. A high

proportion of respondents to an IFRC survey reported that some international actors bypass national coordination structures and fail to inform the domestic authorities of their activities (IFRC, 2007).

These tensions have been seen most recently in the roll-out of the cluster system. According to a recent evaluation of the reforms (Stoddard et al., 2007), while governments see the value of the new approach in defining a more clearly identified set of responsible actors within defined sectors, there are fears that, by giving the UN a stronger voice, the new structure does not adequately reflect the primary role of national governments in emergency response. In Peru, for instance, the government rejected UN proposals to introduce the cluster system in the response to an earthquake in 2007, on the grounds that doing so might have implied that the government lacked the capacity to mount an adequate response and was unable to meet its responsibilities under the country's constitution (Elhawary and Castillo, 2008).

The cluster system was applied to coordinate the emergency response following the 2005 earthquake in Pakistan, and 12 sectoral clusters were established. Crucially, in this instance the government was genuinely engaged: the system provided the government with an interface with the wider humanitarian response, line ministries were able to coordinate directly with the relevant agencies and the military could clearly see which actors were working in which locations. Those clusters that did not correspond to a parallel government body, such as camp management, worked less effectively than those with a government counterpart, such as health (Cochrane, 2008; see also IASC, 2006). In contrast, in the response to floods in Balochistan in Pakistan in 2007 the newly established National Disaster Management Authority opposed UN plans to introduce the full cluster system, arguing that only four clusters were required. Although the government's reluctance to launch a full-scale international humanitarian response was evident from the outset this was not fully appreciated by the UN country team; the clusters became increasingly confused and ambiguous, and communication and coordination broke down (IASC, 2007; Cochrane, 2008). Following natural disasters in 2007 and 2008, governments in Bolivia, Mexico and Peru similarly opposed the introduction of a cluster approach.

Concern about the way in which national authorities have been included in cluster coordination processes has led to revised guidance stressing their role (IASC, 2007). Meanwhile, initiatives within clusters have focused on national capacities such as working groups for capacity-building of national stakeholders within the health and education clusters and efforts to strengthen national capacities within the nutrition and protection clusters. Relatively small investments in national capacities for coordination can be important: in the Horn of Africa, for instance, UNICEF has played a significant role in building national capacity to coordinate humanitarian response in Kenya and Ethiopia (Bellour and Mahoney, 2009).

Regardless of whether or not clusters are used, the essential issue is the same: international coordination systems are typically not sufficiently respectful of host governments' primary role in responding to emergencies on their soil. Government officials are not systematically invited to coordination meetings, nor is sufficient effort made to ensure that they can participate actively in them, for instance through the translation of key documents and the use of local languages. As Bennett et al. (2006: 11) finds in relation to coordination in the tsunami response: 'where coordination meetings are dominated by international agencies, English becomes the medium of communication at the expense of already marginalised local participants'. This issue of language is not trivial: as is clear from our case studies, cooperation between governments and aid agencies was most effective where international staff spoke local languages. In Mozambique, the fact that a large proportion of international staff are on long-term postings, speak Portuguese and know the country well seems to have been at least as important in fostering good working relations with the national authorities as any organisational model adopted (Foley, 2007). In Latin America, Fagen (2008) found a 'high level of mutual respect and collaboration between and among regionally based international officials and government entities responsible for disaster management':

> *The majority of regional officials – many of whom are from the area – came to their positions with long experience in the region and sensitivity to its particular needs. Their inter-agency collaboration as well as their interactions with government officials are more fluid than in other parts of the world partly due to the common Spanish language used by all.*

Regional structures are also important in promoting coordination and cooperation between international and national structures in Latin America, in particular the inter-agency hub in Panama, where OCHA, BCPR and ISDR, along with several donors and NGOs, all have regional offices. This congruence of agencies allows for workshops and shared training, and enables agency heads to meet regularly to share information and discuss strategy (Fagen, 2008).

It is also important for governments to be involved in contingency planning processes. In 2004, the Ethiopian government carried out a formal multi-sector and multi-agency contingency planning process. Action plans were developed for each sector, focused on developing scenarios and setting humanitarian response requirements for 2005; a national contingency plan was also developed. This was the first time that non-food sectors had fully participated in the contingency planning process (Choularton, 2007). In Mozambique, the government has developed annual contingency plans for floods, cyclones and droughts. Agencies involved in the response to floods and a cyclone in 2007 highlighted the value of a simulation exercise carried out in

2006 by INGC (Cosgrave et al., 2007). Choularton (2007) notes that working with national authorities in contingency planning offers an opportunity to develop working relationships and common understandings of potential emergencies. Joint planning can also help to identify areas for capacity-building in emergency response.

2.2.4 The legislative and regulatory environment

Following a major disaster, most countries review their existing legislative and institutional mechanisms in order to identify gaps and opportunities for improvement in disaster risk management and risk reduction practices. After the 2005 earthquake, for instance, Pakistan established the National Disaster Management Authority, and the 2004 tsunami provided the impetus for Sri Lanka and Indonesia to enact new legislation relating to disaster management (UN, 2007). In the Indonesian case, the new law – known as Law 24 – was developed in a collaboration between the government, parliament, civil society and international agencies (the Red Cross/Red Crescent, the UN and NGOs). In addition to Law 24, further regulations deal with the participation of international institutions and foreign NGOs in disaster response, covering issues such as appeals for international assistance, the status of international humanitarian workers, visas and customs procedures (Willitts-King, 2007).

The tsunami also expedited the passage of new disaster management legislation in India. The Disaster Management Act, introduced immediately after the tsunami, set up a National Disaster Management Authority (NDMA), an apex body chaired by the prime minister which is responsible for laying down policies, plans and guidelines covering disaster management. A three-part policy is envisaged, comprising a national response plan, a national disaster mitigation plan and a national capacity-building plan. This in turn will form the basis for state- and district-level strategies. The government also intends to establish emergency operations centres at national, state and district levels, and to appoint project directors in each state and district project officers in districts.

National governments are also responsible for setting the legislation and regulations governing how aid agencies operate on their territory. NGOs have to be registered with the government in the country in which they work, and are generally required to report on their activities (IFRC, 2007). A government's regulatory approach can be facilitative, or it can constrain the delivery of effective and timely relief. Potential problems include delays in issuing visas or customs clearances, making it more difficult to bring staff and equipment into a country, and unclear or punitive tax regimes. Since 2001, the IFRC has been engaged in a large-scale project examining international disaster response, laws, rules and principles in natural disasters (IDRL). This has resulted in a set of guidelines for domestic facilitation and regulation of international disaster relief and initial recovery assistance (IFRC, 2007b; Hewitt, 2006; Chance, 2006; Picard, 2007; Costa, 2008).

Domestic legislation may be used to control NGO activities, and this can be a source of tension. Moore (2007) describes 'a regulatory backlash against NGOs' with new legal restrictions being introduced in over 20 countries. For example, in Russia there was widespread concern over a new law in 2006 which required any foreign NGO operating in the country to produce notarised documents. The Danish Refugee Council, one of the only international humanitarian agencies working in Chechnya, had to suspend its work until its application to re-register was approved (Reuters, 2006). In Afghanistan, a law requiring NGOs to consult the government before implementing projects has caused major delays as proposals and reports become mired in bureaucracy (Jelinek, 2006). Proposed new legislation governing NGOs and civil society in Ethiopia has also caused controversy (Lautze et al., 2009). Language in the current draft legislation bans domestic organisations from receiving more than 10% of their income from foreign sources if they wish to be considered as Ethiopian (as opposed to foreign) organisations. International NGOs have sought to galvanise diplomatic pressure against the legislation, claiming that it 'threatens the very existence of NGOs and civil society organisations in Ethiopia'.

Registration procedures can create significant problems for international relief agencies, particularly in sudden-onset disasters. In Thailand, for instance, registering an NGO can take up to two years. As a consequence, only a small proportion of NGOs responding to the tsunami were registered with the Thai authorities, personnel could not apply for work permits and had to enter the country on short-term tourist visas and organisations had difficulty opening bank accounts (Bannon and Fisher, 2006). In Indonesia, the government's new disaster management law seeks to avoid some of the problems encountered in the tsunami response by registering and regulating agencies in advance of emergencies (Willitts-King, 2009).

Legislation can also serve to hold governments to account for their responsibilities. In Africa, for example, legislative responsibilities in relation to IDPs are being taken forward in a draft African Union (AU) convention agreed in 2008. Under the convention, AU member states are for the first time obliged to develop policy and legislation relating to IDPs. While it is likely to take several years for tangible effects to emerge, experience with a protocol on IDPs agreed by Great Lakes countries in 2007 suggests that significant progress is possible. In the context of relations between affected states and the international 'system', it is noteworthy that this progress in setting out a legal framework governing states' responsibilities towards displaced people on their territory was achieved regionally, within the AU, and with the strong participation of affected states themselves. Although UNHCR and the ICRC provided technical advice and capacity-building support to the AU Secretariat in its work on drafting the convention, this was very much an 'African-owned' process.

Box 1: IDP legislation in Colombia

Colombia has some of the most comprehensive and advanced IDP legislation in the world. The centrepiece of this legal framework is Law 387 of 1997, which established the basis for a national plan to address IDPs. The law officially recognises IDPs as a special population, and states that the government is responsible for preventing forced displacement, protecting and assisting people who have been displaced by violence and searching for durable solutions to displacement. Subsequent decrees have detailed the functions of the various government agencies involved in providing assistance to IDPs. In a landmark ruling in 2004, the Constitutional Court concluded that the government had not met its responsibilities under Law 387, and had violated the rights of IDPs. The Court cited a catalogue of failings, including insufficient budgetary resources, a lack of institutional capacity, bureaucratic barriers to services and subsidies, the low priority assigned by ministries and other entities to the rights of the internally displaced and minimal opportunities for effective participation by organisations that represented them. The Court ordered the government to reformulate its public policy, assign adequate resources to address the needs of IDPs, take concrete action to prevent forced displacement and guarantee the protection of IDPs' rights under law (IDMC, 2007). In response, the government committed more than $2 billion for the five years between 2005 and 2010 for the protection and assistance of IDPs. These additional resources have been a key factor in improving the response to displacement in Colombia. In Medellin, for instance, significant municipal resources have been directed towards addressing IDP needs, and a successful integrated model of service delivery has been developed involving a wide range of municipal and national agencies (Garcia and Lari, 2008).

Governments also provide the regulatory and policy framework for refugee populations – determining for example whether they will be settled in camps, whether they will be allowed to work and the degree of self-sufficiency that they will be able to develop. At the same time, however, the actual provision of assistance to these groups is largely in the hands of UNHCR and other international agencies. As a result, 'the notion of "state responsibility" (i.e. the principle that governments have primary responsibility for the welfare of refugees on their territory) has become weak in its application, while UNHCR and its humanitarian partners have assumed a progressively wider range of long-term refugee responsibilities' (Slaughter and Crisp, 2009). Host government involvement is typically limited to the 'admission and recognition of refugees on their territory, respect for the principle of *non-refoulement* (which prevents refugees from being returned to a country where their life or liberty would be in danger); and the provision of security to refugees and humanitarian personnel' (*ibid.*). As Slaughter and Crisp (2009) argue, in certain respects UNHCR has essentially assumed

some of the features of a state: 'registering refugees and providing them with personal documentation; ensuring that they have access to shelter, food, water, health care and education; administering and managing the camps where they are usually accommodated; and establishing policing and justice mechanisms that enable refugees to benefit from some approximation to the rule of law'.

2.3 Government structures

Government structures for managing and responding to disasters vary hugely, and are often in the process of being adjusted following lessons learnt from previous disasters. Sometimes, responsibility sits within stand-alone disaster units, which may or may not be attached to particular ministries, or may report directly to the office of the Prime Minister or President. In recent years, there has been a tendency to move from 'stand-alone' disaster management offices to more complex, integrated legislative and institutional systems that coordinate actions by a range of sector departments and ministries (UN, 2007). A recurring theme in several of the country case studies was tensions between different levels of government, national, local and state. International aid agencies need to build relationships and interact with government bodies at all of these different levels in order to work effectively. Influencing or supporting disaster management policies and legislation clearly needs to take place at the national level, but effective working relationships with governments also need to be built at regional and local levels, and with technical line ministries.

In the response to the 2005 earthquake in Pakistan, for instance, international aid agencies found themselves caught in the middle of a power struggle between the national, provincial and district governments, and most capacity support flowed to the central Earthquake Reconstruction and Rehabilitation Authority (ERRA), bypassing local structures. In El Salvador, by contrast, local organisations and municipal leaders were actively involved in aid efforts following an earthquake in 2001. A project by the Inter-American Development Bank (IADB), providing support to municipalities through social investment funds, was used to channel relief and reconstruction finance; mayors in earthquake-affected zones were told to make their own assessments of damage and need and to make proposals for assistance. Likewise in India, state government officials played a leading and effective role in the tsunami response, and key staff were allowed a great deal of autonomy (Price and Bhatt, 2009; Tata Institute of Social Sciences, 2005). Several Indian states are in the process of setting up state and district Disaster Management Authorities and have disaster management plans in place. Perhaps unsurprisingly, states most affected by disasters have generally been more active in this area; West Bengal, which was hit by flooding in 2000, is widely seen as taking the lead in community-based disaster preparedness (Price and Bhatt, 2009). Indonesia's new disaster management legislation

Box 2: Disaster response in China

China faced several major disasters in 2008, including winter storms in the south and a powerful earthquake in Sichuan Province, which left more than 87,000 people dead or missing, approximately 375,000 injured and 14.4 million displaced. Although in an unprecedented step the government publicly welcomed international assistance in response to the Sichuan earthquake, the international effort was relatively small, and the vast majority of international assistance was channelled through the state or via quasi-state mechanisms such as the Red Cross Society and the China Charity Federation, rather than through international entities. In practice, the Chinese government was wary of international involvement; movement into and out of the disaster zone was restricted, and relief resources and donations were strictly managed and regulated.

The Chinese government won praise for its rapid response to the disaster: despite the scale of the devastation and human loss, disease outbreaks were avoided, populations in further danger from subsequent flooding or landslides were safely relocated, medical services were generally restored in a timely fashion and a return to baseline mortality rates was achieved relatively quickly. The Chinese military in particular was considered key to the overall success of the emergency response, with more than 130,000 troops and armed police reportedly dispatched to affected areas. The most significant criticism of the response has come from human rights agencies rather than humanitarian actors. Amnesty has documented reports of earthquake survivors facing detention and harassment because they had protested over the collapse of schools which they claimed had been made more vulnerable through neglect and government corruption.

Sources: Hoyer (2009); Amnesty (2009).

envisages the establishment of provincial and district disaster management units.

2.4 The role of the military

The military forces of affected states have played an important role in responding to natural disasters in many contexts. Yet existing guidelines on the use of military assets in disaster response, such as the UN Military and Civil Defence Asset (MCDA) Register and the Oslo Guidelines, focus largely on the deployment of international forces to complex emergencies (UN, 2003; UN, 2006). Noticeably absent from these guidelines is any consideration of how humanitarian actors should relate to the military forces of affected states when they become engaged in humanitarian action. As it is, some states, including India, have rejected the Oslo Guidelines because they were not developed inter-governmentally and are seen as impinging on their sovereignty (HPG interviews, 2009). The Inter-Agency Standing Committee (IASC)'s reference paper *Civil–Military Relationship in Complex*

Emergencies covers national militaries, as do guidelines produced by the ICRC on the use of armed protection for humanitarian assistance (IASC, 2004; ICRC, 1995). However, these focus on how humanitarian actors relate to militaries, rather than the role of militaries as providers of assistance. For humanitarian actors, of course, working with the military raises important questions of principle, particularly in emergencies related to conflicts in which national militaries are involved. Yet even in conflicts, armed forces may still play legitimate roles in supporting or providing humanitarian assistance.

The Pakistan military played a central role in the response to the 2005 earthquake. An IASC evaluation noted the 'extraordinary performance of the Pakistan military', while a Fritz Institute survey found that most aid recipients identified the military as the primary provider of food, shelter and livelihood and medical services (IASC, 2006; Bliss and Larsen, 2006). Wilder (2008) notes that the army's decision-making skills, logistical and coordination capacities and willingness to listen and learn contributed to one of the most effective humanitarian responses to a large-scale natural disaster. The majority of humanitarian actors accepted the need to work with the military, and initial concerns about independence and neutrality were largely put aside, although the ICRC and Médecins Sans Frontières sought to maintain a distinction between their own relief work and the military's efforts. Yet even the ICRC was prepared to coordinate closely with the army; the agency used relief supplies offloaded from military helicopters and participated in common assessments with the army (requests to use military pilots in ICRC helicopters were however rebuffed) (Wilder, 2008).

National militaries have played active roles in several other of our case study countries. In India, the military is formally involved in disaster recovery if the affected state government asks for its assistance, and if the request is approved by the National Crisis Management Committee in Delhi. In the immediate aftermath of the tsunami, the Indian air force and navy were dispatched to assess and report on damage. The Indian army mobilised more than 8,300 troops for rescue and relief operations in India and Sri Lanka, and the first troops were deployed within six hours of the disaster. Following the 2001 earthquake in Gujarat, the army established relief camps for 23,000 people and provided emergency medical care. The Disaster Management Act provides for the establishment of a National Disaster Response Force consisting of eight battalions stationed around the country. NRDF troops are trained in disaster response, and the eight battalions are integrated with state disaster response mechanisms. The NRDF was active in the response to floods in Bihar in 2008 (Price and Bhatt, 2009). In Indonesia, the military (the TNI) is central to disaster management. Opinion polls indicate that, despite a history of brutal suppression of separatist movements, the military is one of Indonesia's most respected institutions, with a reputation for providing effective first-

response capacity. In theory, the TNI is subordinate to the civilian National Disaster Management Agency (BNPB), though whether this is the case in practice remains to be seen.

2.5 Approaches to humanitarian issues within the United Nations

This section examines how developing countries approach humanitarian issues in debates in the United Nations and other international forums. Within the UN, the majority of disaster-affected states in the developing world are members of the 'G77 and China' grouping. The G77 is the largest single coalition of developing nations, representing 132 states. The chair rotates annually (the current incumbent is Sudan). The G77 normally votes as a block on humanitarian issues.

Within the G77, a core group, including China, Cuba, Egypt, India, Sudan and Venezuela, tends to dominate the debate on humanitarian issues. These countries are particularly concerned to protect the sovereign and territorial rights of affected states, and to ensure that policies are negotiated inter-governmentally in the General Assembly, even if they are non-binding. Given that most humanitarian reforms have been developed outside of the General Assembly, by the Development Assistance Committee (DAC), the UN secretariat and UN agencies, they tend to be cautiously received and sometimes rejected by these core negotiating countries. As we have seen, affected states have been wary of the cluster approach to coordination, partly because it was developed outside of the General Assembly, and partly because it was presented as a new structure potentially rivalling government mechanisms for disaster response, rather than as a reform designed to strengthen and rationalise sectoral coordination amongst international aid agencies. For similar reasons, countries such as Egypt and India have rejected the Oslo Guidelines for the use of military assets in disaster response. In contrast, the G77 gave unprecedented support to the Central Emergency Response Fund (CERF), a financing reform designed to improve the way emergency responses are funded. A large number of G77 countries have made financial contributions to the CERF, in marked contrast to the very limited support they tend to offer the multilateral system generally. Notably, the CERF was approved in the General Assembly.

One of the key issues preoccupying the G77 states concerns the relationship between sovereignty and humanitarian access. As we have seen, UN Resolution 46/182 explicitly upholds the 'sovereignty, territorial integrity and national unity' of states, in accordance with the UN Charter, and requires that humanitarian assistance is provided with the consent of the state in question. The primary responsibility for helping disaster-affected people rests with the state in which the disaster has occurred. At the same time, however, the fact that states may be reluctant to initiate or accept a humanitarian intervention, coupled with the growing realisation that states themselves may be responsible for the

creation or perpetuation of a humanitarian emergency, has increased pressure for steps to remove or dilute the requirement for state consent.

Such tensions were plainly evident in the aftermath of Cyclone Nargis. As it became clear that the Myanmar junta was not immediately opening up international access to affected areas, France, supported by the United States and the United Kingdom, asked the UN Security Council to agree to a briefing on the humanitarian situation by Emergency Relief Coordinator John Holmes. As the basis for Security Council action, France invoked the doctrine of the Responsibility to Protect, implying a mandate to deliver aid without the consent of the Myanmar government; other European governments suggested that Myanmar's refusal to permit assistance could amount to a crime against humanity – one of the criteria governing the application of the Responsibility to Protect rubric. International pressure on the Myanmar junta increased as Javier Solana, the European Union (EU)'s senior official for foreign policy, stated that the international community 'should use all possible means to get aid through to victims of Myanmar's cyclone'. British Prime Minister Gordon Brown indicated that 'as far as [unauthorised] air drops are concerned, we rule nothing out'. Meanwhile, US, French and British naval ships were stationed just outside Myanmar's territorial waters, laden with relief supplies (Belanger and Horsey, 2008).

The Nargis experience highlights the need for a more strategic and constructive dialogue between donor governments and recipient countries (Harmer and Martin, 2009). Under a Swedish initiative, affected states and DAC donors came together in 2008 to discuss two issues of mutual interest: the comparative advantages of regional and sub-regional organisations in facilitating humanitarian access and the delivery of humanitarian assistance; and ensuring that the needs of IDPs are adequately addressed. While regarded as a positive and successful event, there are no plans for a more formal structure for dialogue. Meanwhile, those forums that do exist, such as the OCHA Donor Support Group (ODSG), the Good Humanitarian Donorship initiative and the Humanitarian Liaison Working Group, do not properly represent the interests and perspectives of the G77. Within the UN itself, the only official forum for dialogue on humanitarian issues between donors and affected states is the Economic and Social Council

(ECOSOC), which since 1998 has included a dedicated high-level humanitarian segment. Some affected states argue that, given OCHA's mandate to undertake the coordination of the international humanitarian system, recipient countries should participate in its discussions. OCHA has a strong liaison capacity with the G77, but this does not extend to engaging them on the agency's strategic direction. The DAC is also limited because of the strict criteria for membership, although its support for the Paris Declaration on aid effectiveness – which upholds national ownership and leadership of the aid project – is appealing to affected states, many of whom would like to see the declaration's language replicated in the humanitarian domain.

2.6 Conclusion

This chapter has briefly summarised the main components of an affected state's roles and responsibilities in relief response. Although little examined by actors in the international humanitarian 'system', these functions and attributes are of critical importance to the initiation and management of a relief response, and are crucial in determining its effectiveness. As the case of Myanmar shows, without state consent in some shape or form relief is very difficult to give, whatever the circumstances and however grave the crisis. In Sudan, the expulsion of aid agencies in March 2009 underlines the extent to which the whole aid enterprise relies on the acquiescence and support of the host government.

Assessing the nature and capacity of affected states involves answering a set of questions international aid agencies too rarely ask: what kind of state is it – is it predatory and abusive, without the will to help its citizens, or is it supportive and responsible, mindful of its role in protecting and assisting victims of disaster? Does the state have the capacity to meet its obligations, and if not where should international help be directed? Should agencies seek to act in place of the state, or should they support the state's own efforts? Answering these kinds of questions implies a need for better political economy analysis, particularly in relation to conflicts and complex emergencies (Collinson et al., 2003). What is needed is a 'specific, historically informed assessment of the state of the state' (Chandran and Jones, 2008: 23). How aid agencies might approach assessing 'the state of the state' is the subject of the next chapter.

Chapter 3
Analysing 'the state'

Definitions of what constitutes 'a disaster' typically include a clause to the effect that events are on such a scale that local capacities have been overwhelmed. The most commonly cited and used is probably that formulated by the UN Department of Humanitarian Affairs (UNDHA): 'A serious disruption of the functioning of society, causing widespread human, material or environmental losses which exceed the ability of society to cope using only its own resources' (UN, 1992). Similarly, Oxfam GB defines a humanitarian crisis as 'any situation in which there is an exceptional and widespread threat to life, health or basic subsistence, that is beyond the coping capacity of individuals and the community' (Oxfam, 2002, in Darcy and Hofmann, 2003). Yet how do agencies *know* when state capacity has been overwhelmed? And how can states judge whether their own capacity is sufficient in a given crisis, or whether they need to appeal for international assistance?

This is more than a technical question: making such an assessment is an inherently political act, and political considerations often weigh heavily as donor governments decide whether and how to intervene. Humanitarian aid to Zimbabwe and Darfur, for instance, is delivered through international organisations, bypassing the state because donor governments are at odds with the regimes in Harare and Khartoum and see them as actively involved in creating the humanitarian crisis. Aid decisions may also be influenced by perceptions of corruption within recipient countries. The 2001/2 response in Malawi, for example, was delivered through international organisations in part because of donor perceptions about government corruption (Darcy and Hofmann, 2003). In other contexts, humanitarian aid is seen as contributing to processes of state-building and attempts to bolster fledgling regimes, as in Timor-Leste and Afghanistan. The choice of aid instrument and the degree to which donors are prepared to work with recipient governments is therefore often as much a reflection of how these governments are perceived as it is a response to assessed need and capacity.

The process of analysis that informs these judgements is rarely transparent or explicit, for obvious reasons of political sensitivity. Yet even if it had to remain internal, a more systematic political analysis of state capacities, corruption risks and conflict dynamics is needed. An important first step in relating to the state is therefore to generate greater understanding of the political processes – informal networks of patronage, power and personal interest, as well as formal systems of governance – which drive decision-making in response to crisis and disaster.

Box 3: The ICRC's modes of action

The ICRC's modes of action framework for humanitarian assistance provides a useful starting-point in thinking through how international aid agencies relate to the state. It explicitly distinguishes between different modes of action in relation to the state, and strives to ensure that the authorities fully assume their responsibilities towards those affected by armed conflict. Which mode of action ICRC chooses to use depends on the situation, the problems encountered and the objectives to be achieved. The modes of action are as follows:

Persuasion: confidential representations addressed to the authorities and aimed at convincing them to enhance respect for IHL and other fundamental rules protecting people in situations of violence, and to take measures which improve the situation of people affected by such situations.

Support: activities aimed at providing assistance to the authorities so that they are better able to carry out their functions and fulfil their responsibilities.

Direct services/substitution: activities providing direct services to people in need, often in place of authorities who are not able or willing to do so.

Mobilisation: activities aimed at prevailing upon third parties to influence the behaviour or actions of the authorities, to support them, or to provide direct services to people in need.

Denunciation (only in exceptional circumstances and with strict conditions): public declarations regarding violations of IHL or other fundamental rules protecting people in situations of violence, committed by specific actors, for the purpose of bringing a halt to such violations or preventing their recurrence.

Source: ICRC (2008: 10).

The growing literature on fragile states provides a useful typology for analysing state roles in disaster response. Definitions of fragility emphasise a lack of capacity (capability/effectiveness) and willingness (will/legitimacy) to perform key government functions (Meagher, 2008). Although any analysis of state capacity needs to be context-specific and historically informed, three broad categories or typologies can be tentatively identified (adapted from Chandran and Jones (2008)):

- States where there is an existing or emerging social contract between the state and its citizens, by which the

state undertakes to assist and protect them in the face of disasters.[3]

- States that are weak and have extremely limited capacity and resources to meet their responsibilities to assist and protect their citizens in the face of disasters.
- States that lack the will to negotiate a resilient social contract, including assisting and protecting their citizens in times of disaster.

These are not clear-cut or exclusive categories: social contracts may be in the process of emerging, but lack of will to assist and protect may still be a problem. Nevertheless, an analysis based on these broad categories could inform strategies for engagement with states. Thus, where states are meeting their citizens' needs in times of disaster, international humanitarian actors are more likely to play supportive roles, building capacity, filling gaps and advocating for more effective responses. Where states are weak but have some willingness to meet needs, a combination of substitution and capacity-building will probably be appropriate. States that are unwilling to assist their people or which are themselves actively involved in creating a crisis are clearly the most difficult to deal with; in these circumstances, a combination of substitution and advocacy, to encourage states to fulfil their obligations, is likely to be necessary.

3.1 Existing assessment and evaluation practice

Aid agencies are in the main not very good at assessing capacities as well as needs. Typically, the focus is on quantifying needs for largely predetermined relief items and responses, rather than any broader attempt to analyse risks to lives and livelihoods, the range of responses available to alleviate those risks and the capacities of local actors in that process (Darcy and Hofmann, 2003; Walker and Pepper, 2007). Few assessment approaches include analysis of the political economy of disasters and the governance environment, including protection issues.

The monitoring and evaluation of humanitarian assistance likewise tends to focus on what international aid agencies are doing, and typically covers just single projects or agencies. Joint evaluations addressing the larger response to humanitarian crises, including the role of governments and how aid agencies relate to them, are still unusual. In relation to joint evaluations, Beck and Buchanan-Smith (2008) note that 'government participation and ownership was problematic', and argue for a greater focus on host government engagement. Evaluations of government roles and responsibilities are also rare. An IASC real-time evaluation of the response to the Balochistan floods,

for instance, felt constrained to point out that its terms of reference did not include reviewing how the NDMA acted in the response, despite the key role it played 'in determining the nature and style of the humanitarian community's own response' (IASC, 2007: 6).

There is considerable scope for more in-depth research into how humanitarian actors relate to national authorities. Islam and Rashid (2005) provide an example of local-level analysis of governance issues in relation to managing disasters in Bangladesh. They examined the roles, responsibilities, functions and resources of Union Disaster Management Committees (the key local government institution responsible for disaster management) in two disaster-prone districts. They found that the UDMCs were not functioning as effective institutions for disaster risk reduction. Alam (2003) provides another example of analysis of the effectiveness of district-level authorities in Ethiopia.

Rhetoric, if not necessarily practice, around the need to analyse local capacities is starting to change. At an ECOSOC conference in 2008, for example, it was noted that:

> *times have changed from four years ago when after a conflict situation the UN team would focus solely on what the UN could do to help a country in need. Now, the first focus of the UN in partnership with the World Bank and other international partners is asking: How do we help our national partners so that they work out what a country needs? Then, how can the UN draw international commitment together? And lastly, what is it that the UN should be doing?* (ECOSOC, 2008).

The Sphere standards call explicitly for assessments that take into account national and local response capacities and coping strategies and identify the responsibilities of the various authorities involved, including national legislation, standards and guidelines (Sphere, 1994). The extent to which agencies live up to these standards is, however, open to question. The Tsunami Evaluation Coalition report on assessments noted that 'treating affected countries as "failed states" was a common error'; assessors tended to disregard local coping capacity 'as if none of the needs were or would be met by national or local actors' (Ville De Goyet and Moriniere, 2006: 46, 10).

Despite these weaknesses, most assessment checklists do at least include some questions about local and government capacities. The UNICEF initial assessment, for instance, covers the impact of the crisis on the government, the expected response of the government and local authorities and political and administrative structures in the affected area (UNICEF, 2005). Tools to analyse capacities exist, such as the Red Cross vulnerabilities and capacities analysis, but they are not widely utilised (IFRC, 2006). Other examples include the following:

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3 Chandran and Jones (2008: 17) define a 'social contract' as 'a dynamic agreement between the state and society on their mutual roles and responsibilities'. Social contracts emerge from the interaction between expectations that a given society has of a given state, state capacity to provide services, including security, and to secure revenue from its population and territory to provide these services, and elite will to direct state resources and capacity to fulfil social expectations.

- The UNDP capacity assessment framework.
- The capacity self-audit model developed by the Fritz Institute for the New Partnership for African Red Cross and Red Crescent Societies (NEPARC).
- IASC's In-Country Team Self-Assessment Tool for natural disaster response preparedness.
- The McKinsey Capacity Assessment Grid.
- WFP's national response capacity matrix for analysing national government and civil society response capacity.
- WASH cluster tools to map and assess national WASH sector capacity (Bellour and Mahoney, 2009).

Save the Children has developed analytical tools to assess the capacity and commitment of state institutions, and country programmes have established partnerships with government ministries, even in fragile states. The core analytical tool is the Child Rights Situation Analysis (CRSA). The CRSA provides a foundation for understanding the state's responsibility as a duty-bearer for child rights. It includes a responsibility or stakeholder analysis as one of its basic elements, identifying who the duty-bearers are and what they, and other actors, are doing. The analysis generated by the CRSA provides the starting-point for country programmes to engage with governments, allowing country staff 'to find greater room for engagement with both governments and communities than might have been otherwise expected' (Commins et al., 2007). In a similar vein, UNICEF's rights-based approach emphasises building the capacity of rights-holders and duty-bearers, albeit there is a lack of clarity on the implications of the approach in humanitarian crises (Bellour and Mahoney, 2009; UNICEF, 2008). Finally, the World Bank/ISDR Global Facility for Disaster Reduction and Recovery includes a component focused on supporting country-level initiatives to develop tools for damage, needs and capacity assessments, building on national systems and processes (GFDR, 2007).

Chapter 4
Principles and the state

This chapter examines the interaction between key humanitarian, developmental and fragile states principles, and what commitments to these principles might mean for relations between aid actors and the state in disaster response. Typically, these sets of principles tend to be viewed as discrete, separate entities, applicable to discrete, separate actors. Yet there is plainly no simple distinction between the humanitarian and the developmental realm, and both humanitarian and developmental actors are clearly concerned with the problems of fragile states. Viewing these principles in isolation from each other is thus an artificial position that does not reflect the complex reality of aid work in some of the world's most difficult environments. Instead, we need to consider the extent to which these sets of principles are contradictory or complementary, and to think through how multi-mandate agencies in particular can maintain simultaneous commitments to independence, neutrality, government ownership and capacity-building in disaster-affected states.

4.1 Humanitarian principles and the state

The principles of independence and neutrality are central to how humanitarian actors position themselves in relation to the state. The meaning and interpretation of these fundamental principles are however not fixed, and definitions vary between the core documents (see Table 1).

Of these two concepts, neutrality has been most debated, and has often been defined at its most basic as meaning 'not taking sides in a conflict'. However, this leaves out the second half of the Red Cross definition, namely 'not engaging at any time in controversies'. This is a crucial distinction: the question of whether or not humanitarian agencies have an obligation to speak out in times of humanitarian crisis and to engage in advocacy for action to alleviate suffering and/or for solutions to crises lies at the heart of many of the controversies that have beset humanitarian action over the past few decades. Nor is this simply a question of internal agency priority: advocacy action, as we have seen with the expulsion of agencies from Darfur in response to the ICC's indictment of Bashir, has real-world consequences, both for agencies and for the people they mean to assist. Deciding if, when and how to speak out occupies a great deal of the attention of aid workers, particularly in complex emergencies. Whether or not to release an advocacy statement which might undermine access; how to respond to government demands

Table 1: Definitions of independence and neutrality in core documents

Good Humanitarian Donorship (GHD) Principles	Red Cross Fundamental Principles	The Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs
Independence means the autonomy of humanitarian objectives from the political, economic, military or other objectives that any actor may hold with regard to areas where humanitarian action is being implemented. *Neutrality* means that humanitarian action must not favour any side in an armed conflict or other dispute where such action is carried out. *Impartiality* means the implementation of actions solely on the basis of need, without discrimination between or within affected populations.	*Neutrality:* In order to continue to enjoy the confidence of all, the Movement may not take sides in hostilities or engage at any time in controversies of a political, racial, religious or ideological nature. *Independence:* The Movement is independent. The National Societies, whilst auxiliaries in the humanitarian services of their governments and subject to laws of their respective countries, must always maintain their autonomy so that they may be able at all times to act in accordance with the principles of the Movement. *Impartiality:* The Movement makes no discrimination as to nationality, race, religious beliefs, class or political opinions. It endeavours to relieve the suffering of individuals, being guided solely by their needs, and to give priority to the most urgent cases of distress.	Aid will not be used to further a particular political or religious standpoint. We shall endeavour not to act as instruments of government foreign policy. Aid is given regardless of the race, creed or nationality of the recipients and without adverse distinction of any kind. Aid priorities are calculated on the basis of need alone.

for more onerous reporting requirements; whether collective action is needed in the face of the expulsion of staff from other humanitarian agencies; how to work with Ministry of Health officials, the local military commander or the District Officer – all of these questions are the stuff of day-to-day programme management.

The meaning and operational consequences of independence have, surprisingly perhaps, been much less debated. Indeed, beyond the definitions given in Table 1 there is very little literature on the concept. The Red Cross principle is more of a statement than a definition and is in any case largely circular – National Societies must maintain their autonomy in order to act in accordance with the principles, of which independence is one. The Code of Conduct defines independence as independence from government foreign policy – in other words, it is about international NGOs' need for independence from the foreign policy of their donor governments, which says nothing about how agencies should relate to national authorities in the countries in which they are working (IFRC, 1994). The Good Humanitarian Donorship initiative gives by far the broadest definition, focusing as it does on autonomy from 'political, economic, military or other objectives' (GHD, 2003). The definition given by Bouchet Saulnier (2007: 156) is similar: 'Humanitarian action must be independent from any political, financial or military pressures. Its only limit, its only constraint and its only goal must be the defense of the human being'.

The most detailed discussion of independence is probably that produced by Jean Pictet in his commentary on the Red Cross principles, published in 1979. Pictet notes the fundamental tension between the need for autonomy and the fact that, in practice, aid agencies must work with and alongside national authorities. As Pictet puts it, the Red Cross is independent politically, religiously and economically:

> it must be sovereign in its decisions, acts and words: it must be free to show the way towards humanity and justice. It is not admissible for any power whatsoever to make it deviate from the line established for it by its ideals. This independence is also the guarantee of the neutrality of the Red Cross.

At the same time, however, the Red Cross National Societies work as 'auxiliaries in the humanitarian services of their Governments and subject to the laws of their respective countries … auxiliary status … constitutes one of the fundamental principles of the Red Cross. Because of it, the Red Cross is at one and the same time a private institution and a public service organization'. By its very nature, Pictet says, the Red Cross, and for that matter relief organisations more generally, must cooperate with national authorities, and must act according to the laws of the countries in which they operate. Aid agencies have to be registered with governments and abide by national laws, and they often work closely with the relevant national and local government representatives and line ministries in providing health care, running camps or distributing relief items. In Pictet's conception, while the degree of cooperation can range from 'complete isolation' to 'symbiosis', there is no inherent contradiction between the independence of the Red Cross and its position as an auxiliary to the state: what is needed is not one or the other, but a 'proper balance' between the two. This balance is achieved, according to Pictet, 'when a Society has the autonomy it needs to enable it to act in accordance with the Principles of the Red Cross':

> If this condition is realized, the Society will be free in its decisions and remain true to itself. It will make sure that the voice of humanity is heard; it will act unselfishly and impartially; it will be open to all and in the service of all. In any case, the best assurance of autonomy for the Society is in the democratic structure of its organization and freedom in recruiting.

The Red Cross and Red Crescent movement is committed to humanitarian principles in both natural disasters and conflicts. The principles of humanity, impartiality and independence clearly retain their relevance in natural disasters. Neutrality, in the sense of not taking sides in a conflict, does not apply in the same way in the absence of conflict, but the clause in the Red Cross definition – 'not taking part in controversies' – may still have relevance.

In practice, aid workers in the field often interpret independence and neutrality as meaning keeping the state at arm's length: too often, neutrality and independence are taken as shorthand for disengagement from state structures, rather than as necessitating principled engagement with them. Not taking sides in a conflict and maintaining independence can be perfectly consistent with working through government structures to provide services. Nor, by the same token, do neutrality and independence mean detachment from affected communities; indeed, as Lautze (1997) argues, 'for agencies that confuse detachment from disaster-affected communities with neutrality, local capacities to offset the worst effects of complex emergencies will continue to be missed or worse, exploited or undermined altogether'.

What is needed is greater operational guidance about what the principles of independence and neutrality mean for humanitarian actors in their relations with state authorities and other actors in crises, including donor governments, development actors and UN missions. One practical example is a recent study by Merlin looking at how the agency relates to ministries of health, and ongoing UNICEF research examining the agency's role in building national capacities in humanitarian crises.

In considering the state's role in disaster response, it may also be helpful to look beyond humanitarian principles to other sets of principles. For example, there may be scope to learn

from principles used for disaster response in developing countries. The UK has eight guiding principles that underpin the response to and recovery from every emergency (HM Government, 2005: 8). They are:

- Continuity – emergency response and recovery arrangements are founded on the premise that those organisations fulfilling functions on a day-to-day basis are best placed to exercise them in the demanding circumstances of an emergency.
- Preparedness – individuals and organisations that might play a part in the response and recovery effort should be appropriately prepared.
- Subsidiarity – emergency response and recovery are founded on a bottom-up approach, in which operations are managed and decisions made at the lowest appropriate level.
- Direction – amidst the pressures of emergencies, it is essential to establish a clear, unambiguous strategic aim.
- Integration – responding to and recovering from emergencies is a multi-agency activity. This underlines the importance of putting in place clearly defined structures to ensure that key agencies can combine and act as a single authoritative focus when necessary, consult, agree and decide on key issues and issue instructions, policies and guidance to which all agencies can conform.
- Cooperation – the management of emergencies brings together a wide range of organisations not bound by hierarchical relationships. Mutual trust and understanding are therefore the fundamental building-blocks of effective multi-agency operations.
- Communication – an accurate, timely, two-way flow of information is fundamental to the effective management of the response and recovery effort.
- Anticipation – crucial in both the pre-emergency and post emergency phases. Without anticipation, managers will not gain and retain the initiative amidst the pressure and urgency of events, leadership and control will remain in crisis mode and there will be a significant risk of losing public confidence.

These principles are much more operational than the more familiar humanitarian tenets of humanity, neutrality, impartiality and independence, and not all are applicable to the humanitarian realm. Nonetheless, thinking through how the principle of subsidiarity could be applied to increasingly centralised international humanitarian agencies might be useful. The stress on developing mutual trust and understanding between organisations not bound by hierarchical relationships might also be useful in guiding relations between states and humanitarian actors.

It might also be useful to consider how principles of good governance could be made specific to disasters. The six core principles presented by Hyden et al. (2004) are here adapted to focus on the governance of disasters:

- Participation – the degree of involvement by affected stakeholders in disaster risk management.
- Fairness – the degree to which rules relating to disaster response apply equally to everyone in society.
- Decency – the degree to which the formation and stewardship of the rules is undertaken without humiliating or harming people.
- Accountability – the extent to which political actors are responsible to society for what they say and do in responding to disasters.
- Transparency – the degree of clarity and openness with which decisions about coordination and the provision of humanitarian aid are made.
- Efficiency – the extent to which limited human and financial resources for disaster risk management are applied without unnecessary waste, delay or corruption.

These principles could quite easily be applied to governance in humanitarian crises, and some (accountability, participation and transparency) already form part of existing standards and guidelines. How humanitarian principles relate to key development principles of state-building, state ownership, harmonisation and alignment is the subject of the next section.

4.2 Development, fragile states and humanitarian principles: contradictory or complementary?

Humanitarian principles are often seen as solely applicable in crises and therefore as ceasing to be applicable at the point when development starts. The problem with this conception is that transitions are rarely so neat, humanitarian needs persist and, in many contexts, humanitarian and developmental principles need to be simultaneously respected. Putting humanitarian, fragile states and development principles together emphasises the point that humanitarian actors do not operate in isolation in humanitarian crises, but are part of a broader sphere of international engagement. In disaster contexts, humanitarian actors are usually working alongside development counterparts, and indeed many organisations are themselves involved in both humanitarian and development assistance. Tensions between relief and development actors have often been glossed over in debates about 'linking relief and development', and conflicting objectives between humanitarian and political actors have been ignored in quests for greater 'coherence' and 'integration' (Macrae et al., 2002). Greater attention therefore needs to be given to the ways in which humanitarian, development and fragile states principles complement or are in tension with each other, and what this means for the relationship between humanitarian actors and affected states.

Potentially at least, some fundamental tensions between overlapping sets of principles can be identified. In many contexts, donors are simultaneously committed to the OECD-DAC Principles for Good International Engagement in Fragile States and Situations, the Paris Declaration on aid

effectiveness and the GHD initiative. This entails balancing a commitment to respecting the independence of humanitarian action with a commitment to 'state building as the central objective' of engagement with fragile states and respecting countries' 'ownership' of development strategies. UN agencies need to balance commitments to independence and neutrality with their obligations under Resolution 46/182 and the 'primary responsibility' of states for the implementation and coordination of humanitarian assistance. Multi-mandated agencies also have to balance the Paris Declaration and GHD principles, in line with the commitments of those who finance them. The World Food Programme, for example, has recognised in its Strategic Plan (2008–2011) the need to emphasise 'national ownership and priorities in line with the widely-recognised principles' of the Paris Declaration; at the same time, the Plan also notes that its activities are to be carried out 'in conformity … with Good Humanitarian Donorship' (WFP, 2008).

Relief and development have often been framed in opposition to each other because it is assumed that relief is state-avoiding and short-term, in contrast to development, which has a longer-term perspective and is most appropriately delivered by the state. This tension helps to explain many of the practical issues of engagement in fragile states during attempted transitions from relief to development, or from humanitarian action to recovery and state-building objectives.

Humanitarian actors see themselves as trying to maintain space for independent and neutral humanitarian action, which can continue to deliver life-saving assistance in contexts where conflict is often still ongoing (as in Afghanistan), where humanitarian needs are still acute and there is a risk that conflict will resume (as in Southern Sudan), or where states are blocking access to vulnerable populations (as in the Somali Region of Ethiopia (MSF, 2008)). Development actors, however, in line with the OECD principles on fragile states, are often more concerned with working with states in order to build their capacity to govern and provide services to their people, an activity that by definition cannot be independent of the state. To complicate matters further, development and humanitarian actors are often different parts of the same organisations, as with multi-mandate NGOs such as CARE or Oxfam and UN agencies such as UNICEF and WFP.

Few would argue, of course, that a world full of legitimate and accountable states able to fulfil core functions is not a desirable long-term objective; problems arise, however, when donors feel unable to work with a particular state because it is deemed hostile, predatory or otherwise undesirable. The ultimate objective of state-building – the emergence of a responsible, capable state – might at times require distance from particular regimes. Clearly, it is difficult to reconcile developmental, security, political and military objectives in situations where the

Table 2: Complementary or competing principles?

OECD Principles of Good International Engagement in Fragile States	Good Humanitarian Donorship	The Paris Declaration
The OECD outlines ten Principles for Good International Engagement in Fragile States and Situations (OECD, 2007): • Take context as the starting point • Do no harm • Focus on state-building as the central objective • Prioritise prevention • Recognise the links between political, security and development objectives • Promote non-discrimination as a basis for inclusive and stable societies • Align with local priorities in different ways in different contexts • Agree on practical coordination between international actors • Act fast … but stay engaged long enough to give success a chance • Avoid pockets of exclusion	The Good Humanitarian Donorship Initiative comprises a set of objectives, definitions and principles for humanitarian action agreed by a group of donors in 2003: • Humanitarian action should be guided by the principles of humanity, impartiality, neutrality and independence. • Respect international humanitarian law, refugee law and human rights • Reaffirm the primary responsibility of states and strive to ensure flexible and timely funding • Allocate funding in proportion to needs • Involve beneficiaries in humanitarian response • Strengthen the capacity of countries to prepare for, mitigate and respond to humanitarian crises • Provide humanitarian relief in ways that are supportive of recovery and long-term development	The Paris Declaration on aid effectiveness stipulates: • Ownership – partner countries exercise effective leadership over their development strategies and coordinate development actions • Alignment – donors base their overall support on partner countries' national development strategies, institutions and procedures • Harmonisation – donors' actions are more harmonised, transparent and collectively effective

Figure 1: The Five Pillars of the Paris Declaration
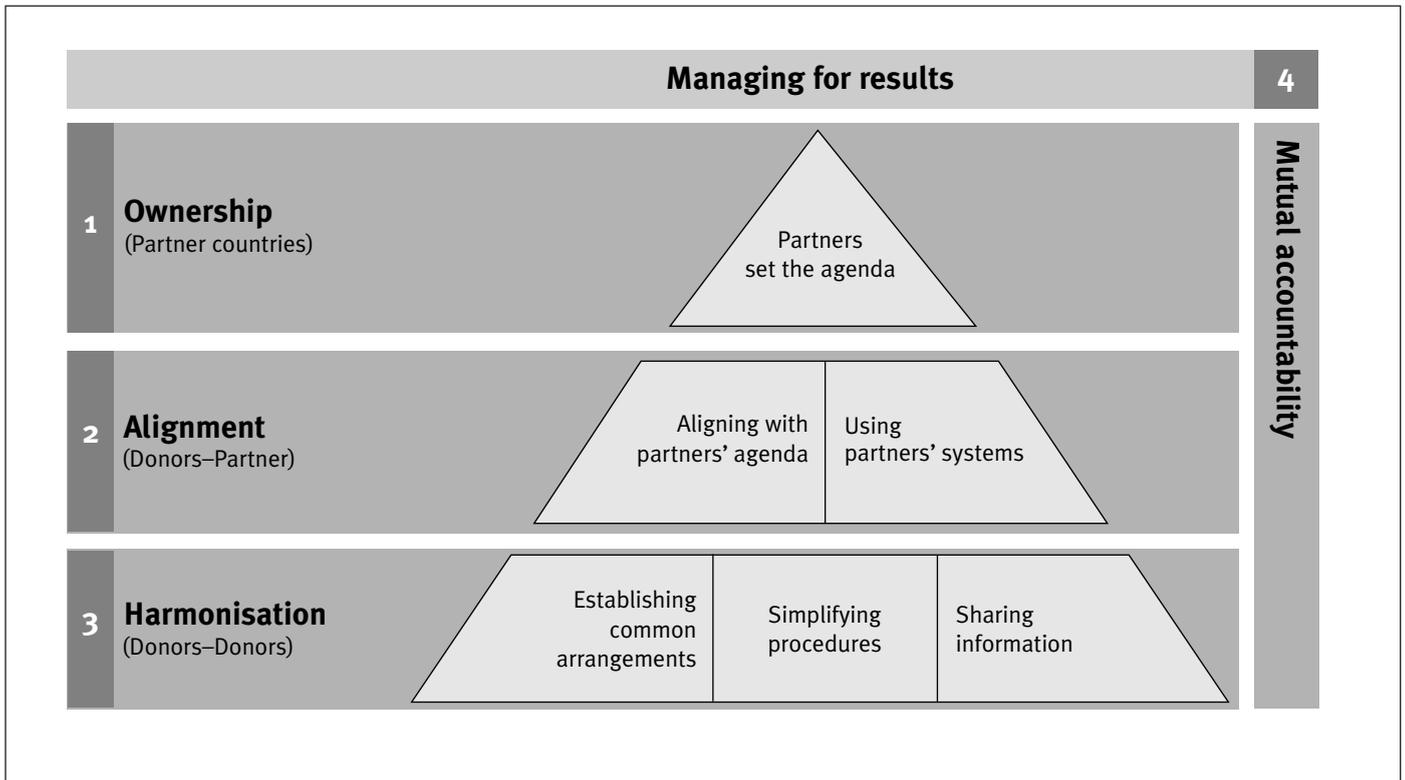
political objective is regime change, and engaging in a principled fashion with states that are failing to meet the basic needs of their citizens, and may indeed be complicit in abuses of human rights law, is hugely difficult. A focus on principles of humanity, neutrality, impartiality and independence may help in navigating these difficult waters. Thus far, debates about fragile states and linking relief and development have tended to concentrate on the need for humanitarian actors to become more developmental. The more appropriate question, however, may well be why humanitarian principles should not apply equally to development actors.

Applying humanitarian principles to development aid should in theory be uncontroversial. Humanity, defined as saving lives and alleviating suffering, and impartiality, defined as the provision of aid according to need and without discrimination, are surely principles that should be shared by developmental actors. A focus on humanity as a principle might force greater attention to ongoing humanitarian needs and acute and chronic poverty in fragile states. It might therefore make it less acceptable to ignore or downplay humanitarian needs by focusing on state-building or security objectives at the expense of measures to alleviate immediate suffering. A commitment to impartiality should be consistent with the fragile states principle of avoiding exclusion and promoting non-discrimination. In practice, this might mean focusing on questions of coverage and access in the delivery of services, in particular in areas where state control is weak or contested. Examples might be areas of ongoing conflict in eastern DRC and Afghanistan and the Somali Region in Ethiopia.

The principles of neutrality and independence create more difficulties; indeed, some see them as the antithesis of development because they imply working separately from the state. Yet development actors should be as committed as humanitarians to not taking sides in a conflict, and for the same reasons as humanitarians, namely that, if they are seen as backing one side or the other, their ability to provide support to civilians on both sides of a conflict will be jeopardised. Just like their humanitarian counterparts, operational space depends upon the consent of warring parties and host communities (Armon et al., 2004). As for independence, we could ask why developmental objectives should not be autonomous from governments' political and military objectives. Why should, for instance, a focus on achieving MDG 1 (to 'eradicate extreme poverty and hunger') be subordinated to political or military objectives? While the OECD fragile states principles speak of 'recognising the links between political, security and development objectives', commitments to greater integration or coherence tend to result in development (and humanitarian) objectives becoming secondary to more powerful political and security concerns. A focus on the autonomy and independence of development as desirable items in their own right might help to combat the instrumentalisation of development assistance for political ends (Harvey et al., 2007).

Donor governments are beginning to recognise a possible relationship between the Paris Declaration on development aid and the principles of the Good Humanitarian Donorship initiative, and a recent DAC report talks about 'better

Box 4: Principles in Afghanistan

The current situation in Afghanistan is an important example of the dilemmas faced by aid actors engaged in both humanitarian and development assistance. The continuing conflict in Afghanistan means that neutral, independent and impartial humanitarian aid is desperately needed. However, none of the parties to the conflict shows much respect for neutrality or independence. The Taliban have been targeting aid workers, leaving large parts of the country inaccessible, while the Afghan government and its Western supporters likewise demonstrate limited respect for the demands of neutrality – not least that humanitarian actors must be able to negotiate with all parties in order to establish and maintain neutrality. Meanwhile, multi-mandated agencies find themselves in the awkward position of delivering humanitarian aid, while at the same time attempting to support state capacity in ways that involve working increasingly closely with the government. According to ACBAR, an NGO aid coordination body, over 80% of NGO activities are tied to government programmes.

Donini (2006); Ritchie (2006); Waldman (2008); Harmer and Basu Ray (2009).

the state is involved in conflict or does not fulfil its responsibilities towards its citizens, 'full association (particularly with respect to partner government ownership and alignment with national development strategies) would compromise core principles of neutrality, impartiality and independence of humanitarian action'. Nonetheless, it is clear that the Paris principles are no longer being seen as only applicable to development assistance. Greater attention therefore needs to be given to what a humanitarian commitment to ownership, alignment and harmonisation might look like, and whether or not this could be compatible with humanitarian principles. There is no reason why the Paris Declaration's principles of harmonisation and alignment should cease to be applicable at some hard-to-define point when development ends and an emergency starts.

In conflict contexts, where the state is unable or unwilling to meet the basic needs of its citizens, international humanitarian relief remains the aid instrument of last resort. Working with the state may not be possible or desirable, either because it does not control the parts of the country where services need to be delivered or because donor governments are unwilling to engage for political reasons. Where this is the case, longer-term approaches which align with government to the extent possible are often still needed.

embedding humanitarian action within broader development processes' (OECD-DAC, 2008a). The Paris process aims to ensure the effective delivery of development assistance by placing responsibility on donors and partner governments for the delivery and management of aid (see Figure 1).

The majority of donors interviewed for a recent study on complementarity between GHD and the Paris principles argued that humanitarian action could do much more to promote capacity-building and that, for the most part, donors had fallen short of their GHD goal to strengthen national and local capacities (Harmer and Basu Ray, 2009). Nevertheless, as a Revised Humanitarian Assessment Framework for DAC peer reviews notes, any association between humanitarian and development assistance can only be a partial one: where

Table 3 maps out where this discussion would leave the various actors – aid agencies, donors and the governments of affected states – in terms of their commitments to principles. Aid agencies need to be committed to humanitarian and developmental principles. Donor governments have commitments to GHD and the fragile states and Paris principles. Governments of states affected by disasters have existing commitments under international humanitarian law, and could usefully commit themselves to broader respect for humanitarian principles, as donor governments have done with GHD. Operational principles such as subsidiarity and preparedness can form a useful part of disaster risk management policies and strategies, and good governance principles could also usefully be applied to disaster risk management.

Table 3: Mapping principles

International aid agencies	Donors	Affected-state governments
Humanitarian principles – humanity, neutrality, independence, impartiality	Good humanitarian donorship	Respect for humanitarian principles and IHL
Principles of participation, accountability, transparency and capacity building	Fragile states principles	Operational principles such as those of the UK government
	Paris principles	Good governance principles applied to disaster risk management

4.3 Conclusion

There has long been a tendency to view humanitarian, development and fragile states principles in isolation from each other. This chapter, by contrast, has sought to identify the extent to which these sets of principles are contradictory or complementary. While there are undoubted tensions, it is possible to remain committed both to humanitarian and to developmental principles. Doing so requires humanitarian actors to realise that commitments to neutrality and independence are compatible with principled engagement with states to encourage and support them to fulfil their responsibilities to protect and assist their citizens. Humanitarian actors also need to give greater attention to respecting state sovereignty and ownership over humanitarian as well as development strategies, and to view substitution for the state as more of a last resort. Equally, development actors working in humanitarian crises should themselves be committed to humanitarian principles of independence, neutrality and impartiality.

Chapter 5
Building, undermining and influencing state capacity

One of the themes of this report has been the increasing attention both humanitarian and development actors are giving to building the capacities of government structures. With the demise of the 'Washington consensus' in the late 1990s, donor governments have shown fresh interest in the role of the state in planning and managing aid, with new principles stressing national ownership, harmonisation, alignment and governance. Meanwhile, the disaster risk reduction agenda stresses governance reforms and initiatives within at-risk countries, shifting policy away from a focus on international humanitarian assistance towards support for domestic resilience and preparedness (Fidler, 2005).

At the same time, however, international aid has often been criticised for ignoring, sidelining or actively undermining local capacities: flooding disaster zones with international workers, for example, or poaching local government staff, failing to coordinate properly with host governments, showing scant respect for local government officials and eroding the social contract between states and citizens by allowing them to evade their responsibilities for the welfare of their people. Thus, while agency policies normally contain clear commitments to building national capacities, and these commitments are enshrined in inter-agency standards and guidelines (Sphere, 2004; IFRC, 1994), in practice there is often a disparity between these stated policies and operational realities on the ground (Pakarama, 2007).

5.1 How aid can undermine state capacity

The belief that an influx of aid may undermine national capacities has been a recurring theme within the humanitarian literature (Juma and Surkhe, 2002; Eade, 2007; Christoplos, 2004; Smillie, 2001). The Tsunami Evaluation Coalition identifies a litany of failings in the tsunami response, with agencies:

> brushing aside or misleading authorities, communities and local organisations; inadequate support to host families; displacement of able local staff by poorly prepared internationals; dominance of English as a 'lingua franca'; 'misrecognition' of local capacities; applying more demanding conditions to national and local 'partners' than those accepted by international organisations; 'poaching' staff from national and local entities; and poor-quality beneficiary participation (Telford et al., 2006).

Box 5: How aid can undermine national capacity

- International aid undermines the political contract between a government and its citizens.

- International aid duplicates or inappropriately substitutes for government action.

- Aid agencies fail to coordinate sufficiently with host governments.

- International aid workers seen as lacking respect for govern-ment officials.

- International agencies hiring government staff (poaching).

- International agencies paying much higher salaries than the government.

- Diversion of aid fuels corruption and provides oppor-tunities for patronage.

The result, according to the TEC, was 'inequities, gender and conflict-insensitive programmes, indignities, cultural offence and waste'

Likewise, Slim (2007: 2) argues that 'the arrival of international NGOs *en masse* can also challenge government authority, start a brain drain from local businesses and government ministries, overwhelm civil society, make unlikely local contractors suddenly rich and inadvertently change the balance of social and eco-nomic power'. IFRC (2007) similarly notes that a clear message from all of the regional forums held for the International Disaster Response Law (IDRL) project was that a request for international assistance should be seen as an invitation to complement, not displace, domestic response efforts.

Concerns about the tendency of international aid to weaken local capacities can be grouped under three broad headings (HAP, 2001):

- Bypassing local capacities by setting up parallel delivery systems.
- Undermining local capacities through aid-fuelled inflation, brain-drains, overstretched institutions and loss of credibility.
- Instrumentalising local capacities by turning local groups into 'NGOs' for the purpose of service delivery – and then abandoning them as soon as their skills are no longer required.

The potential for international aid agencies to undermine or inappropriately substitute for the state has often led to tense relations between states and international actors. Indeed, the interaction between them often seems to verge on the dysfunctional, with government officials seeing international actors as overpaid, over-resourced, unaccountable and donor-driven, and international actors seeing local governments as corrupt, ineffectual and unhelpfully restrictive – a caricature perhaps, but one not too wide of the mark. In Afghanistan, significant resentment has built up over the role of international agencies, which are perceived as more expensive and less effective than national actors (Ghani et al., 2005). Afghans working for international aid agencies are paid much higher salaries than government civil servants, drawing skilled professionals away from government in favour of NGOs and the donors. According to Jelinek (2006: 8): 'mistrust and resentment are still very much prevalent amongst the vast majority of government personnel outside Kabul', albeit largely as a result of misinformation or ignorance about what NGOs actually do. Thus, while the Afghan government is reliant on NGOs for the implementation of programmes, government officials regard them as expensive and unproductive, with 'most of the donor money spent on luxurious lifestyles for their staff'. Writing about relations between the government and NGOs after the 1999 cyclone and 2001 floods, Aurobindo Behera, the head of the Orissa State Disaster Management Authority, highlights a misconception whereby NGOs saw the government as keen to restrict their freedom through authoritative control, while the government viewed NGOs as opposed to any move to ensure transparency and accountability, donor-driven, obsessed with sectoral issues and over-critical of government policies. Behera also notes that the 'holier-than-thou' attitude of NGOs adversely affected meaningful collaboration (Behera, 2002: 10).

In Sri Lanka, the government has made a series of highly negative public statements about international humanitarian actors. This pervasive public discourse of hostility and distrust has been fuelled by the largely government-controlled media, which accuses international agencies of siding with the Liberation Tigers of Tamil Eelam (LTTE) (Human Rights Council, 2007; CPA, 2009). As reported by ECHO in its May 2008 Global Plan for humanitarian aid:

> This has resulted in a total lack of respect for aid agencies and government authorities are now clamping down further, demanding more taxes, requesting agencies to redirect their aid, rejecting staff visa and programme applications, increasing approval procedures, checks and searches and even expelling agency staff from Sri Lanka (ECHO, 2008).

This already tense relationship was further strained in early 2009 with intensified fighting, severe breaches of humanitarian law on both sides and the government's

decision in September 2008 to ban most humanitarian agencies (except the ICRC) from operating in the northern Vanni area, a move which created a disastrous humanitarian situation (Human Rights Watch, 2009; ICG, 2009; ICRC, 2009).

Lautze et al. (2009) trace the long and often difficult history of international aid in Ethiopia, arguing that, against the backdrop of recurrent food crises, the country has become characterised by an agency and media discourse that sees it as incapable of feeding itself, 'dependent on foreign aid, its people lazy and its government obstructionist'. While international humanitarian action has mitigated some of the worst impacts of Ethiopia's periodic bouts of famine, the flood of international NGOs into the country, and the erection of an extensive, elaborate and increasingly assertive aid infrastructure, has challenged the primary role of the Ethiopian state in addressing the needs of its own people. In turn, successive Ethiopian governments, while issuing annual appeals for assistance (the largest in the country's history came in 2003), have sought to use legislation and bureaucratic systems to promote transparency and retain some degree of control over the aid enterprise. This history of tension is fundamental to the way Ethiopian government officials regard international aid. The perception persists within government, as well as among many in civil society, that international NGOs in Ethiopia are benefiting from each successive crisis, to the detriment of Ethiopian institutions inside and outside of government. Whether or not these views are fair is in an important sense beside the point – the fact that they are widely held by government officials in Ethiopia makes it harder for humanitarian actors to maintain a positive relationship with the government. Similarly in neighbouring Eritrea, the government's desire for 'self-reliance' has led to difficult relationships with international aid agencies, culminating in the expulsion of USAID in 2005, and most international humanitarian organisations in 2006 (ICG, 2008).

In the wake of the Indian Ocean tsunami, Indonesian government officials were apparently shocked at the way some international actors ignored local capacities and structures of authority (Wllitts-King, 2009). While the tendency to marginalise or ignore local structures may in part have been driven by a failure by the government to engage and coordinate productively, it is clear that many agencies arriving in Aceh regarded the province in much the same way as they would have approached a state like Somalia, where government authority has collapsed and the state is very weak. This is clearly not the case in Indonesia, a lower-middle-income country possessed of robust and competent national authorities and an important non-governmental sector. This was also noted in Pakistan, where NGOs were seen as acting with little concern for state structures (Bamforth, 2006).

Perhaps more fundamental than concerns about duplication or inappropriate substitution for the state is the idea that international relief somehow undermines the social and

political contract between a state and its citizens by allowing governments to evade their responsibilities for responding to disasters. As we saw in Chapter 2, concerns that international aid was allowing states to abdicate responsibility for fighting famines in Africa were highlighted in the late 1990s by Alex de Waal, in his book *Famine Crimes* (de Waal, 1997). In a similar vein, Slim (2007: 1) raises the spectre of NGOs implementing 'forms of neo-colonial service delivery, which are dependent not on citizens' political demands and action but on the extraneous largesse of political outsiders'. Either, Slim argues, substitution creates a negligent state, willing to let international aid providers take on its duties whilst claiming credit for their work, or it humiliates the state, undermining governments compelled to be constantly thankful to NGOs for the resources they provide. Conversely, effective state-led relief may bolster states and strengthen their legitimacy, thereby helping international actors to meet their state-building objectives. In the literature on fragile states, for instance, supporting states to deliver basic services such as health and education is seen as having the potential to contribute to wider state-building objectives (Meagher, 2008).

It is important not to overstate the importance of international relief actors in influencing the politics of developing countries. The idea that abusive, corrupt or authoritarian regimes responsible for creating or ignoring humanitarian crises would show more concern for their citizens in the absence of international aid agencies is a largely unproveable counter-factual. It seems unlikely that bad regimes would display greater regard for their humanitarian responsibilities were aid agencies to depart. A more serious concern is perhaps that the action of international relief in ameliorating the worst suffering in humanitarian crises might delay or prevent desirable regime changes by masking the worst effects of misrule. Again, however, it is difficult to see how this can be avoided without undue cruelty and a willingness to stand by in the face of unacceptable suffering, neither of which the humanitarian imperative would permit.

A related concern is that relief aid can become embedded in political systems of patronage, and its manipulation and diversion contribute to cultures of corruption. Examining relief in southern Africa, Holloway (2003) notes the complicated interaction between food aid and political processes, and the tendency for states to manipulate aid, particularly food aid, with an implicit expectation of reciprocity at the polls. Aid agencies could certainly do more to understand the ways in which relief becomes entangled in local political economies and how it can be diverted or manipulated (Maxwell et al., 2008; Collinson 2003). Again, however, there is a need for caution about the relative importance of relief aid in contributing to wider processes of corruption and patronage.

There is often a tendency to assume that governments will be too corrupt to deliver aid effectively, without considering alternatives to international agencies substituting for the state and without acknowledging that aid agencies are themselves not immune to corruption. There may be lessons to be learned from the efforts aid agencies have made to work with local NGO partners in challenging environments, and emerging mechanisms to support state capacity to deliver services in fragile states. In practice, donors continue to view international aid agencies as more trusted deliverers of assistance than governments. Any move towards working more closely with and through governments will therefore have to include better analysis of corruption risks, strong mechanisms to control those risks and a process of building trust between donors, governments and other actors (Ewins et al., 2006; Walker et al., 2008).

Greater attention should be given to supporting state actors to provide assistance more accountably and transparently. There has been a propensity for analysis to portray assistance as either completely state-led or completely state-avoiding. There is a halfway house here: state-led responses with significant investments in oversight, monitoring and audit. Humanitarian aid channelled through governments does not have to be unaccountably handed over.

5.1.1 Staffing, perceptions and attitudes

The structures and organisational cultures of aid agencies and the attitudes of aid workers are critical, if hard to pin down, components of the sometimes dysfunctional relationship between aid agencies and governments. At the most basic level, responsibility for financing, designing and delivering aid resides with a small group of agencies and donors from rich countries. There is a strong sense in which humanitarian aid is perceived by the states and people on the receiving end as a Western enterprise (Stoddard, 2004; CDA, 2008; Juma and Surkhe, 2002). As Donini et al. (2006: 13) put it:

> *Northern leaders, thinkers, aid agencies and donor institutions shape, fund and manage what is generally termed humanitarian action. In setting the terms of the debate, they may pay lip service to the importance of 'other' traditions of humani-tarianism and other perspectives on universality but non-western and discordant voices seldom get a serious hearing.*

There are signs that the Western dominance of the aid project is beginning to erode. Greater efforts are being made to invest in the skills and capacities of national staff, and individuals from Third World countries increasingly occupy senior management positions in aid agencies (People In Aid, 2007; Swords, 2006; EPN, 2004; Damerell 2008). As well as starting to change the perception of humanitarian aid as a Western endeavour, this trend potentially has other benefits. Turnover among national staff tends to be less rapid, meaning that they may be more likely to have the time to get to know and build up relations with key government officials.

Several agencies have made important efforts to change their organisational structure and become more transnational. World Vision's country offices in the South have become autonomous national organisations within the World Vision International federation, ActionAid has moved its global headquarters to South Africa and Save the Children India has become an independent organisation (Maxwell and Walker, 2008).

Despite these changes, the attitudes of staff involved in humanitarian aid and the cultures embedded within their organisations remain obstacles to greater national ownership. Stoddard (2004) notes a 'persistent, uncomfortable hierarchy of international over indigenous NGOs and expatriate and local hires' and a strong sense of 'us and them'. Our case study in Ethiopia highlights the painful 'transitional period' many newly-arrived aid workers undergo as they adjust to the presence in the country of a state with its own ideas about how to tackle the country's humanitarian problems: 'the first mistake newly arrived expatriate relief workers make – especially those coming from war-torn states in Africa – is to try to use their last posting as a point of reference on how to operate in Ethiopia'. According to the head of the former Disaster Prevention and Preparedness Commission (DPPC), Ato Simon Mechale, 'Those first few months for a new NGO director are really horrible' (Lautze et al., 2008). For good or ill, 'there is a state in Ethiopia that is deeply concerned and highly engaged in issues of disaster risk management':

> There are genuine areas of technical disagreement about how disaster risks can be reduced and managed, but one cannot argue that political will is lacking. Indeed, these issues are at the very heart of Ethiopian politics and all who engage in them from outside the country go through an often-painful period before realizing this.

There are also more concrete issues around the skills and capacities of staff involved in relief response, and whether they are properly equipped to work on issues such as capacity development. Bellour and Mahoney argue that 'the just do it attitude that serves emergency and humanitarian workers well in dealing with a crisis is less functional when the doers' mandate shifts to include capacity development' (Bellour and Mahoney, 2009; Brinkerhoff, 2007). As noted earlier, an ability to speak local languages is clearly important, as is local and national knowledge more generally. Both, however, are often in short supply. The rapid turnover of humanitarian staff inhibits the development of local knowledge and the personal relationships needed to work effectively with government counterparts. Examining the international response to the Jogjakarta earthquake in Indonesia, Macrae (2008) found staff turnover 'astonishingly high': 'it seemed that anybody who built up any local knowledge left before they were able to use it'. According to Macrae, the lack of local knowledge, language skills and experience among international aid workers

seriously inhibited their ability to understand any but the most material dimensions of the situation, and made it very difficult for them to communicate with government officials and local people.

The policy prescriptions that follow from this are, of course, straightforward, albeit difficult to implement: encourage longer-term postings, invest more to enable international staff to learn local languages and find ways to give greater levels of responsibility and authority to national staff.

5.2 How aid can build capacity

It is important to balance criticism that humanitarian aid undermines capacities with recognition of genuine attempts to build and work with existing government capacities. The comparative wealth and strength of the international humanitarian system can make it an easy target for rather knee-jerk criticism that fails to acknowledge both real efforts to build capacities, and real constraints to working with local institutions in some contexts. As noted above, there are clear tensions between commitments to build national capacities and the need to observe principles of neutrality and independence. Often, however, debates and policy documents relating to capacity-building fail to acknowledge these tensions. WFP's policy paper on capacity-building, which contains not a single reference to principles, is a good example (WFP, 2004). Conversely, its policy on humanitarian principles makes a clear commitment to capacity-building, noting that 'international cooperation to address emergency situations and to strengthen the response capacity of affected countries is of great importance' (WFP, 2004b: 6).

Humanitarian agencies might seek to strengthen national capacity in a variety of ways, including training, on-the-job learning, action research, coaching and mentoring, peer knowledge exchanges, participatory learning methods, knowledge networks and fairs, knowledge sharing through collaborative projects, south–south knowledge exchange, community of practice approaches and long-term supervision (Mahoney and Bellour, 2009). International agencies could second staff as mentors and coaches in national line ministries. In Afghanistan, UNDP has provided experts to work within the government's Aid Coordination Unit (Thomas, 2007), and in Uganda UNICEF's capacity support has helped to raise awareness among central and district government officials involved in child protection that a focus on child soldiers should give way to a broader approach. UNICEF worked closely with the Ministry of Social Welfare and district departments to develop training modules for community-based child protection committees.[4]

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4 UNICEF's emergency division has taken up the issue of national capacity development in a serious and committed way. Following a policy review, the agency has made strengthening national capacity the overriding objective of its corporate strategy, and has established a dedicated national capacity development post, reporting to the Head of Policy and Head of Emergencies.

Box 6: Working with local government: UNHCR in Colombia

UNHCR in Colombia developed an innovative participatory initiative for the local integration of IDPs. In 2002, the departmental government in Narino organised participatory needs analysis with IDPs in ten municipalities. UNHCR was asked to hire and train a technical team to develop potential projects, and by 2004 more than 100 had been designed, with significant financial pledges from municipal and departmental authorities. By the end of 2006 the initiative (the Plan Integral Unico de Restablecimiento (PIUR)) had attracted $4.2 million for housing and income generation, 77% from Colombian public funds and 19% from the international community.

Source: Zapater (2007).

In Mozambique, international donors have given strong support to the government body responsible for disaster response, the National Institute of Disaster Management (IGNC), helping to fund the employment and training of 285 staff and equipping a national headquarters and several regional offices. The German assistance agency GTZ, which has contributed just under two million euros to Mozambique's disaster preparedness activities, has seconded several staff members to the INGC, as well as supporting a number of its projects, such as training and simulation exercises and equipping emergency response centres (Foley, 2007). In a good example of south-to-south learning, Mozambique drew on disaster officials from Guatemala to provide capacity support (Foley, 2007). In southern Sudan, Save the Children gave particular attention to collaboration with the local government, building relationships of personal trust with local officials and keeping them informed and involved in planning activities (Commins et al., 2007).

Regional organisations can also play an important role in building national capacities. In Latin America, for instance, the Pan American Health Organisation (PAHO) has had major successes in bringing disaster preparedness onto health agendas, and has helped to establish disaster management offices in the health ministries of more than three-quarters of countries in Latin America and the Caribbean (Fagen, 2008). During the response to Tropical Storm Stan in Guatemala in 2005, national officials worked closely with staff from the Centre for the Prevention of Natural Disasters in Central America (CEPREDENAC) and drew heavily on a regional manual developed by CEPREDENAC for practical guidance on handling international aid and personnel (Picard, 2007). Since it began work in 1989, the OFDA-funded Regional Disaster Assistance Program in Latin America has trained over 44,000 people, providing a cadre of regional leaders in disaster management. In Southeast Asia, cooperation in disaster management is institutionalised through the ASEAN Experts

Group, and as noted ASEAN played an important coordination role in the response to Cyclone Nargis in Myanmar (Belanger and Horsey, 2008; Creach and Fan, 2008). In Africa, the Southern African Development Community (SADC) has sought to strengthen assessments through support to national-level vulnerability assessment committees (Fagen and Martin, 2005; SADC, 2009). At the international level, the Sphere project has encouraged governments to apply its standards in their disaster responses, and some have started to do so (Sphere, 2004).

The literature on service delivery in fragile states recognises the humanitarian imperative to meet basic needs in the short term, and acknowledges that this may sometimes entail substitution for governments. However, there is also an expectation that non-state actors involved in service delivery provide such support without undermining the legitimacy of the state, and that long-term capacity development plans are in place at the outset. Chandran and Jones (2008: 41) argue that 'careful coordination, regulation and oversight of non-state providers are essential to ensure that they align with government priorities when appropriate and to prevent them from overriding local capacity and resources'. Collier (2007) suggests the use of 'independent service authorities' to deliver basic services, managed jointly by the government, donors and civil society. Although the precise model being proposed by Collier has yet to be implemented in practice, there are examples of state-led processes to provide services and safety nets with strong civil society involvement, including the productive safety net in Ethiopia, the hunger safety net in Kenya and the basic package of health services in Afghanistan, where the state set policies but NGOs were contracted to deliver services (Sondorp, 2004; Strong et al., 2006; Devereux et al., 2008; Hunger Safety Net, 2008). Other options include quasi-government agencies for programme implementation and the creation of budgets which, while publicly administered, are managed separately from other state finances (Commins et al., 2008).

In situations where it is difficult to engage with central government departments due to lack of capacity, willingness or political differences, it may still be possible to work with local governments and technical line ministries in service delivery. In Zimbabwe, for instance, the DFID-funded Protracted Relief Programme supports 12 major NGOs in a diverse range of activities aimed at boosting food production, improving access to water and providing care to the chronically ill. Technical support is provided by UN agencies and international agricultural research centres. Government agencies at provincial, district and village levels are heavily involved, and there is some engagement with the agricultural research and extension agency within the Ministry of Agriculture. The UN agencies involved in the programme, FAO and UNICEF, liaise with the government at national level (Jones et al., 2006). Also in Zimbabwe, the multi-donor programme of support to orphans and vulnerable children through UNICEF

and the multi-donor Expanded Support Programme for HIV/AIDS, Prevention and Treatment are both in line with the national HIV/AIDS strategy, highlighting that donors can respect and support government sovereignty even in extremely difficult policy environments. The Expanded Support Programme is managed by a working group comprising the government, donors, UN agencies and civil society (DFID, 2007d).

The Temporary International Mechanism in the Occupied Palestinian Territories is another example of an innovative approach to financing humanitarian action in situations where donors cannot work with the government (TIM, 2007; Grupo Sogges, 2007). The mechanism was established in June 2006 as a way of ensuring direct delivery of assistance to Palestinians, while circumventing the Hamas government (Hamas is designated a terrorist organisation by Israel, the US, the EU and others). An evaluation of the TIM concluded that it 'has been an innovative instrument capable in a very difficult and complicated environment, to quickly mobilise resources from a number of different donors and to target them efficiently to the most needy, at a time when political constraints impose that, in order to participate, potential donors must assure transparency and accountability which can be provided only by rigorous and complete fiduciary procedures' (Grupo Sogges, 2007: 4).

Shadow systems alignment represents another approach to providing services in difficult environments, whilst preserving the actual or potential capacity of the state to deliver those services itself at some point in the future. Whilst not giving a state or other authority control over aid resources, shadow systems alignment seeks to use structures, institutions and systems that are parallel to, and compatible with, existing or potential future organisations of the state. A central element of the approach involves providing information and developing systems – budget classifications and budgeting cycles, administrative boundaries, accounting procedures and audit systems and staffing structures – in a compatible format (ODI, 2005). There are, however, few examples of shadow systems alignment being used in practice.

One of the arguments for continuing to work with and through governments wherever possible is that doing so can help in delivering assistance on a large scale. A frequent concern in fragile states is that international actors tend to provide relatively small-scale social assistance projects, with patchy and uneven coverage. There is, it is argued, little attempt to scale up or to link with government policies and programmes. This can be true, but not always: WFP and its partners are often one of the few assistance programmes operating at scale in protracted crises, and moving from an admittedly imperfect world of patchy but effective NGO delivery to one where the government is providing services in theory, but in practice does not have the capacity to do so, is clearly not a forward step if clinics and schools stop functioning because

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Box 7: Rebuilding health care services in Timor-Leste

International donors supported a four-phase transition strategy to rebuild healthcare services in Timor-Leste following widespread violence that accompanied the referendum on independence from Indonesia in 1999. The process lasted about two years, from early 2000 to the end of 2001.

1. Emergency re-establishment of services: NGOs re-established essential services disrupted by the violence. An Interim Health Authority (IHA) was set up, with a team of senior Timorese health professionals in Dili and one in each district, along with a small number of international experts. IHA staff made assessment visits to all districts in preparation for a first sectoral planning exercise.

2. Establishing the policy framework and planning: the health authority started work on the establishment of a policy framework, as well as on medium-term planning and national preventive programmes, including immunisation campaigns. Memoranda of understanding were signed with NGOs for each district, formalising district health plan service standards.

3. Hand-back and capacity development initiated: the Ministry of Health took over the financing of the majority of NGOs in the districts. A first round of recruitment of health staff was completed, and many former NGO workers were hired. Several senior staff members were given training in public health management.

4. Hand-back completed: at the request of the government, NGOs gradually withdrew from the districts and the Ministry of Health assumed control of all health facilities. International doctors replaced departing NGO practitioners while Timorese doctors received training overseas. A small number of NGOs remained to provide specialised services.

Source: Brinkerhoff (2007), in Meagher (2008).

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people are not being paid or supplies such as drugs are not being delivered. The same may apply in relation to social assistance, with vulnerable populations no longer receiving emergency support through food aid or cash transfers, but with no transition to longer-term social assistance.

Questions around whether and how to build state capacity in conflicts are particularly problematic. In Sri Lanka, for instance, promoting the state's responsibility for protecting and assisting conflict-affected civilians has been difficult in the midst of a war in which government institutions are central protagonists. Capacity-building in these sorts of contexts needs to focus on questions of government will as well as capacity, and on advocating with governments to uphold their commitments under international humanitarian and human rights law (Collinson et al., 2008). UNHCR in Sri Lanka has addressed capacity constraints at central and district levels by placing key personnel within ministries and providing direct institutional

support to the National Human Rights Commission (ibid.). In Darfur, particularly following the expulsions of international aid agencies, relations between the government and international humanitarian actors are fraught with tension (HPG and ALNAP, 2009). However, even in difficult environments like these it is important not to completely bypass the technical institutions of government responsible for service delivery, and there may be opportunities for strategic engagement with technical line ministries, particularly at local level. In South Sudan, for instance, Save the Children has expended a great deal of energy in working with and supporting local government officials, 'keeping them informed and involving them in decisions about the nature of activities to be implemented and where it planned to work'. This process has not however been easy: the agency has had to invest additional staff time and resources to work with local government partners, and staff turnover means that 'collaboration and relationships of interpersonal trust have to be continually rebuilt' (Commins et al., 2007).

5.3 Advocacy and accountability

Over the last two decades, international humanitarian agencies have increasingly come to see their roles as advocates on behalf of the victims of crises, and even agents for change, particularly in the context of complex political emergencies. Increased advocacy efforts are supported by new internal structures, such as policy departments and headquarters- and field-based advocacy positions (Stoddard, 2006: 69). The UN too has become a more active and vocal advocate on humanitarian issues, through the auspices of the Emergency Relief Coordinator as well as via new UN Security Council monitoring and reporting mechanisms (O'Callaghan and Pantuliano, 2007).

Advocacy can encompass a wide range of possible actions at national and local levels, from attempting to influence the conduct of war and promoting respect for international humanitarian law to directing attention to marginalised groups or attempting to influence particular government policies. In post-tsunami Sri Lanka, for instance, agencies lobbied to change the government's shelter policy, which prevented people from rebuilding their homes in a 'buffer zone' close to the sea. Following the South Asian earthquake in 2005, sustained pressure from agencies including Oxfam and ActionAid eventually convinced the government that some of the construction materials being supplied to families rebuilding their homes, such as concrete and metal, were inappropriate.

At the same time, however, a focus on advocacy may distract attention and capacity away from direct implementation (and vice versa). Agencies need to balance a concern to speak out about particular government policies or actions against the risk that doing so will jeopardise their ability to deliver aid to affected populations. In some circumstances this appears fully justified; in others, however, it is less easy to defend. In the tsunami response, for instance, the pressure on agencies

to spend the vast amounts being raised meant that they were often reluctant to criticise the policies of their government hosts; as a result, insufficient attention was paid in the aid response to developing a dialogue with the government on protection issues and war-affected populations in Indonesia, population consolidation in the Maldives and pre- and post-tsunami displacement in Sri Lanka.

While in some circumstances and with some interlocutors advocacy can clearly be sensitive and difficult, O'Callaghan and Pantualiano (2007: 37) argue that the trade-off between advocacy and operationality is often overstated or presented too simplistically. They argue that, far from being in perpetual tension, advocacy and operationality often complement each other 'as advocacy is often a prerequisite to gaining access and delivering assistance, and aid can create links and credibility with advocacy targets':

> *Analysts argue that costs, in the sense of bureaucratic restrictions rather than security, tend to be temporary and are reversed over time. It is also rare that there is a full trade-off between advocacy and operationality; in times of risk, the type, timing and amount of advocacy employed may change.*

In conflicts and complex emergencies, the key interaction between international aid agencies and governments often concerns access and ongoing working arrangements. Much of the day-to-day work of agencies in countries such as Sudan involves negotiating visas for staff, securing travel permits and agreeing access to particular populations. In negotiating access, agencies have increasingly used statements of humanitarian principles and law in an attempt to influence states. In the 1990s, attempts were made to formulate principled, context-specific approaches in Liberia, through the Joint Principles of Operations (JPO), and in Sudan, through the 'Ground Rules'. These arrangements had a significant impact on negotiations and dialogue between agencies and warring parties (Leader, 2000), encouraging agencies to engage with the authorities at higher levels, enabling negotiations to incorporate issues of principle and allowing for a more coordinated approach to negotiations.

In Sri Lanka, donors have played an important advocacy role on issues of humanitarian access and security in the north-east, government restrictions on the delivery of relief supplies, visa problems and the treatment of conflict-displaced people; a Bilateral Donor Group has developed a set of 'Guiding Principles for Humanitarian and Development Assistance in Sri Lanka', aimed both at donor staff and implementing partners (Bilateral Donor Group, 2007). Likewise, in Sudan donors have played a key role as interlocutors with the government at federal level and in negotiations on the terms of engagement between governmental and international humanitarian organisations.

Humanitarian actors can also play an important role in advocating on wider issues of social exclusion. The relationship between the state, civil society and the poor is variable, complex and highly differentiated in terms of access, reciprocity, exploitation and marginalisation, both within communities and in a community's relations with the state (Davies and Hossain, 1997). Understanding these links in particular contexts can be crucial to understanding how aid is targeted and diverted. The main criticism of the disaster response in India following the tsunami, for instance, related to discrimination against dalits and women, by both the state and NGOs. In many villages in Tamil Nadu, relief provision was based on caste, rather than need, and there were reports of dalit families being unable to access relief materials, being prevented from queuing to collect aid, and being left out of needs assessments (Price and Bhatt, 2009; Tata Institute of Social Sciences, 2005). Advocacy work by NGOs resulted in a greater government focus on issues of exclusion in the disaster response (Oxfam, 2005).

Alam (2003) argues that, in Ethiopia, greater attention to public accountability for famine reduction should be a critical component in promoting better government performance. Alam's study used participatory tools to develop a set of indicators for local government performance and accountability in famine response. Two districts were analysed and given performance and accountability scores for famine response. The analysis showed large differences in the relative performance of the two districts in terms of equitable distributions, timeliness, selection of the most needy and participation in decision-making. Indicators for accountability included the extent to which officials kept people informed about discussions, whether they listened to complaints, their accessibility and opportunities to represent views in higher-level discussions. The study found that, in the better-performing district, traditional institutions helped to influence local government and ensure that checks and balances were in place (Alam, 2003b). Detailed, local-level analysis like this, coupled with a clear advocacy strategy, could potentially generate pressure on a government to improve its performance (Alam, 2003a and b).

A strong and active national civil society clearly helps in holding governments to account. In Colombia, for instance, NGOs, community organisations and churches offer another means of ensuring that the government upholds the rights of its citizens and that its activities are consistent with its policies. The Constitutional Court's decision in May 2006, declaring the Justice and Peace Law unconstitutional, was a direct result of concerted efforts by Colombian NGOs (IDMC, 2007; Wong, 2008). The law, enacted in 2005, encouraged members of paramilitary groups to give up their weapons and rejoin society with negligible accountability for the abuses they had committed as paramilitaries. The Court concluded that the law was unconstitutional because of the amnesty it provided for paramilitary leaders responsible for violations (IDMC, 2007; Wong, 2008).

Box 8: Citizen action promotes policy change in Bangladesh

In north-west Bangladesh, a citizens' committee identified two issues that exacerbated flash flooding. These were delays in allocating resources for the maintenance of embankments and a lack of participation by local government and vulnerable people in maintenance work. With ActionAid's support, citizen action helped to bring about policy change through policy research and social audits, awareness-raising among politicians and government officials about the magnitude of the problem, significant media coverage of the issue, mobilising vulnerable people in action such as organising human chains and promoting dialogue with key government officials. Policy changes included setting up a dedicated fund for maintenance of embankments, made available two months earlier than previously, and involving local people in the maintenance process, replacing the previous practice, whereby the water board supervised contractors, with little local involvement.

Source: ActionAid and Ayuda en Accion (2005).

5.4 Conclusion

There is an emerging divide between developing countries with greater levels of state capacity and resources and the poorest developing nations. In the case studies in India, Indonesia and Latin America, it is clear that increasingly strong states with their own significant resources are moving towards a different model of collaboration with national and international humanitarian actors. As Willitts-King (2008) argues, Indonesia may provide a good example of how international agencies might interact with emerging middle-income countries in responding to natural disasters. In the wake of its experience of the tsunami response, which saw a huge number of humanitarian organisations descend on the country, the Indonesian government has become increasingly assertive in its attempts to control relief activity, and the government has the capacity to play an effective coordinating and operational role, both at national and local level. This capacity is, however, neither consistent nor reliable, suggesting the need for what Willitts-King calls 'smart alignment', where agencies 'make a careful assessment of government capacity in advance of crises and develop strategies to build government capacity to coordinate and respond; work in line with government priorities and approaches; and substitute or complement government capacity where there are gaps or weaknesses' (Willitts-King, 2008).

Questions remain over whether Indonesia and similar emerging middle-income countries are able to back up their assertions of sovereignty and leadership with the capacity they need to be effective. While in many cases lip-service is paid to country ownership, plans and strategies are still often

developed independently of affected governments. The shift from substitution for government to developing genuine capacity presents huge challenges. Where relationships between international aid agencies and governments are strained or openly antagonistic, humanitarian actors need to work still harder and engage still-more effectively to address negative perceptions about international humanitarian action.

A greater focus on the role of the state would constitute an important addition to the way accountability is typically framed in humanitarian debates. Too often, there has been an over-simplistic opposition between upwards accountability (to donors) and downwards accountability (to beneficiaries). Accountability has also been framed in relation to implementing partners or partner agencies (GHD, 2003). The idea of the state being accountable to its citizens, or of humanitarian actors being accountable to the affected state, has been oddly absent. This brief discussion of advocacy and accountability highlights the need for further research into the successes and failures of attempts by international aid agencies to influence the behaviour of affected states. In particular, there is a need for greater clarity around the particular advocacy role humanitarian agencies should seek to play, the potential tensions between speaking out and maintaining access to populations in need of humanitarian aid and the kinds of strategies aid agencies should consider applying. The evidence base that might help us think through these highly complex and sensitive issues is currently limited.

Chapter 6
Financing humanitarian action

In recent decades there has been a clear shift in the way donors provide aid, from direct bilateral support to governments in the 1970s and 1980s to funding international humanitarian actors in the 1990s and 2000s. Funds from OECD donors are overwhelmingly channelled through international aid agencies, and increasingly through the UN via consolidated and flash appeals, the CERF and Common Humanitarian Funds. This is the case even in contexts where donors provide direct budget support to governments for development financing. Thus, while total humanitarian funding has increased and new funding mechanisms have been developed, the proportion of financing passing from government to government has declined. The response to floods in Mozambique in 2007 is a good example of this trend. In all, some $36 million was provided to fund humanitarian relief. Yet despite Mozambique's status as a major recipient of direct budget support, this money was channelled exclusively through international agencies, rather than the government (Foley, 2008).

International financial institutions have occasionally provided post-disaster budget support to governments to help meet immediate balance of payments and foreign exchange imbalances, and this form of assistance could offer considerable potential for helping governments to strengthen their resilience to natural hazards (Benson and Twigg, 2007). The IMF extended 11 disaster-related loans between 1995 and 2005 totalling $980 million (Benson and Twigg, 2007; IMF, 2005). The World Bank has also provided post-disaster balance of payments support. A new World Bank funding mechanism, the Global Facility for Disaster Reduction and Recovery, is designed to make additional resources available to low-income countries for post-disaster recovery. The World Bank has also established a Hazard Risk Management team to provide a more strategic and rapid response to disasters, and the Inter-American Development Bank and the Asian Development Bank have both established new disaster management focal points (Benson and Twigg, 2007).

Individual donor governments have also sought to use their humanitarian funding to support the response capacities of affected states. In the earthquake response in Pakistan, for instance, DFID allocated half of its relief funding directly to the ERRA as part of a commitment to unearmarked sector budget support. This was the first time DFID had used sector budget support to fund a post-disaster reconstruction programme. Although USAID and UN agencies also fund the ERRA, this is usually for work in specific sectors. In addition to financial support, donors are helping to build the capacity of the ERRA in areas such as monitoring and evaluation and financial management. While NGOs were often unhappy with the

> **Box 9: Disaster insurance**
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> Governments in disaster-affected states are starting to explore new mechanisms for financing disaster management. In 2006, the government of Mexico invested in a new financial instrument providing compensation in the event of an earthquake in three at-risk areas along the country's Pacific coast and around Mexico City. This 'catastrophe bond' is the first ever to be set up by a Latin American country, and is expected to be the first step in the Mexican government's plan to secure insurance against natural disasters, including hurricanes. In a similar vein, the Turkish government established a Catastrophe Insurance Pool in 1999, providing earthquake coverage to around two million Turkish homeowners (Provention, 2009). In Ethiopia, the World Food Programme (WFP) and the World Bank Commodity Risk Management Group (CRMG) piloted an index-based insurance scheme to cover farmers against severe drought during the 2006 agricultural season (Provention, 2009).

proportion of funding channelled through the government, in this instance at least donors delivered the clear message that Pakistan should be responsible for the disaster response (Cochrane, 2008). The Australian government provided funding directly to the government of Fiji through its National Disaster Management Office for logistics and emergency supplies in response to flooding in 2009. The funds were provided through the Prime Minister's National Disaster, Relief and Rehabilitation Trust Fund. AusAID also provided funding through this mechanism in the wake of Tropical Cyclone Gene in 2008.

While state authorities expect international funding for projects related to disasters, they also complain that the projects selected respond to donor priorities rather than to their own, and are not their own initiatives. This may be true to a larger extent than international officials would care to acknowledge, but it is no less true that governments, even poorer governments, have not done as much as they could to fund their own personnel and priorities. Case studies carried out for this report in Latin America argue that relatively strong governments in the region should be doing more to finance their own capacities for disaster response. In Peru, for instance, the government has created a disaster response system, but it is not adequately funded and recovery projects have been financed largely with international money. In Mexico, Peru and Bolivia, while responsibilities for first response lie with local political entities, leadership tasks have not been allocated or funds raised for disaster response. Disaster preparedness and prevention projects, as well as the salaries of personnel responsible for them, are invariably

funded by outside donors, either directly or through regional organisations or NGOs. Although the IADB offers low-cost loans to governments for risk reduction projects, take-up has been low. Likewise, the system of response in disaster-prone El Salvador is inadequately funded, and the assumption that foreign funds will pay for what is undertaken weakens the whole system. The state pays only for salaries, meetings, a few vehicles and some operating funds for the National Service for Territorial Studies (SNET), the technical entity tasked with monitoring hazards. Line ministries often have expertise and are capable of organising effective relief and recovery, but doing so requires reprogramming funds provided by donors for other purposes (Fagen, 2008).

6.1 Funding mechanisms

Funding for humanitarian action is typically short-term, often unpredictable and tied to annual and (usually) under-funded appeals. Aid volatility in fragile states is twice as high as in other low-income countries, in part at least because of abrupt changes in donor priorities. Funding also tends to be tied to particular sectors or projects. Initiatives such as GHD and new mechanisms including the CERF have focused largely on improving the way funding is provided to international organisations. A greater focus on building national capacities to respond to disasters and on principled engagement with governments to help them meet their humanitarian responsibilities reinforces the need for longer-term, multi-year funding, particularly in protracted crises. As Chandran and Jones (2008) argue in relation to state-building, the lack of multi-year funding is a fundamental constraint in areas of governance and capacity development. International humanitarian actors can provide basic relief on a short-term basis, but working with state authorities to strengthen their capacity to respond to disasters requires a longer-term funding approach. Donors also need to allow support for building national capacities to be included within humanitarian funding lines. Currently, longer-term capacity-building activities are explicitly excluded.

In recent years, concerns about the unpredictability of humanitarian aid funding have stimulated attempts at reform and the establishment of new funding mechanisms, such as multi-donor trust funds and joint programmes (Leader and Colenso, 2005). Joint programming aims to address the problems created by multiple donors, fragmented short-term funding, programming outside of government structures and the creation of parallel bureaucracies. A joint programme therefore aims to harmonise the various donor programmes into a unified, transparent and criteria-driven framework, designed and implemented by relevant stakeholders at all stages. Such programmes have national reach, long-term objectives and multi-year horizons, and harness national policy oversight. Joint programmes can be funded through a trust fund window, a budget line item and through international and/or domestic revenue (Lockhart, 2006).

Project-based approaches can also provide predictable funding over time, as well as incorporating varying degrees of alignment with government systems. In Zimbabwe, for instance, DFID's Protracted Relief Programme was established in part as an alternative to annual relief programmes, funding 12 major NGOs on a multi-year basis for a diverse range of activities aimed at boosting food production, improving access to water and providing care for the chronically ill (DFID, 2007b). The Productive Safety Net Programme in Ethiopia is another example of an attempt to move from annual relief appeals to multi-year and predictable financing of social protection.

Southern Sudan has turned into something of a test-case for pooled funding approaches, with an extraordinary array of financing instruments. Advocates of pooled funding arrangements argue that they enable donors to meet commitments to harmonisation and alignment, cut transaction costs for both receiving and donating governments and enable better coordination of policies and activities at field level. However, there are large questions over how effectively these arrangements function in practice, and whether their potential benefits are being realised, particularly in the context of southern Sudan. Reviews clearly illustrate the limitations of pooled funding in delivering tangible progress in the crucial first years following the signing of the Comprehensive Peace Agreement (CPA) in 2005. There is clearly a need to balance the desirable objectives of pooled funding with a requirement for immediate effectiveness and the ability to disburse funding rapidly and flexibly, suggesting that a mix of instruments is probably needed. It is, however, hard to avoid the conclusion that an emphasis on the ways in which money is moved may have distracted attention from how effectively it is being spent at field level (Harvey, 2008).

Being able to deliver longer-term, more predictable funding would provide key advantages for both aid agencies and disaster-affected populations. For aid agencies, a move to longer-term funding would enable them to plan and programme much more strategically, to invest more in staff skills and capacity and make longer-term commitments to communities, local partners and governments. For disaster-affected populations, a key advantage of longer-term funding would be predictability. One of the key drawbacks of humanitarian assistance is that it is often unreliable. Putting these sorts of programmes in place, however, would require longer-term commitments from donors willing to fund multi-year programmes, as well as engagement from development actors.

6.2 The role of non-DAC donors

In addition to changes in funding mechanisms and channels among the 'traditional' donors, the emergence of developing countries as providers as well as recipients of humanitarian aid has led to a greater emphasis on direct assistance to disaster-affected states and support for state sovereignty. For

non-DAC donors, aid is a regular component of bilateral diplomacy, and as such channelling aid directly to the affected state remains the most important approach for non-DAC assistance. The ten largest non-DAC donors disbursed an average of 38% of their humanitarian assistance directly to the recipient government between 2000 and 2008, compared to just 2.5% for the top ten DAC donors. For some states, including Qatar, Russia, India and Saudi Arabia, allocations direct to the affected state constitute the majority of their contributions. This trend is clear in both natural disaster and conflict contexts, even if the authorities are party to the conflict. For example, in the case of Pakistan, the UN's Financial Tracking Service (FTS) reports that 66% of non-DAC contributions went to the government, primarily through the Ministry of Finance or the President's Relief Fund. This compares to 21% for all donors in the earthquake response.

Approaches to aid-giving among the major non-DAC states derive from the principles of the Non-Aligned Movement (NAM), a grouping of developing states established in the 1950s. The principles upon which the NAM was founded – especially respect for sovereignty, territorial integrity and non-interference in other countries' domestic affairs – have shaped the way many non-DAC donors conceive of their support. This concern for the supremacy of state sovereignty is evident in the way non-DAC states have chosen to engage with Sudan over Darfur. In direct contrast to DAC donors, non-DAC donors have actively worked through and with the Sudanese authorities. As Salmon and Large (2009) put it: 'rather than holding the state as primarily accountable for conflict in Darfur, like the US or EU … non-DAC donors have tended to uphold the supremacy of state sovereignty and non-intervention'.

One practical result of this position was that assistance tended to be directed towards government-held areas and channelled through government structures, rather than being deployed where needs were highest. Non-DAC donors also tended to favour developmental assistance, rather then relief programmes, reflecting a view that the Darfur crisis is essentially developmental in nature. The fact that development aid is framed in terms of 'solidarity' and 'partnership' with the Sudanese government is also an important consideration in deciding the form of non-DAC assistance. Perhaps unsurprisingly, non-DAC aid is considerably more appealing than DAC assistance for policy planners in Khartoum; as one official put it: 'we tried to work with Western donors but there was no point, so we moved to the Arab, Islamic and Chinese donors'.

State-based assistance may be the norm in non-DAC giving, but it is not always the preferred route, especially when effective alternatives are available. In the response to the Lebanon crisis in 2006, for instance, non-DAC donors chose to bypass the government and work instead directly with municipalities, or through national reconstruction vehicles such as the Iranian Contributory Organisation for Reconstructing Lebanon (ICORL). In 2007, the Kuwaiti government abandoned its initial bilateral disbursement route and began to engage directly with municipalities and other 'frontline' service providers. This change in approach may have stemmed from dissatisfaction with government disbursement mechanisms, including corruption fears, distrust of the government and frustration at government inefficiency.

Lebanon notwithstanding, non-DAC donors for the most part maintain that the state should play a central role in coordinating and directing any humanitarian response effort. Administratively and politically, channelling allocations directly to the affected state is arguably a more straightforward approach, not least because non-DAC donors often provide in-kind aid in the form of food and medicines, or technical teams of engineers and medical staff. The preference for supporting the affected state, rather than working through multilateral channels, also reflects a desire to maximise the visibility of aid. There is also a general lack of technical expertise in aid management and coordination among the non-DAC donors, along with an absence of significant experience with international humanitarian assistance. The coordination of non-DAC aid is left primarily to the affected state, or managed through their national Red Cross societies. There is little evidence that DAC donors know much about non-DAC contributions in specific emergencies, nor do they seek to coordinate with them or their implementing partners in formal coordination mechanisms.

Chapter 7
Conclusions and implications

This HPG Report has argued that a long-overdue reappraisal of the roles and responsibilities of states in relation to humanitarian action is finally taking place. This process is being driven by strong states with their own capacities to respond to disasters asserting greater control over the relief and recovery process, with Indonesia, India and Mozambique providing good examples from the case studies carried out for this study. This report has only scratched the surface of the huge array of complex questions of principle and practice underpinning the interaction between states and humanitarian actors. Further research is clearly needed: important shifts are under way in state roles and capacities, relationships between states and aid agencies are too often problematic and insufficient attention has been given to this critical issue.

For good or ill the central role of governments in disaster response cannot be avoided. Substitution for the state may sometimes be appropriate, particularly in conflicts, and in both conflicts and natural disasters there will always be a need for independent and neutral humanitarian action. However, one of the goals of international humanitarian actors should always be to encourage and support states to fulfil their responsibilities to assist and protect their own citizens in times of disaster. International aid agencies need to review what this means for how they operate in disasters. They will need to more systematically assess and understand state capacities, and move from delivering aid directly in ways that substitute for the state to supporting states to deliver on their own responsibilities, or advocating for state actors to address gaps in responses. The disaster risk reduction agenda increasingly recognises the primary role of governments in disaster risk management, and the need for this to be mainstreamed into development priorities. This agenda, however, remains too often divorced or at least placed at arm's-length from the central concerns of humanitarian actors.

There is a clear need for greater attention to the role of recipient governments in humanitarian action in different contexts, and greater dialogue with government authorities at national, regional and international levels. Aid agencies and their staff need to examine their own attitudes towards government authorities, and the way in which those authorities perceive them. Hostility towards international aid agencies on the part of government officials is often ignored or downplayed. This report has characterised the relationship between aid agencies and governments as too often dysfunctional, and where it is this needs to be directly addressed. Some of the reasons for this are deeply embedded in international relations and the way aid agencies are currently structured, and are thus difficult to tackle in the short term. There are, however, relatively simple actions that can be taken, such as making greater efforts to learn local

languages, endeavouring to reduce staff turnover and ensuring that government officials can actively participate in coordination meetings. In inductions, training and capacity development, policies and guidelines, greater emphasis should be placed on respect for the sovereign authority of governments in assisting and protecting their own citizens. Government officials need to feel that sovereignty is being respected, and that their primary role is properly acknowledged. In particular, humanitarian reforms such as the cluster approach to coordination and financing initiatives, the GHD agenda and forthcoming milestones such as the revision of the Sphere standards should all include a greater focus on how aid agencies relate to governments.

In responding to natural disasters in contexts where states have developed capacities to meet their own responsibilities, international aid agencies should play a progressively smaller role. For donor governments, this means looking again at how they fund disaster response. Currently, funds are still channelled overwhelmingly through international aid agencies and increasingly the UN (through consolidated and flash appeals and the CERF). In some contexts, it may be more appropriate for donors to fund governments directly. This does not mean that international humanitarian aid will not continue to be needed in responding to natural disasters where state capacities are stretched or overwhelmed, but it does imply that the way it is delivered should start to look different. Where governments are parties to conflicts principled, independent and neutral international humanitarian action will still be required. However, there is a need for much greater attention to the practical application of commitments to independence and neutrality, particularly in contexts where aid actors are simultaneously committed to principles of state-building, harmonisation and alignment.

The tendency to portray relief as state-avoiding and recovery as state-building risks setting up a false dichotomy. Relief should not avoid the state, but seek at least in part to induce the state to meet its responsibilities. In situations where this is difficult in the short term, it still needs to be a long-term goal. Relief, recovery and development should all be state-building, but in ways that are realistic and based on good, context-specific political analysis which recognises both the strengths and weaknesses of particular governments and regimes and their willingness and ability to meet humanitarian responsibilities. Humanitarian actors should advocate for those affected by crisis in ways that critically challenge states to live up to their responsibilities.

If governments are to fulfil their responsibilities to assist and protect their citizens in times of disaster, and fulfil the

commitments made in the Hyogo Framework and embodied in international humanitarian and human rights law, many clearly need to invest more in their capacity to manage disaster risk. States should invest their own resources in this key function of government, both because it is the humane thing to do and because it can be politically popular and economically effective. Building up a social and political contract between a state and its citizens to provide in times of crisis can strengthen state legitimacy and make the state more effective in preparing for and responding to disasters. It also makes economic sense.

Aid agencies and donors currently bypass and marginalise governments too often partly because of a lack of trust in the ability of states to deliver effective and accountable relief. This trust deficit can only be tackled by making a stronger case to donors and aid agencies, demonstrating effectiveness and building up trust over time. Where relationships between governments and aid agencies are tense, governments as well as agencies have an interest in repairing them and should make time and space for greater dialogue and engagement.

Bibliography

Actionaid and Ayuda En Accion (2005) *People Centred Governance: Reducing Disaster Risk For Poor And Excluded People*.

Alam, K. (2003) *Public Accountability And Famine In Ethiopia*, Actionaid.

Alam, K. (2003b) *Public Accountability Enhances Government Performance in Risk Reduction: Assumptions, Evidence and Policy Implications from Two Kebeles in Ethiopia*, Actionaid International.

Alam, K. (2005) *Poverty, Governance and Disasters: A Political Outlook of Flash Floods in Sunamganj, Bangladesh*, Mainstreaming Governance Issues in Risk Reduction.

Alam, K. (2008) *From 'Disaster State' to 'Living with Disaster State': Vision for a Caring Bangladesh*.

Aoo et al. (2007) 'Whose (Transformative) Reality Counts? A Critical Review of the Transformative Social Protection Framework. Debating Social Protection', *IDS Bulletin*, vol. 38 (3).

Armon, J. et al. (2004) *Service Delivery in Difficult Environments: The Case of Nepal*. London: DFID.

Bamforth, T. and J. Qureshi (2007) 'Political Complexities of Humanitarian Intervention in the Pakistan Earthquake', *Journal of Humanitarian Assistance*.

Bannon, V. and D. Fisher (2006) 'Legal Lessons in Disaster Relief from the Tsunami, the Pakistan Earthquake and Hurricane Katrina', *ASIL Insight*, vol. 10, issue 6.

Beck, T. and M. Buchanan Smith (2008) *Joint Evaluations Coming of Age? The Quality and Future Scope of Joint Evaluations,* ALNAP Review of Humanitarian Action, 7th Edition. London: Overseas Development Institute.

Behera, A. (2002) *Government–NGO Collaboration for Disaster Reduction and Response: The India (Orissa) Experience*, Regional Workshop on Networking and Collaboration among NGOs of Asian Countries in Disaster Reduction and Response.

Belanger, J. and R. Horsey (2008) 'Negotiating Humanitarian Access to Cyclone-Affected Areas of Myanmar: A Review', *Humanitarian Exchange*, no. 41.

Bellour, S. and K. Mahoney (2009) *UNICEF Study on National Capacity Development for Humanitarian Action – Literature Review*, UNICEF.

Bennett, J. (1995) *Meeting Needs: NGO Coordination in Practice*. London: Earthscan.

Benson, C. and J. Twigg (2007) *Tools for Mainstreaming Disaster Risk Reduction: Guidance Notes for Development Organizations*, Provention Consortium.

Berger, R. and A. Koons (1994) *Evaluation of US Government Response to 1991/92 Southern Africa Drought – Country Report: Zambia*. Washington DC: Management Systems International, Inc., USAID/Zambia.

Bilateral Donor Group (2007) *Guiding Principles for Humanitarian and Development Assistance in Sri Lanka*, Colombo.

Brahimi, L. (2008) *Towards a Culture of Security and Accountability*, Report of the Independent Panel on Safety and Security of UN Personnel and Premises Worldwide, United Nations.

Bratton, M. and N. Van De Walle (1997) *Democratic Experiments in Africa: Regime Transitions in Comparative Perspective*. Cambridge: Cambridge University Press.

Brinkerhoff, D. (2007) *Capacity Development in Fragile States*, RTI International.

Buchanan-Smith, M. and S. Davies (1995) *Famine Early Warning and Response: The Missing Link?*. London: Intermediate Technology Publications.

Burford, S. (2006) *An Increasing Role for the TNI in Indonesian Security Policy*, paper presented to the 16th Biennial Conference of the Asian Studies Association of Australia, Wollongong, 26–29 June 2006.

Cammack, D. (2007) 'The Logic of African Neo-Patrimonialism: What Role for Donors?', *Development Policy Review*, vol. 25, no. 5.

Carlson, C. et al. (2005) *Improving the Delivery of Health and Education Services in Difficult Environments: Lessons From Case Studies*, DFID Health Systems Resource Centre.

CDA (2006) *Field Visit Report: Ethiopia*, Collaborative Learning Projects, Listening Project.

CDA (2008) *International Assistance as a Delivery System*, The Listening Project Issue Paper, Collaborative Learning Projects.

Chabal, P. and J. Daloz (1999) *Africa Works: Disorder as Political Instrument*. Oxford: James Currey.

Chandran, R. and B. Jones (2008) *Concepts and Dilemmas of State Building in Fragile Situations: From Fragility to Resilience*, OECD/DAC Discussion Paper.

Choularton, R. (2007) *Contingency Planning and Humanitarian Action: A Review of Practice*, Network Paper 59. London: Humanitarian Practice Network.

Hanes, S. (2007) 'Massive Flooding Returns, But Mozambique Prevents Disaster', *Christian Science Monitor*.

Clark, J. (1992) 'Democratising Development: NGOs and the State', *Development in Practice*, vol. 2, no. 3.

Clark, J. (1993) *The Relationship between the State and the Voluntary Sector*, Global Development Research Centre.

Cochrane, H. (2008) *Pakistan: A Case Study in the Role of the Affected State in Humanitarian Action*, HPG Working Paper. London: Overseas Development Institute.

Cohen, J. and D. Lewis (1987) 'Role of Government in Combating Food Shortages: Lessons from Kenya 1984–85', in M. Glantz (ed.), *Drought And Hunger In Africa: Denying Famine A* Future. Cambridge: Cambridge University Press.

Collier, P. (2007) *The Bottom Billion: Why the Poorest Countries Are Failing and What Can Be Done About* It. Oxford: Oxford University Press.

Collinson, S. (ed.) (2003) *Power, Livelihoods and Conflict: Case Studies in Political Economy Analysis for Humanitarian Action*, HPG Report 13. London: Overseas Development Institute.

Collinson, S. et al. (2009) *Good Humanitarian Donorship Principles in Practice: Assessing Humanitarian Assistance to Internally*

Displaced Persons in Sudan and Sri Lanka. London: HPG for the Office of US Foreign Disaster Assistance(OFDA)/USAID.

Commins, S. et al. (2007) *Treading a Delicate Path: NGOs in Fragile States*, Draft Synthesis Report, Save The Children.

CPA (2009) *A Profile of Human Rights and Humanitarian Issues in the Vanni and Vavuniya*, Centre For Policy Alternatives.

Costa, D. (2008) *Legal Issues from the International Response to the 2007 Floods in Bolivia,* IFRC International Disaster Response Laws, Rules and Principles Programme.

Creach, Y. and L. Fan (2008) 'ASEAN's Role in the Cyclone Nargis Response: Implications, Lessons and Opportunities', *Humanitarian Exchange*, no. 41.

Crook, A. (2000) *Listening to Civil Society: What Relationship Between the European Commission and NGOs?*. Brussels: ECAS with assistance from the Charities Aid Foundation.

Damerell, J. (2008) *National Staff Development Program (NSDP) Pilot Project: External Strategic Review*, Emergency Capacity Building Project, Staff Capacity Initiative.

Darcy, J. (2008) 'A State Of Denial', *International Development*, Issue 10.

Darcy, J. and C.-H. Hofmann (2003) *According To Need? Needs Assessment and Decision Making in the Humanitarian Sector*, HPG Report 15. London: Overseas Development Institute.

Davies, S. and N. Hossain (1997) *Livelihood Adaptation, Public Action and Civil Society: A Review of the Literature*, IDS Working Paper 57.

Davis, M. (1978) 'International Disaster Assistance: Some Comments on Inceptions', *Disasters*, vol. 2, no. 1.

Derose, L. et al. (1998) *Who's Hungry and How Do We Know: Food Shortage, Poverty and Deprivation*, United Nations University Press.

Devereux, S. et al. (2008) *Ethiopia's Productive Safety Net Programme (PSNP) 2008 Draft Report*.

De Waal, A (1997) *Famine Crimes: Politics and the Disaster Relief Industry in Africa*. London: African Rights and the International African Institute.

DFID (2005) *Disaster Risk Reduction: A Development Concern*, Scoping Study on the Links between Disaster Risk Reduction, Poverty and Development.

DFID (2006) *Reducing the Risk of Disasters – Helping To Achieve Sustainable Poverty Reduction in a Vulnerable World*, DFID Policy Paper.

DFID (2007) *Zimbabwe Protracted Relief Programme Overview*, Briefing Note 1.

DFID (2007b) *Zimbabwe Protracted Relief Programme Social Protection*, Briefing Note 3.

DFID (2007c) *DFID's Programmes in Zimbabwe*, Country Profiles.

DFID (2007d) *Mozambique Floods*.

DFID (2008) *How To Work with Civil Society*, DFID Website.

Disaster Prevention and Preparedness Commission (2004) *Ethiopia: National Information on Disaster Reduction*, Report for the World Conference on Disaster Reduction.

Donini, A. (2006) *Humanitarian Agenda 2015: Afghanistan Country Study*, Tufts.

Donini, A. et al. (2006) *Humanitarian Agenda 2015: Principles, Power and Perceptions, Preliminary Report*, Feinstein International Center.

Driscoll, R., K. Christiansen and D. Booth (2005) *Progress Reviews and Performance Assessment in Poverty-Reduction Strategies and Budget Support: A Survey Of Current Thinking and Practice*. London: Overseas Development Institute.

Eade, D. (2007) 'Capacity-Building: Who Builds Whose Capacity', *Development In Practice*, vol. 17, nos 4–5.

ECHO (2008) *Humanitarian Aid for IDPs and Conflict Affected Communities in Sri Lanka and Sri Lankan Refugees in Tamil Nadu, India, Global Plan 2008*, Humanitarian Aid Committee, European Commission, Directorate-General for Humanitarian Aid – ECHO.

ECOSOC (2008) Moderator Sally Fegan-Wyles Speaking at the 2008 ECOSOC Humanitarian Affairs Segment Panel Discussion on 'Building Capabilities and Capacities At All Levels for Timely Humanitarian Assistance including Disaster Risk Reduction', 15 July 2008.

Edwards, M. and D. Hulme (1996) *Non-Government Organizations: Performance and Accountability. Beyond the Magic Bullet*. London: Save the Children Fund/Earthscan.

Elharawy, S. and G. Castillo (2008) *Peru: A Case Study in the Role of the Affected State in Humanitarian Action*, HPG Working Paper, Overseas Development Institute.

EPN (2004) *Managing and Developing Nationally Recruited Staff – Aiming for Equity*, Sixth Emergency Personnel Network Seminar.

EPRDF-SF (2008) *The Changing Role of NGOs and US–China Rivalry for Africa*, eprdfsf.org/uploads/Changing_NGO_US_China.pdf.

ERRA (2007) *Monitoring and Evaluation Report 2007*, Earthquake Reconstruction and Rehabilitation Authority.

Fagen, P. et al. (2003) I*nternal Displacement in Colombia: National and International Responses*, IIS Working Paper 03.12, Institute for International Studies, Denmark.

Fagen, P. (2008) *El Salvador: A Case Study in the Role of the Affected State in Humanitarian Action*, HPG Working Paper. London: Overseas Development Institute.

Fagen, P. (2008) *Natural Disasters in Latin America and the Caribbean: National, Regional and International Interactions*, HPG Working Paper, Overseas Development Institute.

Fenton, W. (2007) *Sudan Country Case Study*, Save the Children.

Fine, B (1999) 'The Developmental State Is Dead – Long Live Social Capital?', *Development and Change*, vol. 30.

Fisher, D. (2006) *Domestic Regulation of International Humanitarian Relief in Disasters and Armed Conflict: A Comparative Analysis*.

Foley, C. (2007) *Mozambique: A Case Study in the Role of the Affected State in Humanitarian Action*, HPG Working Paper, Overseas Development Institute.

Fritz, V. and A. Menochal (2007) 'Developmental States in the New Millennium: Concepts and Challenges for a New Aid Agenda', *Development Policy Review*, vol. 25, no. 5.

Garcia, S. and A. Lari (2008) 'Colombia: IDP Response Requires Greater Local Action and Accountability', *Refugees International*, Bulletin 30, January.

Ghani, A., C. Lockhart and M. Carnahan (2005) *Closing the Sovereignty Gap: An Approach to State Building*. London: Overseas Development Institute.

GHD (2003) *Principles and Practice of Good Humanitarian Donorship*, Stockholm.

Government of Bangladesh (2004) *Bangladesh Country Report*, National Report and Information on Disaster Reduction for the World Conference on Disaster Reduction, Kobe-Hyogo, Japan, prepared by the Ministry of Food and Disaster Management.

Government of India (2004) *Disaster Management in India: A Status Report*, Government of India, Ministry of Home Affairs, National Disaster Management Division.

Grupo Sogges (2007) *Interim Evaluation of the Temporary International Mechanism, Final Report*, funded by the European Union.

Graves, S. and V. Wheeler (2006) *Good Humanitarian Donorship: Overcoming Obstacles to Improved Collective Donor Performance*, HPG Discussion Paper. London: Overseas Development Institute.

Hadi, Suprayoga (2007) *The Country Perspective on Emergency Preparedness: Case of Indonesia*. Manila: ADB.

Hansen, A. (1979) 'Managing Refugees: Zambia's Response to Angolan Refugees 1966–1977', *Disasters*, vol. 3, no. 4.

HAP (2001) *Enhancing Accountability in Humanitarian Action: Potential Impacts of International Relief on Local Organisations*, Humanitarian Accountability Project.

Harmer, A. and D. Basu Ray (2009) *Study on the Relevance and Applicability of the Paris Declaration on Aid Effectiveness in Humanitarian Assistance*, Humanitarian Policy Group, Overseas Development Institute, Commissioned by the Norwegian Ministry Of Foreign Affairs.

Harmer, A. and J. Macrae (2004) *Beyond the Continuum: The Changing Role of Aid Policy in Protracted Crises*, HPG Report 18. London: Overseas Development Institute.

Harmer, A. and L. Cotterrell (2005) *Diversity in Donorship: The Changing Landscape of Official Humanitarian Aid*, HPG Report 20. London: ODI.

Harrigan, S. (1998) *The Southern Sudan Vulnerability Study*, Save the Children.

Harvey, P. et al. (2007) *Social Protection in Fragile States*, a report for DFID.

Harvey, P. (2008) *Linking Relief, Rehabilitation and Development South Sudan Case Study*, Raising the Bar: Enhancing Transatlantic Governance of Disaster Relief and Preparedness, Global Public Policy Institute Case Studies.

Hewitt, T. (2006) *Legal Issues from the International Response to the Tsunami in Sri Lanka, a*n International Disaster Response Laws, Rules And Principles (IDRL) Case Study, IFRC.

Hingson, L. (1981) 'The Role of Private International Assistance in the Response to Major Disasters', *Disasters*, vol. 5, no 4.

Hirschman, A. (1981) *Essays in Trespassing: Economics to Politics and Beyond*. Cambridge: Cambridge University Press.

HM Government (2005) *Emergency Response And Recovery: Non-Statutory Guidance To Complement Emergency Preparedness*.

Holloway, A. (2003) 'Disaster Risk Reduction in Southern Africa: Hot Rhetoric, Cold Reality', *African Security Review*, vol. 12, no. 1.

HPG (2004) *Humanitarian Issues in Darfur, Sudan*, HPG Briefing Note. London: Overseas Development Institute.

HPG (2005) *The Currency of Humanitarian Reform*, HPG Briefing Note. London: Overseas Development Institute.

HPG (2007) *Humanitarian Advocacy in Darfur: The Challenge of Neutrality*, HPG Policy Brief 28.

Hulme, D. and M. Edwards (eds) (1997) *NGOs, States and Donors: Too Close for Comfort?*. London: Macmillan in association with Save the Children.

Human Rights Council (2007) *Report of the Representative of the Secretary-General on the Human Rights of Internally Displaced Persons*, Human Rights Council Eighth Session. Agenda Item 3, A/HRC/8/6/Add.4, 21 May 2008. New York: United Nations General Assembly (Paragraph 15).

Human Rights Watch (2006) *Indonesia Country Report*.

Human Rights Watch (2009) *Sri Lanka: Urgently Evacuate Civilians*.

Hunger Safety Net Programme (2008) *Newsletter*, vol. 1, issue 1.

IADB (2007) *Economic and Social Progress in Latin America: Living with Debt, How To Limit the Risks of Sovereign Finance*, Inter-American Development Bank.

IASC (2007) *Guidance Note on Using the Cluster Approach To Strengthen Humanitarian Response*, Inter-Agency Standing Committee.

IASC (2007) *Inter-Agency Real Time Evaluation of the Pakistan Floods/Cyclone Yemyin*, Inter-Agency Standing Committee.

IASC (2006) *Real Time Evaluation Cluster Approach – Pakistan Earthquake. Application of the IASC Cluster Approach in the South Asia Earthquake*, Inter-Agency Standing Committee.

IASC (2004) *Civil–Military Relationship in Complex Emergencies*, IASC Reference Paper, Inter-Agency Standing Committee.

ICG (2008) *Beyond the Fragile Peace between Ethiopia and Eritrea: Averting New War*, Africa Report 141, International Crisis Group.

ICG (2009) *Conflict Risk Alert: Sri Lanka*, International Crisis Group.

ICRC (1995) *Report on the Use of Armed Protection for Humanitarian Assistance*, extract from Working Paper, ICRC and International Federation, Council of Delegates, Geneva, 1–2 December 1995, International Committee of the Red Cross.

ICRC (2005) *Resolution Seven Guidance Document on Relations between the Components of the Movement and Military Bodies*, Council of Delegates, Seoul, 16–18 November, Resolutions, International Committee of the Red Cross.

ICRC (2008) *Annual Report 2007*, International Committee of the Red Cross.

ICRC (2009) *Sri Lanka: ICRC Bulletin No: 02/2009 – As Crisis Escalates, ICRC Continues To Assist Civilians,* International Committee of the Red Cross.

IDMC (2007) *Colombia: Resisting Displacement by Combatants and Developers: Humanitarian Zones in North-West Colombia*, Internal Displacement Monitoring Centre.

IDMC (2008) *Colombia: Rate of New Displacement Highest in Two Decades: A Profile of the Internal Displacement Situation*, Internal Displacement Monitoring Centre.

IFRC (1994) *Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief*, International Federation of the Red Cross and Red Crescent Societies.

IFRC (2006) *What Is VCA? An Introduction to Vulnerability and Capacity Assessment*, International Federation of the Red Cross and Red Crescent Societies.

IFRC (2007) *Law and Legal Issues in International Disaster Response: A Desk Study*, International Federation of the Red Cross and Red Crescent Societies.

IFRC (2007) *Annotations to the Draft Guidelines for the Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance*, International Federation of the Red Cross and Red Crescent Societies.

IFRC (2008) *Introduction to the Guidelines for the Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance*, International Federation of the Red Cross and Red Crescent Societies.

IRIN (2007) *West Africa: Widespread Flooding Tests Governments, Aid Community*.

ISDR (2005) *Hyogo Framework For Action 2005–2015*, International Strategy for Disaster Reduction.

ISDR (2005b) *World Conference on Disaster Reduction, Proceedings of the Conference*, United Nations.

ISDR (2006) *Lessons for a Safer Future: Drawing on the Experience of the Indian Ocean Tsunami Disaster*, International Strategy for Disaster Reduction, United Nations.

Islam, K. and A. Rashid (2005) *Governance, A Missing Link to Community Level Institutions To Reduce Disaster Risk? – A Case Study Of Southwest Bangladesh*.

Jalili, R. (2002) 'Civil Society and the State: Turkey after the Earthquake', *Disasters*, vol. 26, no. 2.

Jelinek, E. (2006) *A Study of NGO Relations with Government and Communities in Afghanistan*.

Jones, S. et al. (2006) *Zimbabwe Protracted Relief Programme: Output To Purpose Review*.

Juma, M. and A. Suhrke (2003) *Eroding Local Capacity: International Humanitarian Action in Africa*. Uppsala: Nordic Africa Institute.

Lautze, S. (1997) *Saving Lives and Livelihoods: The Fundamentals of a Livelihoods Strategy*, Feinstein International Famine Center, Tufts University.

Lautze, S. et al. (2009) *Humanitarian Governance in the New Millennium – An Ethiopian Case Study*, HPG Working Paper. London: Overseas Development Institute.

Leader, N. (2000) *The Politics of Principle: The Principles of Humanitarian Action in Practice*, HPG Report 2. London: Overseas Development Institute.

Leader, N. and P. Colenso (2005) *Aid Instruments in Fragile States*, PRDE Working Paper 5, DFID.

Lewis, D and C. Wallace (2000) *New Roles and Relevance: Development NGOs and the Challenge of Change*. Kumarian Press.

Luna, E. (2001) 'Disaster Mitigation and Preparedness: The Case of the Philippines', *Disasters*, vol. 25, no. 3.

Lockhart, C. (2006) *How To Note: Aid Instruments in Fragile States Note 3: Joint Programmes*, DFID.

Macrae, G. (2008) 'Could the System Work Better? Scale and Local Knowledge in Humanitarian Relief', *Development In Practice*, vol. 18, no. 2.

Macrae, J. (2001) Aiding Recovery? The Crisis of Aid in Chronic Political Emergencies. London: Zed Books.

Macrae, J. et al. (2002) *Uncertain Power: The Changing Role of Official Donors in Humanitarian Action*, HPG Report 12. London: Overseas Development Institute.

Mahoney, L. et al. (2005) *WFP Protection of Civilians in Darfur, Sudan*, World Food Programme.

Mahoney, K. and S. Bellour (2009) *National Capacity Development for Humanitarian Action – Case Studies*, UNICEF.

Maxwell, D. and P. Walker (2008) *Shaping the Humanitarian World*, Taylor and Francis Ltd.

Meagher, P. (2008) *Service Delivery in Fragile Situations: Key Concepts, Findings and Lesssons*, OECD/DAC Discussion Paper.

Ministry of Food and Disaster Management (2005) *Corporate Plan 2005–2009,* Government of Bangladesh.

Moore, D. (2007) 'Safeguarding Civil Society in Politically Complex Environments', *International Journal of Not-For-Profit Law*, vol. 9, no. 3.

MSF (2008) *Top Ten Humanitarian Crises of 2008*.

Mulwanda, M. (1995) 'Structural Adjustment and Drought in Zambia', *Disasters*, vol. 19, no. 2.

Natsios, A. (2008) 'The AID Wars', *The American Interest*.

Neussl, P. (2005) 'Bridging the National and International Response to IDPs', *Forced Migration Review*, 20.

NGO Impact Initiative (2006) *An Assessment by the International Humanitarian NGO Community*.

NSP (2007) *National Solidarity Program, 10 Frequently Asked Questions*, Ministry of Rehabilitation and Rural Development.

O'Callaghan, S. and S. Pantualiano (2007) *Protective Action: Incorporating Civilian Protection into Humanitarian Response*, HPG Report 26. London: Overseas Development Institute.

OCHA (2008) *Briefing to the United Nations Security Council on the Situation in Kenya*, Statement by Sir John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

ODI (2005) *Harmonisation and Alignment in Fragile States. DAC Learning and Advisory Process on Difficult Partnerships*. Senior-Level Forum on Development Effectiveness in Fragile States.

ODI (2006) *Governance, Development and Aid Effectiveness: A Quick Guide to Complex Relationships*, ODI Briefing Paper. London: Overseas Development Institute.

OECD/DAC (2005) *Paris Declaration on Aid Effectiveness, Ownership, Harmonisation, Alignment, Results and Mutual Accountability*. Paris: OECD/DAC.

OECD (2005) *Service Delivery in Fragile States: Advancing Donor Practice*, Concept Note prepared by USAID and UNICEF, DAC Fragile States Group.

OECD (2007) *Fragile States: Policy Commitments and Principles for Good International Engagement in Fragile States and Situations*, DAC High Level Meeting.

OECD-DAC (2006) *Humanitarian Aid in DAC Peer Reviews: A Synthesis of Findings and Experiences 2004–05*.

OECD-DAC (2008a) *Humanitarian Aid in DAC Peer Reviews: A Synthesis of Findings and Experiences (2006–2007)*.

OECD-DAC (2008b) *Revised Humanitarian Assessment Framework for DAC Peer Reviews*.

O'Leary, M. (1980) 'Responses to Drought in Kitui District, Kenya', *Disasters*, vol. 4, no. 3.

Oxfam (2005) *A Place To Stay, A Place To Live: Challenges in Providing Shelter in India, Indonesia, and Sri Lanka after the Tsunami*, Oxfam Briefing Note.

Oxfam (2006) *Keeping Recovery on Course: Challenges Facing the Pakistan Earthquake Response One Year On*, Oxfam Briefing Note.

Oxfam (2006) *Disaster Management Policy and Practice: Lessons for Government, Civil Society and the Private Sector in Sri Lanka*, Oxfam and the Institute for Policy Studies.

Oxfam (2007) *Oxfam International Policy Compendium Note on the Provision of aid by Military Forces*.

Pakarama, A. (2007) 'Impact of the Tsunami Response on Local and National Capacities', *Forced Migration Review* 28, Enhancing Southern Capacity: Rhetoric and Reality.

Pantuliano, S. (2006) *The 'Protection Crisis': A Review of Field-Based Strategies for Humanitarian Protection in Darfur*, HPG Discussion Paper. London: Overseas Development Institute.

Pantuliano, S. et al. (2009) *Where To Now? Agency Expulsions In Darfur: Consequences and Next Steps*, ALNAP and HPG.

People In Aid (2007) *Save the Children – Building Capacity For Emergency Response*, Emergency Capacity Building Project, 'Case Study of Good Practice'.

Picard, M. (2007) *Legal Issues from the International Response to Tropical Storm Stan in Guatemala*, IFRC, International Disaster Response Laws, Rules and Principles Programme.

Pictet, J. (1979) *The Fundamental Principles of the Red Cross*. Geneva: Henry Dunant Institute.

Pounds, N. (2006) *Where Does the Money Go? A Study on the Flow of Aid to NGOs in Afghanistan*, ACBAR.

Price, G. and M. Bhatt (forthcoming, 2009) *India: A Case Study in the Role of the Affected State in Humanitarian Action*, HPG Working Paper. London: Overseas Development Institute.

Provention (2009) *Risk Transfer and Private Sector: Resources*, Provention Consortium.

Pushpanath, K. (1994) 'Disaster Without Memory: Oxfam's Drought Programme in Zambia', *Development in Practice*, vol. 4, no. 2.

Refera, T. (2008) *Notes on the Second Round Prime Minister and Civil Society Representatives Discussion*. Addis Ababa: Christian Relief and Development Association.

Ressler, E. (1978) 'Accountability as Programme Philosophy', *Disasters*, vol. 2, nos 2/3.

Reuters Foundation (2006) *Foreign Humanitarian Agencies Suspend Work in Russia*.

Ritchie, H. (2006) *Aid Effectiveness in Afghanistan: At a Crossroads*, ACBAR Briefing Paper.

Robinson, M. (1993) 'Governance, Democracy and Conditionality: NGOs and the New Policy Agenda', in A. Clayton (ed.), *Governance, Democracy and Conditionality: What Role For NGO?*. Oxford: INTRAC.

Robinson, G. (2005) *Human Rights and Humanitarian Need in Aceh*, UCLA.

Rocha, J. and I. Christoplos (2001) 'Disaster Mitigation and Preparedness on the Nicaraguan Post-Mitch Agenda', *Disasters*, vol. 25, no. 3.

Rocha, J. (2007) *Nicaragua, The Legacy of Mitch: Are We Ready for Another Disaster?*.

SADC (2009) *SADC's Five Year Programme To Strengthen Vulnerability Assessment and Analysis: Focus on RHVP's Contributions*, RHVP Phase – II, Partner Consultation, Zevenwacht, 19 and 20 January, Powerpoint Presentation.

Salamon, L. (2004) *Global Civil Society: Dimensions of the Nonprofit Sector, Volume 2*, Kumarian Press.

Salamon, L. (2004b) 'The Rise of the Non Profit Sector', *Foreign Affairs*, vol. 73, no. 4.

Samson, M. and K. Macquene (2006) *Approaches to Social Protection: A Review of Donor-Supported and NGO Implemented Social Protection Initiatives in Zimbabwe*, DFID.

Save the Children UK (2007) *Treading a Delicate Path: NGOs in Fragile States*.

Scanteam Norway (2007) *Review Post Crisis Multi Donor Trust Funds*, Final Report.

Seaman, J. and J. Holt (1980) 'Markets and Famines in the Third World', *Disasters*, vol. 4, no. 3.

Skocpol, T., M. Glantz and Z. Munson (2000) 'A Nation of Organizers: The Institutional Origins of Civic Voluntarism in the United States', *American Political Science Review*, vol. 94, no. 3.

Slaughter, A. and J. Crisp (2009) *A Surrogate State? The Role of UNHCR in Protracted Refugee Situations*, New Issues In Refugee Research, Research Paper No. 168, UNHCR Policy Development and Evaluation Service.

Slim, H. (2007) *What Happens to Governments When Aid Agencies Are Around?*, Alertnet.

Slim, H (2007) *Post Colonial Dilemmas: International NGOs, Government and Civil Society in War and Disaster*, paper presented to the Dead Sea Spring Conference for Third Sector Research. Geneva: Centre for Humanitarian Dialogue.

Smillie, I. (2001) *Patronage or Partnership: Local Capacity Building in Humanitarian Crises*. Bloomfield, CT: Kumarian Press.

Sondorp, E. (2004) 'Case Study 1: A Time-Series Analysis of Health Service Delivery in Afghanistan', in *Service Delivery In Difficult Environments*, Health Systems Resource Centre, DFID.

Sperl, S. et al. (2006) *Real Time Evaluation of UNHCR's Response to the Emergency in Lebanon and Syria, July–September 2006*, UNHCR Policy Development and Evaluation Service.

Sphere (2004) *Humanitarian Charter and Minimum Standards in Disaster Response*, The Sphere Project.

Stoddard, A. (2004) 'You Say You Want a Devolution: Prospects for Remodelling Humanitarian Assistance', *Journal Of Humanitarian Assistance*.

Stoddard, A. et al. (2007) *Cluster Approach Evaluation, Final Report*, OCHA Evaluation and Studies Section.

Stoddard, A. et al. (2007b) *Humanitarian Financing Reform*, Working Paper, Overseas Development Institute.

Strong, L. et al. (2006) 'Contracting Out Health Services in Fragile States', *British Medical Journal*, 332.

Swords, S. (2006) *Establishing the Learning Needs of National Staff in Emergency Response: Results of Learning Needs Survey*, Emergency Capacity Building Project, Staff Capacity Initiative.

Tata Institute of Social Sciences (2005) *The State and Civil Society in Disaster Response: An Analysis of the Tamil Nadu Tsunami Experience*.

Telford, J. et al. (2006) *Joint Evaluation of the International Response to the Indian Ocean Tsunami: Synthesis Report*, Tsunami Evaluation Coalition.

Teklu, T. (1994) 'The Prevention and Mitigation of Famine: Policy Lessons from Botswana and Sudan', *Disasters*, vol. 18, no. 1.

TIM (2007) *Temporary International Mechanism: Key Facts*, European Union.

UN (2003) *Guidelines on the Use of Military and Civil Defence Assets To Support United Nations Humanitarian Activities in Complex Emergencies*.

UN (2006) *Guidelines on the Use of Foreign Military and Civil Defence Assets in Disaster Relief – 'Oslo Guidelines'*.

UNDG (2007) *Formula One*, Volume 1, Issue 1.

UNDP (2004) *Reducing Disaster Risk: A Challenge for Development*, United Nations Development Programme, Bureau for Crisis Prevention and Recovery.

UNDP (2004) *Evolution of a Disaster Risk Management System: A Case Study from Mozambique*.

UNDP et al. (2005) *Governance: Institutional and Policy Frameworks for Risk Reduction*, Thematic Discussion Paper Cluster 1, World Conference on Disaster Reduction.

UNICEF (2005) *Emergency Field Handbook: A Guide for UNICEF Staff*.

United Nations (1991) General Assembly Resolution 46/182, Strengthening of the Coordination Of Humanitarian Emergency Assistance of the United Nations.

United Nations (2007) *Disaster Risk Reduction, Global Review 2007*.

United Nations. (2007b) *Report of the Representative of the Secretary-General on the*

Human Rights of Internally Displaced Persons, Mission to Colombia.

UNA/USA (1977) *Acts of Nature, Acts of Man: The Global Response to Natural Disasters*, Policy Studies Panel on Disaster Relief, United Nations Association of the United States of America.

UNICEF (2008) *Towards Implementing a Human Rights Based Approach to Programming in Humanitarian Action*, Draft, August.

US House of Representatives (2006) *A Failure of Initiative*, Final Report of the Select Bipartisan Committee To Investigate the Preparation for and Response to Hurricane Katrina.

Ville De Goyet and C. Moriniere (2006) *The Role of Needs Assessment in the Tsunami Response*, Tsunami Evaluation Coalition.

Voice of America (2008) *Ethiopia Defends Proposal To Criminalize Many Foreign NGO Activities*.

Waldman, M. (2008) *Falling Short: Aid Effectiveness in Afghanistan*, ACBAR Advocacy Series.

Walker, P. and K. Pepper (2007) *Follow the Money: A Review and Analysis of the State of Humanitarian Funding*, Background Paper for the Meeting of the Good Humanitarian Donorship and Inter-Agency Standing Committee, Feinstein International Center.

WFP (2004a) *Building Country and Regional Capacities*, Policy Issues, World Food Programme.

WFP (2004b) *Humanitarian Principles*, Policy Issues, World Food Programme.

WFP (2007) *Summary Report of the Mid-Term Evaluation of the India Country Programme (2003–2007)*. Rome: WFP.

WFP (2008) *Strategic Plan 2008–11*. Rome: WFP.

White, G. (2004) 'Civil Society, Democratization and Development: Clearing the Analytical Background', in P. Burnell and P. Calvert (eds), *Civil Society in Democratization*. London: Frank Cass.

Willitts-King, B. (forthcoming, 2009) *Indonesia: A Case Study in the Role of the Affected State in Humanitarian Action*, HPG Working Paper. London: Overseas Development Institute.

Wisner, B. (2001) 'Risk and the Neoliberal State: Why Post-Mitch Lessons Didn't Reduce El Salvador's Earthquake Losses', *Disasters*, vol. 25, no. 3.

Wisner, B. and B. Haghebaert (2006) *Fierce Friends/Friendly Enemies: State/Civil Society Relations in Disaster Risk Reduction*, Discussion Paper, Provention Consortium Forum.

World Bank and ISDR (2007) *Global Facility for Disaster Reduction and Recovery*, Partnership for Mainstreaming Disaster Mitigation in Poverty Reduction Strategies.

Wong, K. (2008) *Colombia: A Case Study in the Role of the Affected State in Humanitarian Action*, HPG Working Paper. London: Overseas Development Institute.

Xinhua (2008) *Bangladesh Government To Set Up Fund for Long-Term Disaster Management*.

Zapater, J. (2007) 'Participatory Capacity Building In Action in Colombia', *Forced Migration Review*, 28, Enhancing Southern Capacity: Rhetoric and Reality.

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