

ICVA Conference: 4 March 2011, Geneva, Switzerland

Background Document Does Size Matter?

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The title for the ICVA Conference, while meant to capture people's attention, is also aimed at getting people to think about how the size of humanitarian crises and the size of organisations impact on response. 2010 will be remembered for two of the biggest humanitarian crises. The earthquake in January in Haiti displaced hundreds of thousands and caused extensive damage to the capital, Port-au-Prince. The floods in southern Pakistan in August 2010 affected some 18 million people. In both cases, the scale of displacement and the numbers of affected persons has challenged the humanitarian community to respond adequately.

Big Crises, Small Crises: Similar Challenges

Both crises – like all big crises – have triggered a number of reflections, evaluations, and much rethinking about the way humanitarian aid works. The challenges faced in both cases are not necessarily new, but they have been brought to the forefront because of the size of the emergencies and the response. Emergencies continue in places like Niger or Somalia with similar challenges, but they do not receive as much attention from the media nor from those who reflect on humanitarian response at the international level.

In both “big” and “small” emergencies, humanitarian organisations struggle to provide effective aid. Strong humanitarian leadership, while critical in responding effectively to crises, is lacking in too many cases. Coordination mechanisms can provide an improved response, but if they become too burdensome, they take away valuable time and resources from actual response. Local and national NGOs are often left out of internationally imposed coordination mechanisms. The role that governments of affected countries play can have a major impact on how humanitarian response is delivered or not. Financing mechanisms, while much improved, continue to cause disruptions in operations with slow disbursements and heavy reporting requirements, for example. On a more fundamental level, concepts long discussed at the headquarters' level, like protection, continue to be difficult to translate into practice. Humanitarian principles are often not sufficiently applied.

The Size of Organisations and Scaling Up to Respond

One of the main points of discussion in the humanitarian community in recent years has been about how we should work through local and national partners much more. Haiti and Pakistan have shown rather different approaches to working through local and national partners. In Haiti, many were sidetracked as international organisations scaled up their operations to respond to the needs. In Pakistan, the government launched a massive response effort, and many international organisations have continued to work through local and national partners. The size of both crises has meant that international organisations needed to

scale up their operations, but such increases in programmes have been inadequate in terms of meeting the needs of the huge numbers of affected persons.

For many years now, there have been discussions about the “new business model” approach to humanitarian response, i.e. working more through local and national partners. But can the “new business model” apply in such large-scale emergencies as Pakistan or Haiti where the needs are so great? Is there a risk by focusing more on working through local and national partners that the international humanitarian community will lose its capacity to increase operations when needed? Is there a need to find more complementary ways of ensuring that international organisations are able to scale up to meet huge needs, as well as working through local and national partners? What positions do governments of disaster-affected countries take towards increasing the response capacity of their civil society organisations?

The Three Panels at the ICVA Conference

The ICVA Conference, as always, is meant to provide an opportunity for those in the humanitarian community to take a step back and reflect on some of the challenges facing us. This paper aims to help that thinking process prior to the Conference by raising a number of issues and questions for reflection. The Conference will have three panels looking at various elements of the challenges described above. Panel 1 will look at how we can better manage size and expectations as a humanitarian community. The second panel will look at the role of the governments of affected countries. The final panel will reflect on how we apply humanitarian principles and standards and how that potentially changes depending on the size of crisis and organisation.

Panel 1: Managing Size and Expectations

The big emergencies in Haiti and Pakistan in 2010 put the response capacity of humanitarian agencies to the test, in many ways. As with other large-scale emergencies, aid agencies were under severe scrutiny by the media. Many of the questions that were being asked during those crises are similar to the ones that should be asked during any emergency, but smaller emergencies rarely get the same amount of attention.

One thing that humanitarian organisations need to become much better at is managing the expectations of what they can (or cannot) do in terms of humanitarian response. Too often, the media is too easily able to lob criticisms at humanitarian organisations without adequately understanding the reasons why they may not be able to deliver. Of course, there are many criticisms that are fully valid, but at the same time, we are not particularly good at elaborating what the obstacles, challenges, or risks are facing humanitarian agencies in terms of being able to deliver aid to affected populations. Even sharing information between agencies can be sometimes difficult in an environment that often has harsh competition for resources. There is a need for heightened transparency by aid agencies in order to provide a more honest picture of what they are facing.

How Viable is the “New Business Model”?

As mentioned above, for several years now, there have been discussions about the need for a “new business model” for international humanitarian action – one where humanitarian response is delivered by working through, and with, local and national actors. It is well known that building up those partnerships between international and local/national actors works best if done prior to an emergency. Even in the cases where those partnerships are developed, there is no guarantee that those local or national partners – whether NGOs or local authorities – will have access to the necessary resources to ensure that they can expand rapidly in an emergency. In addition, in some cases, those partners themselves may have been affected by the conflict or disaster. As such, there is a question of how predictable such partnerships can be in terms of responding to humanitarian crises.

Making More Accordion-like Humanitarian Organisations

In cases where those local and national partners may not be able to respond (for a variety of reasons, including just the sheer scale of the disaster), there will be a need for external, international humanitarian aid. In large-scale disasters, humanitarian organisations will need to be able to quickly expand operations to meet massive needs.

The ability to quickly and adequately increase the size of (or start) an operation to respond to huge needs is something that continues to challenge many, if not most, in the humanitarian community. The need to bring in adequate numbers of experienced staff, as well as supplies, requires having the ability to manage such rapid change. What happened, however, in the cases of Haiti and Pakistan, is that many people were moved from other crises into these big emergencies, leaving the “smaller” emergencies understaffed. In addition, there were challenges around ensuring adequate funding. Basically, many humanitarian organisations are not equipped to respond to (sudden) large-scale emergencies, while still ensuring that their existing programmes in other emergencies can continue.

For many organisations, as was seen in Haiti, this rapid change also means switching quickly from a development mode into a humanitarian one – a change that can often cause tensions, even within organisations that have worked in emergencies before. Managing those internal tensions can often be time-consuming. Managing partnership with external actors – whether international, local, or national – may risk then being seen as almost secondary to the focus on having to scale up operations and deal with internal changes.

How can international organisations – and national and local organisations – be better equipped to act as “accordions” in emergencies: so that they can quickly expand, when necessary, but then reduce in size when the emergency is over? Are there more practical measures that can be taken to provide the surge capacity needed in emergencies? How can organisations better manage the potential tension that will arise between their development work (and development-oriented staff) and their humanitarian work (and emergency-oriented staff)? How can these potential inherent tensions between the internal scaling up of international organisations and the need to work through local and national partners in large-scale emergencies be reconciled?

Further Complications?

A further complicating factor is the reality of the (potential) impact of political decisions around terrorism on humanitarian actors' ability to work with organisations that States consider to be terrorists. In the past 15 years or so, and particularly since 11 September 2001, in a growing number of situations, armed non-state actors have been labelled as "terrorists." The result is that these actors often find themselves on UN or government terrorist lists. The result is that, increasingly, humanitarians are forced to become more and more cautious about what they can or cannot do because of the potential criminal consequences of being associated with those on terrorist lists. For example, the fact that Hamas is on the terrorist list makes it extremely difficult to carry out humanitarian action in the occupied Palestinian territory. If States promote independent humanitarian action on the one hand, yet have legislation that essentially says that humanitarian workers will be criminally charged for talking to parties to a conflict, how can humanitarians work with local and national actors? The need to talk to all parties to a conflict is an essential element of ensuring that humanitarian organisations are seen as being impartial. If States are putting excessive restrictions in place that prevent such a basic element of humanitarian action, not only will humanitarian staff be put at risk, but populations in need will become unreachable.

Managing Expectations around Coordination

In addition to the above challenges, there is also the need to manage expectations of what kind of coordination will be done in an emergency. The knee-jerk reaction since the humanitarian reform has been to drop in place almost all the clusters, in practically every emergency. When clusters are put in place, there is a whole set of expectations that go with them, such as dedicated cluster coordinators and information management systems. Despite numerous evaluations, the international humanitarian community rarely seems to adapt its coordination structures to the existing coordination mechanisms. This automatic activation of all clusters in all crises must be avoided. Have we created too complicated/sophisticated a system with the clusters that is not sustainable in the current funding environment? How much, in terms of resources, can go to coordination when there are increasingly limited funds available? In the last several months, many are reiterating that "coordination is a means to an end." Has the cluster approach over the last few years lost sight of that adage?

Big Emergencies Need the Right Leadership

With big emergencies, comes a huge amount of visibility and often a lot of money. Making sure that the response does not get sidetracked by such attention requires strong leadership. One of the weaknesses seen in many humanitarian responses is around leadership – whether at the Humanitarian Coordinator level or the Humanitarian Country Team level, or even at the individual humanitarian organisation level. If there is strong leadership in place with relevant humanitarian experience, one would hope that clusters would be better adapted to the local context. There is no need for agencies to put in place "their" clusters in every emergency. The reality, however, is that having leadership of a cluster in an emergency is often seen as a way to seek more funds for the cluster lead agency. Again, the issue of competition for funds comes to the fore instead of looking at what is the best and most efficient coordination structure to achieve the best results in terms of humanitarian outcomes.

How can we ensure that we have the right leadership in place to be able to ensure an appropriate humanitarian response in a slow onset crisis, such as Niger or in sudden onset crises like Haiti? If the Government of Pakistan suggests that the emergency is over – even though humanitarian organisations are seeing humanitarian needs, what kind of leadership needs to be in place to ensure that the population’s needs are given priority? How can the international system in such a situation – and particularly the United Nations system – work to support people in need first and foremost?

Panel 2: The Role of Host Governments in Humanitarian Response

There is an inherent tension between two essential principles of humanitarian action as they relate to the role of the State. On the one hand, UN General Assembly Resolution 46/182 says that “Each State has the responsibility first and foremost to take care of victims of natural disasters and other emergencies occurring on its territory.” On the other hand, States are supposed to respect the humanitarian principles of neutrality and independence and thus facilitate the involvement of the international community in humanitarian response. In reality, States often perceive international humanitarian assistance as a threat to their sovereignty, a form of neo-colonialism in disguise. At the same time, States can sometimes invoke their sovereignty in order to deny access to humanitarian organisations.

In this sense, the two large-scale crises of 2010, in Haiti and Pakistan, have illustrated two very different governmental humanitarian responses. And interestingly enough, both drew criticism for exact opposite reasons: Haiti for the insufficient engagement of the government and Pakistan for its excessive involvement. Can sovereignty and the humanitarian imperative co-exist, especially in large-scale emergencies where it is clear that all must be involved to meet the extraordinary needs?

Humanitarian Needs and Humanitarian Access

States should provide unimpeded access to populations in need. The assessment of humanitarian needs in a crisis, by the government as well as by humanitarian actors, can lead to different interpretations, sometimes consciously leading to minimisation or exaggeration to either keep the situation “under wraps” or use the crisis as a fund-generating mechanism for both the government and international entities. Ensuring the access of people affected by disaster or armed conflict to impartial assistance – in proportion to need and without discrimination – is a duty of both the relevant authorities and of humanitarian organisations. In the response to the 2010 floods in Pakistan, for example, the government did not provide the space to organisations to undertake such (independent) needs assessments. As a result, it has been reported that many of the most vulnerable people have not received adequate assistance or protection because they were more difficult to identify and/or have been overlooked.

Impartiality

While States claim to be impartial in their response or service delivery to affected populations, it is inevitable that political considerations may render this impartiality superficial. These governments should not, however, impose their political agendas on the humanitarian response, including by preventing organisations from being in contact with non-State actors. This being said, it is worth noting that humanitarian organisations themselves often appear less and less impartial by not upholding, or sometimes being unaware of, the principles by they are supposed to abide. As such, governments sometimes rightfully question the integrity, impartiality, or motives of humanitarian organisations. The multiplication of ‘contractors’ who just implement donor government work, without reference to humanitarian principles, compound the confusion and the distrust.

Use of the Military

One of a State’s most potent tools to respond effectively in the emergency phase of a humanitarian emergency is its military. However, while military response provides easily deployable assets and personnel, it also hinders such basic humanitarian principles as independence and neutrality. In the case of Pakistan, the role of compulsory armed escorts for humanitarian actors has, in the name of security, further blurred the lines in a country where the government is a clear party to the conflict. Similarly, the use of military assets by humanitarian actors, such as NATO’s in Pakistan, has betrayed the principle of “last resort” for the sake of expediency, dividing the community as a whole and once again siding with a party in the conflict.

Coordination

The minimal involvement of existing government and national NGO structures in international humanitarian coordination structures is not only often detrimental to the quality of the response, but also creates a desire by the governments to “take over” the coordination structure altogether and to redefine the humanitarian agenda. The call by the Pakistani National Disaster Management Authority (NDMA) to declare an end to the humanitarian phase and, therefore, to disband the international humanitarian community coordination structures altogether is telling. By the same token, the proliferation of well-intentioned, but ill-equipped, international civil society groups in Haiti led to an “un-coordinate-able” response that once again revealed some of the limitations of the humanitarian structures. There, many were secretly hoping that the government was in a position to step up and reclaim its rightful coordination role.

Building Trust

While the above issues and developments may sometimes seem insurmountable, they share one common origin: distrust. Partly because of a lack of understanding, governments and international organisations often perceive each other as a threat rather than a partner working towards the same ultimate goal: meeting humanitarian needs. Are there ways to build further trust between affected States and humanitarian actors?

Panel 3: Applying Standards and Principles

In responding to humanitarian crises – whatever their size and wherever they occur – governments and humanitarian organisations must uphold internationally recognised standards and principles. Principles and standards serve as benchmarks that guide organisations in setting strategic directions and taking operational decisions. This panel will focus on the duty of those providing assistance and protection to respect and maintain the norms that have been set for carrying out humanitarian work.

One of the key principles of humanitarian action is that those who are most in need receive aid first. In other words, humanitarian response must be needs-based and organisations must demand that they can assess the needs of the affected population independently, without political interference. The question is how robust humanitarian organisations have been in their advocacy to convince the government that they need more space to deliver assistance and protection without undue government interference? Independence as a principle in the delivery of humanitarian response raises many complications.

Principled or pragmatic?

When organisations accept certain conditions from governments or other authorities in obtaining access, these compromises can have a direct impact on the work of other organisations – within the same country and in other countries. Multiple cases exist where the pragmatic arrangements made by one organisation can undercut the more principled efforts of others. Some governments with long-standing crises in their countries know the humanitarian community better than the community knows itself. These governments have become experienced in practising ‘divide and rule’ tactics: should one organisation be opposed towards accepting certain conditions, others may be found willing to do the job.

Accepting armed escorts is another example that exposes the differences between those who are on the pragmatic side (e.g. WFP, IOM, and a number of NGOs), which are likely to accept these escorts, and those who are known to be on the principled side of the spectrum and who will reject such a modality to deliver aid, except in some extreme situations.

Activist or Impartial?

Likewise, there are differences in terms of humanitarian organisations that are strictly non-partisan and those which may understand humanitarian action as a part of peace activism. Advocacy or other activities may be perceived as politically-motivated and can be counter-productive in terms of the image or reputation of the humanitarian community as a whole. Some might view, for example, the flotilla of ships sent to deliver aid to Gaza in May last year as part of a peace campaign, instead of as a humanitarian mission (as claimed by the organisers). This difference in perception should not, however, be confused with the questions around the legality of the (naval) blockade imposed by the Israelis and preventing humanitarian aid from reaching Palestinians in need. Nor should it be confused with the legality of the excessive use of armed force by the Israeli navy against civilians on those ships.

A Common Charter

While uniform approaches towards applying principles may not be feasible, or even desirable, it seems that some form of coordination is necessary or some boundaries should be set for those who consider themselves part of the humanitarian community. One way for organisations, in particular NGOs, to maintain principles and standards is to declare their adherence to the *Code of Conduct for the Red Cross/Crescent and NGOs in Disaster Relief*, the *Sphere Humanitarian Charter and Minimum Standards*, or similar declarations of joint beliefs and commitments. While much effort has gone into developing these principles and standards over the last two decades, applying them remains voluntary. In Pakistan, some humanitarian organisations claimed that standards were impossible to adhere to because of the scale of the disaster. Yet, standards are meant to apply regardless of the size of the emergency. Moreover, inter-agency coordination in terms of sharing views and experiences, including what to do in the face of dilemmas or competing principles, is a very rare phenomenon.

Compliance and Accountability

Meanwhile, the issue of compliance with principles and standards has been the topic of many discussions. Many organisations maintain that they have made great progress in improving their accountability, especially towards populations affected by disasters and armed conflict. But, at the same, under-performance or outright bad faith practices continue to be seen.

There is no mechanism to monitor and to sanction non-compliance of organisations in the name of the community as a whole and the self-policing capacity of the community remains limited. Naming and shaming is not very popular either. The poor performance of some organisations in the response to the Haiti earthquake has led at least one government to promote certification of humanitarian organisations as the way forward in terms of improving quality and professionalism.

One minimum requirement for (all) humanitarian organisations seems to be increased levels of honesty and transparency in terms of their operations. Because of the need to raise funds and organisations' interest in ensuring a good image, they too often refrain from explaining how complicated it is to deliver good quality humanitarian response that meets standards and principles. After all, much of what humanitarian action is about relates to managing dilemmas and making hard choices given competing demands and limitations in terms of funding, access, or security. Without increased honesty and transparency, more external scrutiny of how humanitarian organisations are doing in terms of their performance may be inevitable.

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