

Humanitarian Outcomes

International Dialogue on Strengthening Partnership in Disaster Response: Bridging national and international support

BACKGROUND PAPER 1

Building Trust: Challenges for national authorities and international aid agencies in working together in times of disasters

Paul Harvey and Adele Harmer, Humanitarian Outcomes

SEPTEMBER 2011

An independent team of professionals providing evidence-based analysis and policy consultations to governments and international organisations on their humanitarian response efforts.

Contents

1 Introduction	3
Methodology and Scope.....	5
2 What are the key issues?	6
3 The humanitarian system	8
Donor governments	8
United Nations agencies.....	9
International financial institutions	9
International NGOs (INGOs).....	9
The International Red Cross and Red Crescent Movement ..	10
National civil society	11
Private sector and the media.....	11
4 Changing contexts	12
5 State capacities and political relationships	14
6 Trust, attitudes and perceptions	16
7 Legal frameworks – international disaster response law.....	18
The right to assistance	19
8 Inter-governmental dialogue	21
9 Humanitarian principles.....	25
10 Humanitarian financing trends	27
11 Appeals – how governments call for and accept assistance	29
12 Coordinating international and national assistance.....	32
Dealing with influxes – the debate about certification	36
Civil-military coordination	37
13 Linking disaster risk reduction and emergency response.....	38
14 Monitoring and evaluation.....	39
15 Conclusions	40
Endnotes.....	41
References.....	42
Interviewees	44

1 Introduction

Questions of coordination and facilitation of international assistance to respond to natural disasters have long challenged the international community. As far back as the 1920s, international actors at the League of Nations sought to create mechanisms to facilitate smoother cooperation between states and with humanitarian organisations in disaster settings. Over the years and particularly in the last two decades, the number and diversity of international actors becoming directly involved in operations after major disasters has grown. International humanitarian aid presents a growing challenge to states affected by disasters, which need to decide when international assistance is most needed and how to coordinate with and regulate it when it is deployed.

The issue of the affected state in emergency response is rising higher on the forefront of inter-governmental and agency agendas in recent years, but there remain systemic challenges regarding how the affected state and international assistance actors work together during international response efforts. A report on the role of the state in 2009 characterised the relationships between governments and international humanitarian actors as too often ‘dysfunctional’ (Harvey 2009). Governments continue to have concerns that international humanitarian actors demonstrate insufficient respect for the sovereign responsibility of states to respond to disasters themselves. Evaluations of international humanitarian aid continue to highlight the tendency of international actors to ignore, sideline or undermine national capacities for disaster response. Some governments continue to neglect their own responsibilities to protect and assist their citizens in times of disaster and many have yet to develop comprehensive procedures for facilitating and overseeing incoming assistance.

High-profile and large-scale disasters continue to attract a huge influx of thousands of non-governmental organisations and offers of assistance that are difficult for affected states to coordinate. There is ongoing evidence of inexperienced actors importing inappropriate ‘relief’ items or failing to coordinate adequately with local authorities and international mechanisms. The ‘wrong aid’ is not only a waste of time and money – it can block the ‘right aid’ from finding its way to those in need.

However, a description of the problems facing governments in dealing with international assistance needs to be balanced with due recognition of the benefits and opportunities of international aid. Outside assistance can play an important role in meeting the needs of disaster affected populations when national and local capacities have been overwhelmed. It can save lives, maintain livelihoods and support recovery. International humanitarian aid represents a creative and agile force of people and resources from various parts of the world expressing the kind of human solidarity that underpins the humanitarian ideal.

Framing relations between national and international actors solely in negative terms is wrong. International aid agencies are committed in principle, in their policies and often in practice to supporting and working effectively with national authorities. In some contexts, international actors can strengthen national capacities for responding

to disasters, coordinate and work effectively with local authorities in responding to disasters and build effective working relationships. In Mozambique, for instance, praise for the government's response to floods in 2007 was widespread, and the role of the official body responsible for disasters, the National Institute of Disaster Management (INGC), was seen as particularly effective. International donors, who helped fund the employment and training of 285 staff and the equipping of a national headquarters and several regional offices, strongly supported the creation of the INGC (Foley 2007).

At the international level, important strides have been taken in the last few years to improve the international community's ability to coordinate and professionalise the approaches of its diverse actors through processes of humanitarian reform including the cluster approach to coordination, the updating of the Sphere guidelines and many other initiatives (Harvey et al. 2010). The IFRC's International Disaster Response Laws, Rules and Principles Programme (IDRL) has played an important role in developing, 'guidelines for the domestic facilitation and regulation of international disaster relief and initial recovery assistance' (also known as the IDRL Guidelines) and in supporting states to incorporate these best practice guidelines into national legislative and regulatory frameworks.

As recent disasters like the Haiti earthquake and the floods in Pakistan in 2010 have demonstrated, more remains to be done. There are critical questions at stake, such as how affected states can balance their legitimate concerns of being overrun by the international community with due respect for humanitarian principles and the rights of affected communities to adequate humanitarian assistance? What steps can be taken prior to, or in the midst of, a disaster operation to better equip states to handle these issues? What standards might they use in selecting which outside actors will benefit from special measures of facilitation?

To explore these questions, assess progress and develop new ideas for moving forward, the Swiss Agency for Development and Cooperation (SDC), the International Federation of Red Cross and Red Crescent Societies (IFRC), the International Council of Voluntary Agencies (ICVA) and the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) are convening a two-day 'International Dialogue on Strengthening Partnership in Disaster Response' (International Dialogue) in October 2011. The International Dialogue will gather high-level government representatives, as well as representatives from NGOs, the Red Cross/Red Crescent movement, UN agencies, and regional organisations. In preparation for the International Dialogue, an 'Expert Dialogue' of technical experts was held in June.

This is one of three papers commissioned for these dialogues. Its purpose is to provide conceptual background and a summary of some of the key debates concerning the role and responsibility of the affected state in international disaster response, in particular how the state relates to international actors.

Why is better cooperation between national authorities and international aid actors in responding to disasters desirable? Stronger national disaster management authorities able to more effectively meet the needs of their own citizens in times of

disaster should lead to reduced suffering and quicker recovery for people affected by disasters. Governments should be more timely and effective in responding to their own disasters than international aid because their structures are already in place leaving them better able to operate efficiently and at scale, with local knowledge. Equipping governments to respond better to disasters could also help to contribute to processes of state-building and strengthen state legitimacy. Being able to rely on the state to support people in times of crisis should be one of the foundations of social contracts between a state and its citizens. Governments are also the appropriate provider of disaster relief because citizens should be better able to hold them to account within locally embedded structures of governance than international organisations.

Methodology and Scope

This paper represents a short overview of key issues building on earlier research in this area (Harvey 2010 and 2009). The authors reviewed recent work on the role of the state in disaster response in the academic literature, policy initiatives and humanitarian evaluations. They also interviewed 20 humanitarian actors from donor and disaster affected governments, UN agencies and NGOs (a full list of interviewees is presented in Annex 1). The disaster contexts of Japan, Haiti, and Pakistan, and the post-conflict context of Uganda were a particular focus.

The focus of this paper is on response to natural disasters, both quick onset (such as floods and earthquakes) and slow onset droughts. It does not consider how international aid actors and governments relate to each other in providing humanitarian assistance during conflicts. In practice, this distinction can sometimes be less clear cut with many natural disasters taking place in contexts that overlap with situations of conflict, the floods in Pakistan in 2010 and current drought in Somalia as recent examples. Where this happens, the state may be both an active party in conflict and involved in regulating and coordinating international humanitarian actors, raising difficult issues in relation to principles of neutrality and independence. Systems that are set up for natural disasters might however have an indirect impact on conflict settings as well. These are issues which this report cannot deal with in full and deserve further attention.

The earlier research on which this paper draws included five field-based case studies (Mozambique, Peru, El Salvador, India and Indonesia) and four desk-based country case studies (Ethiopia, Pakistan, Colombia and Latin America). For the field studies, 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 and Red Crescent Movement. This paper does therefore draw on the expressed views of government officials in interviews and in the wider literature.

For all interviews, participants were interviewed on a not for attribution basis, and the findings of this review do not cite statements connected to an individual or organisation.

2 What are the key issues?

This paper organises the issues that need to be addressed under the following main headings, which are summarised here and elaborated on in the rest of the paper. Some critical issues (such as coordinating assessments, certification processes and disaster risk reduction) are addressed in more detail in Paper II: *Regional and International Initiatives*.

State capacities and political relationships. How international aid actors work with states, depends on the capacity and willingness of the state to meet the needs of its own citizens in times of disaster. International aid responses to a disaster therefore need to take account of this, as well as the willingness of the disaster affected government to accept international assistance and work cooperatively with international aid actors. Much of this depends on an existing political relationship.

Trust, attitudes and perceptions. Too often, there is a fundamental deficit in trust between government authorities and international aid actors. This lack of trust and confidence in each others' motives and capacities are at the root of other challenges identified below. Some states perceive international humanitarian aid as a largely western endeavour. For their part, wealthy states often assume that international assistance is only an issue of poor countries. There are many experiences including Hurricane Katrina in the United States and the Fukushima emergency in Japan that test this assumption. It has also been argued that the organisational culture of international aid agencies needs to shift to be more respectful of government concerns around sovereignty. Whether this is fair, if humanitarian action is to be perceived as truly universal, action is needed to tackle these perceptions and build greater trust.

Legal frameworks – international disaster response law. States still often have inadequate legal frameworks in place for dealing with disasters and international assistance. The IDRL guidelines provide a framework for addressing these gaps and progress is being made in states that are adopting the guidelines but a lot more work needs to be done.

Inter-governmental dialogue. Not enough opportunities exist for governments and international aid agencies to talk constructively with each other about how to improve their working relationships. There is now a range of important initiatives like this international dialogue but to sustain this momentum, forums for engagement need to be institutionalised.

Humanitarian principles. Greater discussion is needed about what humanitarian principles of independence and neutrality mean for how international actors relate to states. Donor governments also need to reconcile commitments to alignment, harmonisation and ownership under the Paris Declaration on aid effectiveness with their support for humanitarian principles as part of the Good Humanitarian Donorship initiative.

Humanitarian financing trends. International humanitarian aid still largely flows through international organisations and not directly to disaster-affected governments. Mechanisms for OECD Development Assistance Committee (DAC) donors to directly support national disaster management authorities following disasters are being discussed but have yet to be put into place. Some donors still have regulations that prevent them from directly funding governments.

Appeals – how governments call for and accept assistance. The system for providing international assistance to states affected by disasters is premised on the notion that a state makes an appeal for international assistance following a disaster. However, states are often reluctant to appeal because this can be seen as an admission of domestic failure and because it may lead to an unmanageable influx of aid. More nuanced systems for appealing need to be developed and put into practice.

Coordinating international and national assistance. The complexity of the international system and the huge number of organisations involved (particularly in high profile crises) makes it difficult for governments to coordinate international assistance. New initiatives for international coordination, particularly the cluster system, have recognised the need to work better with national authorities but they continue to struggle in practice. Greater attention is also needed to coordination between civilian authorities and national and international military forces.

Linking Disaster Risk Reduction and emergency response. The Disaster Risk Reduction (DRR) agenda has long been premised on supporting states to meet commitments under the Hyogo framework and mainstreaming this agenda into development assistance. However, much more could be done to strengthen the role humanitarian actors play in supporting this agenda and developing stronger links between humanitarian action and disaster risk reduction within development aid.

Monitoring and evaluation. International aid actors monitor and evaluate their own responses but publicly available, rigorous monitoring and evaluation of governments' responses to disasters are still rare. Rigorous analyses and publication of government action and greater cooperation between national authorities and international actors in monitoring could help build trust between national disaster management authorities and international humanitarian actors, and increase understanding as to how the latter can appropriately assist in future crises.

3 The humanitarian system

Humanitarian action is a substantial and complex endeavour, involving the efforts of populations affected by crises as well as a myriad of local, national and international institutions and organisations trying to assist them.

Broadly defined, humanitarian action encompasses any actions to save lives and alleviate suffering in the face of disasters. This would include responses to disasters in developed countries, such as Hurricane Katrina in the US or the 2009 earthquake in Italy, as well as responses to thousands of small disasters that occur across the globe but do not generate an international response. Within this broad arena of the global response to disasters is the ‘formal’ international humanitarian system of donor governments, UN agencies, the Red Cross/Red Crescent Movement and international NGOs. This has been largely presented as a Western endeavour, although non-OECD DAC¹ donors have always played an important role. Much of the response to disasters has been made outside of this international ‘system’, by affected governments, civil society, military and private sector actors and affected populations themselves. Some international aid agencies have always worked with and through local organisations and are themselves largely composed of staff from disaster-affected countries (Harvey et al. 2010).

How this complex web of national and international actors interacts is discussed in Paper 3. Highlighted below are some of the key dimensions of how international humanitarian actors relate to disaster affected governments.

Donor governments

Donor governments provide funding, in-kind assistance and, sometimes, technical expertise in response to disasters. They can choose to directly fund disaster affected states through bilateral aid (rarely the case) channel funding through international organisations and/or directly to national civil society organisations.

OECD DAC donors have undergone a striking historic shift in recent decades. During the 1970s, most of Western donor humanitarian funding flowed directly to governments but now only a small percentage does, the majority being directly provided to international humanitarian actors. By contrast, non OECD DAC donors still largely fund governments directly.

Donor governments have a direct, formal diplomatic relationship with disaster-affected states through embassies and membership in international fora such as the United Nations and regional bodies such as the Association of Southeast Asian Nations Plus Three² (ASEAN). These formal diplomatic relationships mean that they can sometimes play a role in ‘humanitarian diplomacy’, for example, by attempting to persuade governments to allow access to international humanitarian organisations. Some donors also deploy a cadre of humanitarian advisors to undertake assessments and oversee the implementation of their funding to international actors. A few also directly implement programmes.

United Nations agencies

Nine key UN agencies and offices are involved in humanitarian response. The United Nations system has established and formal relationships with governments and the individual agencies often have offices and a long-term development presence in disaster affected countries. This can make working with governments simpler as relationships with relevant line ministries already exist (e.g., UNICEF with water ministries, WHO with ministries of health). One criticism is that overly close relationships with governments can make it difficult to maintain humanitarian principles of independence and neutrality in conflicts and other contexts where international actors have difficult relations with national governments.

International financial institutions

The World Bank and other international financial institutions are becoming increasingly involved with relief and recovery following disasters. These international financial institutions tend to work with and through states, reinforcing the trend towards a more central role for states, although as a result the World Bank is critiqued for placing less emphasis on the needs of affected communities. Since 1980, the World Bank has loaned an estimated US\$26 billion in 528 disaster responses. The World Bank has introduced, ‘the Global Facility for Disaster Reduction and Recovery’ which supports national capacity building to deal with the risks of natural disasters and to enhance the speed and efficiency of international assistance for disaster recovery interventions (World Bank and ISDR 2007). The World Bank has also established a Hazard Risk Management team to provide a more strategic and rapid response to disasters. Both the Inter-American Development Bank and the Asian Development Bank have established new disaster management focal points (Benson and Twigg 2007, Harvey 2009).

International NGOs (INGOs)

INGOs programme a large proportion of the international humanitarian system’s expenditure and account for the majority of humanitarian staff in the field. Roughly 250 organisations and multinational federations (each in turn containing multiple national affiliates) comprise the global INGO community. The group of six largest INGO federations or organisations (CARE, Catholic Relief Services (CRS), Médecins Sans Frontières (MSF), Oxfam, Save the Children and World Vision International) in 2008 had an estimated combined overseas operating expenditure in excess of \$4 billion, of which \$1.7 billion was allocated to humanitarian programming (Harvey et al. 2010).

NGOs must register with governments and abide by the relevant domestic laws in the countries in which they operate. As recent experience in Darfur, Sudan has shown, governments can and do choose to ask international NGOs to stop operating in their countries. Legislation can sometimes be used to control NGO activities and can be a source of tension between government and NGOs. Moore

(2007) describes ‘a regulatory backlash against NGOs’ with new legal restrictions being introduced in over 20 countries. For example in Russia concern was widespread over a new NGO law in 2006 that required any foreign NGO operating in Russia to produce endless notarised documents and new civil society legislation in Ethiopia has been controversial (Lautze 2009).

IFRC’s IDRL programme has highlighted that procedures for NGO registration can create significant problems for international relief agencies, particularly in sudden onset disasters. In Thailand, for instance, the NGO registration process can take up to two years. As a consequence, only a small proportion of NGOs responding to the tsunami were registered with 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). A similar experience occurred in Haiti after the earthquake: INGOs effectively operated outside the country’s legal frameworks because the laws were inappropriate to the way in which the international response effort needed to take place.

International NGOs often work on both relief and development, have a long-term established presence in some disaster affected countries and have well developed relationships with government counterparts at national and local levels. A particular issue arises in high profile, sudden onset disasters where an influx occurs of international NGOs with varying levels of size, experience and knowledge of the particular context, which was the experience in Haiti in 2010. These are however for the most part exceptional and unusual circumstances and most international NGOs humanitarian work is carried out by experienced organisations with a long-term presence in the disaster affected country.

The International Red Cross and Red Crescent Movement

The International Red Cross and Red Crescent Movement has been referred to as the world’s largest humanitarian network. It is also one of the oldest, tracing its origins to the mid-1800s. Today, the Movement is comprised of the ICRC, the IFRC and 186 national Red Cross or Red Crescent societies, and claims nearly 100 million members, volunteers and supporters around the world.

One of the distinguishing characteristics of the Red Cross/Red Crescent is its global volunteer base. The IFRC estimates the global economic contribution of Red Cross/Red Crescent volunteers in 2009 at nearly US\$6 billion.

Another unique feature of National Red Cross and Red Crescent societies is their role as ‘auxiliaries’ to the public authorities in the humanitarian field and this role is usually explicitly recognised in government legislation and policies. As Pictet (1979) notes:

The Societies are **auxiliaries in the humanitarian services of their Governments** . . . 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. The very nature of the work of the National Red Cross Societies implies co-operation with the authorities, a link with the State.

National civil society

National or local NGOs (LNGOs), civil society organisations such as churches and a wide variety of community based organisations (CBOs) are important parts of humanitarian delivery in many settings. UN agencies and INGOs alike sometimes depend upon these groups to work at the front-line to implement their aid programmes. On the whole, they tend to be small in size and geographic scope of operations, but numerous within affected countries. Each country has its own complex web of relationships and interactions between civil society and government at national and local levels.

Private sector and the media

The private sector is centrally involved in humanitarian action in a variety of ways. Private companies (at national and international levels) may donate money and resources to disaster responses, work as contractors to humanitarian agencies and are sometimes directly funded by donor governments to implement aid projects. Again, every country has its own complex web of regulatory, legislative, policy and practical arrangements around how the private sector relates to and works with government. The role of the private sector is rapidly evolving including in a variety of new and expanded partnerships between aid agencies and private sector actors. For example, companies in some sectors are getting involved in providing defined services as part of humanitarian response. TNT and Agility provide personnel and assets to the logistics cluster. Another recent initiative is the Disaster Response Partnership within the engineering and construction industry to coordinate the provision of technical HR from interested multinationals through the shelter cluster to support humanitarian shelter agencies.

The media are a critical private sector actor in emergencies. Media attention can pressure donor governments and aid agencies to respond to disasters and create pressures for international actors to be visibly operational, rather than working through local partners or governments.

4 Changing contexts

The context for disaster response is changing, raising the prominence of how governments respond to disasters and how they relate to international aid efforts. Communication is broadening about suffering following disasters and decreasing barriers to international aid flows. Funding for international humanitarian action has expanded, as have the number of donors and the range of channels or mechanisms to support it.

An important backdrop to these trends is the multiplying numbers of natural disasters. Recent analysis suggests that the incidence and severity of natural hazards have gone up in the past two decades. Hydro-meteorological events, particularly floods and storms, account for nine out of every ten recorded disasters. Current projections suggest that this trend will continue and that weather-related disasters will become even more frequent and volatile. Additionally, patterns of drought and desertification are intensifying, threatening more slow-onset disasters. These developments are partly caused by climate change. They have influenced the thinking and approach to disaster management and response among governments, and have challenged the status quo in the delivery and coordination of humanitarian assistance (OCHA 2011). The Centre for Research on the Epidemiology of Disasters (CRED) reported 373 natural disasters in 2010 (compared to 328 in 2009), killing nearly 297,000 people, while affecting almost 208 million others and causing an estimated \$110 billion in damages. According to the World Meteorological Organization, global surface temperatures reached record values in 2010 (together with 1998 and 2005), while global land rainfall also peaked (Guha-Sapir 2011).

In 2010–11, the international community faced three ‘mega-disaster’ scenarios:

- the January 2010 devastating earthquake in Haiti, which killed over 316,000 Haitians, affected 3.7 million individuals, displaced more than 1.8 million people and caused some \$8 billion in damages;
- the worst floods in the history of Pakistan, which took place in a volatile political environment and affected more than 20.5 million people or 10 percent of the population, destroyed more than 1.8 million homes and devastated over 2.4 million hectares of crops;
- the March 2011 9.0 magnitude earthquake affecting the northeastern region of Japan, followed by a 10-metre-high tsunami.

Apart from these large ‘mega-disasters’, the majority of disasters in 2010 were smaller in scope and scale. Those disasters, from the Philippines to Guatemala and from Niger to Venezuela, were also deadly, causing significant human suffering and displacement and had economic, social, and in some instances, political consequences (OCHA 2011).

Many recent high profile natural disasters have been quick onset ones (earthquakes, floods and cyclones). These raise particular challenges for how international actors and states relate to each other because they can be sudden and overwhelming. Equally important are the slow onset disasters and contexts (such as in northern Kenya, the

Karamoja region in Uganda and parts of the Sahel) where chronic food insecurity leads to recurrent crises. In these contexts, the challenges in working more effectively with states are likely to be more ensuring effective transition between humanitarian and development work across government departments and line ministries than working primarily with national disaster management authorities. For example, in northern Kenya international aid actors are working with the government to deliver the Hunger Safety Net Programme (HSNP) intended to provide longer-term social protection support to vulnerable populations while at the same time, there is a significant relief effort scaling up in response to the drought. Similarly, in Ethiopia, donors have supported the government in the developing the Productive Safety Net Programme (PSNP). In the Sahel, ECHO's strategy is based on trying to develop closer cooperation between humanitarian and development aid actors to take on the serious problem of chronic and acute under-nutrition (ECHO 2011).

5 State capacities and political relationships

How international aid actors work with states, clearly also depends on the capacity of the state to meet the needs of its own citizens in times of disaster. As Chandran and Jones (2008) argue, analysis has to be context specific and historically informed but some broad categories or typologies of state contexts can be tentatively identified. Harvey (2009) suggested three broad categories of state that could provide a starting typology for thinking through different modes of engagement.

- States where there is an existing or emerging social contract between a state and its citizens to assist and protect them in the face of disasters.
- States that are weak and have extremely limited capacity or resources to fulfil their responsibilities to assist and protect citizens in the face of disasters.
- States that lack the will to negotiate a resilient social contract that includes assisting and protecting their citizens in times of disaster.

These clearly aren't clear-cut or exclusive categories and states may have elements of weakness and unwillingness to meet needs at the same time as social contracts are emerging. Particular countries may well move between these different categories within relatively short time periods. This fluidity needs to be recognised and so the intent isn't to suggest that particular approaches are relevant to each category but that a mix of strategies is likely to be needed to cope with uncertainty.

Where states are meeting citizens' needs in times of disaster, international humanitarian actors should play more supportive roles, building capacity, filling gaps and advocating for more effective response by governments. Where states are weak, but have some willingness to meet needs, a combination of substitution and capacity building to strengthen state capacities will be appropriate. States that are unwilling to assist citizens in times of disaster or are themselves actively involved in creating a crisis are clearly the most difficult to deal with and are where a combination of substitution and advocacy to encourage states to fulfil their obligations, is likely to be necessary. Regional organisations, and non DAC donors, such as the role played by ASEAN and China in response to the cyclone Myanmar, can be of significant value where other bilateral relationships might not have sufficient political capital.

An important distinction in how donor governments and national governments' affected by disasters relate to each other is the existing political relationship. Where governments have cordial political relations, an existing bilateral aid relationship, and a strong level of trust between each other, then it is far simpler to work effectively together in disaster response. Where relationships are more difficult (such as where there are concerns regarding human rights abuses or deep levels of corruption) there is likely to be less appetite on the part of donor governments to look for ways to work more directly with governments and a continuing reliance on international humanitarian actors to deliver assistance. For example, humanitarian aid to Zimbabwe by western donors in the 2000s was delivered through international organisations bypassing the state because donor governments were at political odds with the regime. In other contexts humanitarian aid is seen as contributing to processes of state building, and deliver peace dividends such as in East Timor

and Afghanistan. Decisions may also be influenced by perceptions about levels of corruption within 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).

Each response to a disaster therefore needs to be a politically informed, context specific mode of engagement with governments that takes into account:

- the type of disaster;
- the capacity and willingness of the government at different levels (national and local) to protect and assist its own citizens;
- the political relationship between the disaster-affected government and donor countries and regional authorities and
- the willingness of the disaster affected government to accept international assistance and work cooperatively with international aid actors.

6 Trust, attitudes and perceptions

As noted earlier, in many contexts, at the root of the challenges facing stronger cooperation between national authorities and international aid agencies in responding to disasters is a lack of mutual trust and confidence in each other's motives and capacities to respond effectively. Identifying where this trust deficit exists, why and what can be done about it is therefore a necessary first step for improving cooperation across a range of issues.

Harvey (2009) argued that the organisational cultures of aid agencies and the attitudes of aid workers were an important part of the sometimes dysfunctional relationship between aid agencies and governments. This is partly because humanitarian aid continues to be perceived as a largely western enterprise (Donini et al. 2008). Sensitivities over sovereignty have not been helped by the use of humanitarian language to justify military interventions by western powers in contexts such as Iraq, Afghanistan and most recently Libya.

There are also issues with the divide in many organisations between 'expatriate' and 'national' staff and whether international staff working for humanitarian organisations have the right skills and attitudes to work as effectively as they should with national authorities. At times, staff working for international agencies, seem to use the principles of neutrality and independence as an excuse for keeping the state at arms length rather than as a framework for principled engagement with national authorities. The humanitarian sections of international agencies often have an admirably action focused orientation but this can sometimes lead to insensitivities in how they relate to weakened state capacities, with supplanting state roles rather than supporting them. Agencies also suffer from very high staff turnover, meaning that people often lack skills in local languages, in depth understanding of local contexts and the time to develop effective inter-personal relationships with government counterparts.

For example, in the response to the Jogjakarta earthquake in Indonesia, Macrae (2008) found that, 'staff turnover was astonishingly high' and 'it seemed that anybody who built up any local knowledge left before they were able to use it'. He argues that the lack of local knowledge, language skills or experience of almost all of the international aid workers present seriously inhibited their ability to understand any but the most material dimensions of the situation at a local level and to communicate with government or local people.

Underpinning some of the issues with a lack of trust and confidence on the part of donors about the ability of government to deliver humanitarian aid directly are concerns about corruption. In practice, concern that government run programmes may be more prone to corruption risks helps to explain the greater willingness of donors to fund international aid agencies as more trusted deliverers of assistance. Any move towards, working more directly with national authorities 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.

For their part, some developing country governments have developed a very negative public rhetoric around the role and work of international aid organisations. On both sides, therefore, there is a need to examine attitudes and perceptions and to tackle the negative aspects of the relationship that have developed over time, rather than ignoring the problem. Increased dialogue would help with these issues as would any activities that help to build trust and confidence between governments' and international aid actors such as joint contingency planning exercises or other preparedness activities. Successful mainstreaming of disaster-risk-management concerns into development practice would help to embed better preparedness for disaster response within international aid organisations and relevant government line ministries. Tackling some of the more substantive issues in terms of how aid agencies in particular are staffed during emergencies will require real structural changes to how they operate to reduce staff turnover and ensure knowledge of local contexts.

7 Legal frameworks – international disaster response law

A fundamental step in effectively responding to disasters is putting the legal, policy and organisational measures in place to manage a response. At the global level, there are a number of international conventions relevant to disaster response, but their scope, geographic coverage and particularly their use by disaster managers (both national and international) remains quite limited (IFRC, 2007). Over the last few decades, there has also been a growth in regional treaties and other binding agreements concerning disaster cooperation. Some of these, like the ASEAN Agreement on Disaster and Emergency Management and Response, the Agreement establishing the Caribbean Disaster Emergency Management Agency, and the European Union's Directive creating the Community Civil Protection Mechanism, have inspired a great deal of concrete work to facilitate regional cooperation in operations. Others, like the Inter-American Convention to Facilitate Assistance in Cases of Disaster and the Arab League's Cooperation have seen no operational implementation.

In addition to these agreements, there has been a growing interest among academics and some humanitarian agencies since the 2005 tsunami to examine how international human rights norms are relevant to disaster response. Only a few existing human rights treaties make reference to disasters, but many of the issues the others cover have been deemed relevant to disaster settings (IDLO, 2010). Key guidance in this regard can be found in the *Guiding Principles on Internal Displacement*, which includes 'disaster-induced displacement' in its definition of displaced persons, and the more recent Inter-Agency Standing Committee (IASC) *Operational Guidelines on the Protection of Persons in Situations of Natural Disasters*, which are not binding and primarily intended to assist humanitarian organisations rather than the governments of disaster-affected countries (Ferris 2011, IASC 2011).

Generally speaking, however, while 'International Disaster Response Laws, Rules and Principles' (IDRL) is an identifiable field of, it must be acknowledged that international law in this area remains less than comprehensive (IFRC, 2007). This is in contrast to the field of International Humanitarian Law (IHL), which applies to armed conflicts. Like IDRL, IHL also includes a variety of treaties and instruments that do not always connect coherently together in their approaches. However, at its core, IHL benefits from the flagship Geneva Conventions of 1949, which have achieved universal ratification, as well as three additional protocols, which have also been widely accepted. There is currently no central treaty like this in the area of disaster response.

Likewise, very few states have detailed laws or procedures of their own concerning potential incoming international relief (IFRC 2007). Relying instead on ad hoc approaches, they are finding themselves increasingly stretched in attempting to oversee aid from today's diverse set of international sources. The result of these twin gaps in binding international rules and comprehensive national procedures has been a predictable set of regulatory problems in major operations, which are becoming sharper as the 'international response community' grows larger and

more diverse. These include entry and operation problems, such as confusion in procedures for making requests for assistance, delays in obtaining visas and work permits for international personnel, barriers to customs clearance and duty waivers, registration of foreign organizations, vehicles and professionals, and many other problems. They also extend to problems from a lack of effective oversight, such as the delivery of unneeded or inappropriate types of relief, insufficiently trained or coordinate personnel and a lack of complementarity with domestic efforts.

As a result, in 2006–07, the IFRC spearheaded negotiations on the *Guidelines for the Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance* (also known as the IDRL Guidelines), which were adopted by the state parties to the Geneva Conventions and the components of the Red Cross and Red Crescent Movement in 2007. The IDRL Guidelines constitute recommendations to states as to what they can most usefully include in their national laws and policies to manage future international relief. They spell out the core responsibilities of affected states and assisting international actors. They detail needed procedures for initiating and terminating international disaster relief (including by military actors), and legal facilities for entry and operations of both personnel and relief goods. For example, they call for expedited visa processing and customs clearance for relief personnel, goods and equipment; facilitation of relief transport and exemptions from taxes, duties and fees on relief activities. They also set out minimal quality expectations for the assistance provided by international actors

Promotion of the IDRL Guidelines is now being pursued in a range of contexts. To date, over two dozen technical assistance projects have been launched to assist national authorities to identify gaps in their existing laws and policies and to make recommendations based on best practice, including most recently in Uganda and in Haiti (IFRC 2011).

In addition to the IDRL Guidelines, several other initiatives have been developed to discourage the provision of in-kind aid and should disseminate them more widely. These include, for example, PAHO's 'Saber Donar' initiative and the work of the Good Humanitarian Donorship group.

The right to assistance

The questions of whether the right to humanitarian assistance exists and whether states are obligated to allow international actors to provide aid if they are not able to are complicated ones. The existence of a right to humanitarian assistance is guaranteed by the Fourth Geneva Convention and customary international humanitarian law (IHL). However, the scope of IHL is limited to situations of armed conflict. The right to humanitarian assistance in natural disaster settings is mentioned in only a handful of treaties, most of them limited regionally. The grounds for arguing that a general right to humanitarian assistance exists in natural disasters are nevertheless developing. This is because the main human rights treaties guarantee the component rights to life, food, clothing, shelter, emergency medical care and other necessities. In addition the growing number of 'soft law' instruments

is growing as are the consistent practices of states and humanitarian organisations which lead some scholars to argue that a right to humanitarian assistance is becoming part of customary law (Fisher 2010).

The ‘soft law’ instruments include the *Guiding Principles on Internal Displacement*, which assert that internally displaced persons have the right to request and receive humanitarian assistance. Regional protocols are currently being developed in Africa to codify the *Guiding Principles* into binding law. The IDRL Guidelines state that where affected governments cannot meet their responsibilities to take care of the victims to natural disasters directly they should request international help.

The IDRL guidelines are consistent with the Hyogo Framework for Action’s (ISDR 2005) call on states to ‘ensure rapid and effective disaster response in situations that exceed national coping capacities’ (para. 20 (c)). General Assembly Resolution 46/182 states a similar call upon ‘States whose populations are in need of humanitarian assistance . . . to facilitate the work of . . . organisations in implementing humanitarian assistance (annex, para. 6).’

The notion that there is a right to assistance is well engrained in the humanitarian community. For example, the twenty-sixth International Conference of the Red Cross and Red Crescent in 1995 amended the ‘Principles and Rules of Red Cross and Red Crescent Disaster Relief’ to state *inter alia* that, ‘The Red Cross and Red Crescent . . . considers it a fundamental right of all people to both offer and receive humanitarian assistance.’ Likewise, the Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organizations in Disaster Relief, which was welcomed at the same conference, provides in Article 1 that ‘the right to receive humanitarian assistance, and to offer it, is a fundamental humanitarian principle which should be enjoyed by all citizens of all countries’ (Fisher 2010, IFRC 1994). More recently, the revised Sphere Humanitarian Charter also reaffirmed the commitment to the ‘right to receive humanitarian assistance’ as a ‘necessary element of the right to life with dignity’ (Sphere, 2011).

The argument that a right to humanitarian assistance exists, at least as part of customary law, is a strong one and should lead states to incorporate mechanisms for welcoming into and regulating international assistance in their national legislation and policies. Regardless of the legal force of such a right, however, it would be difficult to deny that states are generally expected, by both their own citizens and the international community, to provide assistance and protection to people affected by disasters. Where government capacities are overwhelmed following a disaster this implies a role for international assistance. Certainly, if governments were to refuse international aid in the face of widespread avoidable suffering they are likely to face considerable international and regional pressure to accept external assistance. This was demonstrated by the outcry following Myanmar’s initial reluctance to accept international assistance in response to Cyclone Nargis.

8 Inter-governmental dialogue

While the legal frameworks remain a pivotal aspect of establishing a shared understating of the role national and international assistance actors should play in disaster response, significant debates remain at the inter-governmental level that influence the pace and nature of changes in national disaster policies and practice.

It is 20 years since the UN General Assembly (GA) adopted Resolution 46/182 on the Strengthening of the Coordination of Humanitarian Emergency Assistance of the United Nations. Resolution 46/182 articulated a framework for humanitarian assistance and a set of principles that should inform such assistance, including 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.

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.

These principles have been reaffirmed in subsequent resolutions and similar language can be found in numerous other documents. Nevertheless, the language of 46/182 has been fraught with tensions with the ‘Group of 77’ (G77) governments emphasising sovereignty concerns and Western donor governments stressing concerns around access and the need to ensure ‘safe and unhindered access’ (Harvey 2010).

The language on access was first presented in 2002, and drew on IHL, resulting in a call for

... all States and parties in complex humanitarian emergencies ... **to ensure the safe and unhindered access of humanitarian personnel as well as delivery of supplies and equipment** in order to allow them to perform efficiently their task of assisting the affected civilian population, including refugees and internally displaced persons.

This wording regarding access has always been considered troubling by some in the G77, but concerns until recently, have been more technical in nature. For example, China considers that the wording places too much of an obligation on the affected state (i.e., if a bridge has collapsed, how can China ‘ensure’ the unhindered access of personnel and assets?).

The experience in Myanmar following Cyclone Nargis highlighted a greater set of tensions at inter-governmental level within the UN. The French Foreign Minister Bernard Kouchner’s invocation of the ‘responsibility to protect’ (R2P) as implying a mandate to deliver aid without government approval raised significant concerns with

the G77. It played into their ongoing concerns regarding respect for sovereignty and territorial integrity and, by linking humanitarian access to R2P, it took what was previously a more technical discussion on humanitarian access into the high politics of the UN (Harvey 2009).

Recent interviews suggest these tensions at the intergovernmental level continue, although they have also been more nuanced. At one level, the recent mega disasters in Japan, Pakistan and Haiti have resulted in a recognition and tacit agreement of the need to work more in partnership to respond to increasing needs. This is partly recognition of the fact that natural disasters are increasing in frequency and intensity, and ‘mega disasters’ of the proportions evident recently can overwhelm any country even with the greatest levels of preparedness. At the same time, the perspective of the G77 is not necessarily to simply embrace international response efforts. The G77’s argument is that the inter-governmental dialogue has invested 20 years since 46/182 focusing on wording in resolutions to strengthen *international response*, and yet what is most needed is an investment in the areas of preparedness, capacity building, and disaster risk reduction. At the Global Platform for Disaster Risk Reduction in May 2011 one interviewee noted that states did not necessarily welcome the idea of international humanitarian actors building their capacities to respond to disasters and that windows for improved cooperation were often small.

In 2011, the UN Economic and Social Council (ECOSOC) session attempted to address this issue with a focus on two themes:

- strengthening resilience, preparedness and capacities for humanitarian response; and,
- improving the humanitarian financing system – making it fit for purpose for future challenges, including funding for preparedness and transition.

For their part, Western donors have been supportive of the changing emphasis and the more positive language regarding the need to work in support of governments but remain wary about the lack of movement on the issues of core concern to their interests, including humanitarian access, internally displaced persons (IDPs) and the safety and security of aid workers.

A problem in taking forward humanitarian debates between donors, recipient countries and international aid agencies in a more positive fashion has been the lack of appropriate forums where discussions can take place. Forums such as the OCHA Donor Support Group (ODSG),³ the Good Humanitarian Donorship initiative, and the Humanitarian Liaison Working Group are currently poorly representative. The ODSG is a donor country ‘board’. Some affected states argue that given OCHA is the body mandated to undertake coordination of the international humanitarian system, it would be more appropriate to have recipient countries taking part in its discussions. OCHA have a strong liaison capacity with the G77, but this does not extend to engaging on OCHA’s strategic direction. The DAC is also limited because of the strict criteria for membership, but importantly the DAC is more appealing in many ways to affected states because of its support to the Paris Declaration – which upholds the principles of national ownership. The G77 governments are represented on the boards of UN humanitarian agencies such as WFP and take

part in the International Conference of the Red Cross and Red Crescent, but while these provide valuable opportunities for discussion, they are limited to a single organisational focus.

This problem has been recognised and new efforts are being made to engage in dialogue with recipient governments but they remain ad hoc and still need to be institutionalised. There has been increased investment in briefings by OCHA, and the IASC to all member states on country operations, and topical issues such as needs assessment and the protection of civilians. The benefits of increased understanding of the international community's role in humanitarian action, as one interviewee noted, helps member states avoid falling back into political language, and creates a better spirit of cooperation and awareness.

Through the Good Humanitarian Donorship (GHD) mechanism, the emphasis on raising awareness has increased. In 2003, 15 key donors met and adopted '23 Principles and Good Practice of Humanitarian Donorship'. GHD committed to prevent and strengthen preparedness for natural hazards and to strengthen the capacity of affected countries and local communities to prevent and respond to humanitarian crises, but overall it said very little about the role of the state and donor engagement with state mechanisms. As one interviewee noted: this is partly due to an old reflex around the principles of neutrality and independence and not wanting to work with and share with governments. Donors have sought to address this significant gap in recent years. In particular, the GHD forum is holding outreach meetings with a range of countries, including Argentina, Pakistan, Philippines, United Arab Emirates (UAE), Brazil, Qatar, Russia, Mexico, South Africa, China, India and Turkey with which they would like to engage more. Similar to the work OCHA in undertaking – the initial goals of the meetings are primarily awareness raising – focused on introducing GHD principles, discussing the changing environment and working towards creating a platform for discussion.

Other significant initiatives are also underway such as that promoted by Sweden and Brazil – a *Dialogue on Humanitarian Partnership* – that brings together diverse member states in New York. The twenty-sixth annual ALNAP meeting focused on the role of national governments and committed Active Learning Network for Accountability and Performance (ALNAP) to having representation from government national disaster management authorities at future ALNAP meetings (Harvey 2010). In addition, the May 2011 Montreux retreat titled, 'meeting the humanitarian challenges of tomorrow' included a discussion on 'improving linkages between international and national disaster response structures'. An OCHA background paper for the retreat argued that

The increasing preference of developing countries to respond to disasters as much as possible using national capacities and to seek support, if necessary, only from neighbouring countries within their regions may have far-reaching implications for the international humanitarian system. If this trend continues, there is a possibility that international assistance may come to be considered as a last resort – which would change the triggers for, or raise the thresholds of, the international

humanitarian system. At the same time, the likelihood that the world will be dealing more with natural disasters in the future suggests a continued indispensable role for the international system (OCHA 2011).

In addition, the positive examples of how regional organisations are able to respond to crisis (ASEAN and Myanmar), and how affected states can respond on their own (e.g., China) has galvanised and informed the debate at the inter-governmental level. Regional organisations can also help to build national capacities. In Latin America, for instance, the Pan American Health Organisation (PAHO) has brought disaster preparedness onto health agendas, and has helped to establish disaster-management offices in 75 per cent of the health ministries in Latin America and the Caribbean (Fagen 2008). In Africa, the Southern African Development Community (SADC) has sought to strengthen risk assessments by supporting national-level vulnerability assessment committees (SADC, 2009).

Donor governments are also starting to rethink how they relate to disaster-affected states in their policy and practice. DFID's humanitarian response review for example, includes a strong call for DFID to increase their focus on national and local capacities. It argues that:

With an established relationship, it would also be possible to give money and goods directly to the government after a disaster knowing how such resources would be used. Special funding channels could be set up in advance, making transparency and reporting easier (Ashdown 2011: 18).

The role of national governments in disaster response and how they relate to international actors has climbed up the humanitarian policy agenda is welcome. It is, however, too early to say how these initiatives will evolve, whether an improved dialogue between international humanitarian actors and disaster-affected governments will be sustainably institutionalised.

9 Humanitarian principles

Intergovernmental dialogue continues to explore how affected states balance their legitimate concerns of being overrun by the international community with due respect for humanitarian principles and the rights of affected communities to adequate humanitarian assistance.

The Paris Declaration on the harmonisation of international development assistance aims to ensure its effectiveness by placing responsibility for the delivery and management of aid on both donors *and* aid-receiving governments. It commits donor governments to ownership, meaning that countries exercise effective leadership over development strategies and coordinate development actions and alignment, whereby ‘*donors base their overall support on partner countries’ national development strategies, institutions and procedures*’. This approach is now being seen as applicable in emergency contexts (OECD-DAC 2005 and 2008a). Donor governments have also committed themselves to OECD Principles of Good International Engagement in Fragile States, which include a ‘focus on state building as the central objective’.

At the same time, international humanitarian organisations and the governments that fund them are committed to the humanitarian principles of neutrality and independence. How both neutrality and independence are defined varies and there is a surprising lack of guidance or even discussion about how to put principles into practice.

The GHD initiative gives by far the broadest definition of independence, focusing as it does on autonomy from ‘political, economic, military or other objectives’ (GHD 2003). Bouchet-Saulnier (2007: 156) gives a similar definition: ‘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.’ Little exploration has been done of how a commitment to independence can be reconciled with a commitment to respect the primary responsibility of the state. Discussing the notion of independence in relation to the Red Cross principles, Jean Pictet (1979) notes the fundamental tension between humanitarian autonomy and the fact that, in practice, aid agencies must work with and alongside national authorities.

Neutrality has often been defined, as in the GHD principles as not taking sides in a conflict. This would make it largely irrelevant in natural disasters where there is not a conflict. However, this leaves out the second half of the Red Cross definition of neutrality namely, ‘not engaging at any time in controversies’. This is a crucial distinction as the question of whether or not international humanitarian agencies have an obligation to speak out in times of crisis and to engage in advocacy for action to alleviate suffering lies at the heart of many of the core controversies and dilemmas surrounding humanitarian action. Including the second part of the definition also makes it clearly relevant in natural disasters, where international agencies need to make judgement calls similar to those in conflicts about how to balance a desire to speak out about possible failures or problems with national responses with the need to maintain good working relationships with authorities to

maintain access and respond effectively. There is a need for more attention to the ways in which international aid agencies can work with national civil society actors to promote greater accountability between governments and citizens for effective disaster response in ways that states see in positive rather than antagonistic terms.

Despite the tensions between them, Harvey (2009 and 2010) argues that it is possible to respect both humanitarian and developmental principles. The commitment to neutrality and independence is compatible with the principle of encouraging and supporting governments to protect and assist the civilian population. Humanitarian agencies should pay 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 agencies should be committed to the humanitarian principles of independence, neutrality and impartiality.

However, how to reconcile humanitarian and development principles in practice requires more attention on the part of donors and international aid agencies. For their part, national governments could usefully think about what principles underpin their role in responding to disasters and how these relate to humanitarian principles. For example, the UK has eight guiding principles that underpin the response to and recovery from every emergency (HM Government 2005: 8). It might also be useful to consider how principles of good governance could inform disaster response. Core governance principles could be adapted to form the basis of a discussion about developing principles of good disaster management or good humanitarian governance (Harvey 2009, Hyden et al. 2004).

- 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 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

Further debate about how development and humanitarian principles relate to each other is clearly needed. Disaster-affected governments could usefully think about committing themselves to respecting core humanitarian principles (as donor governments did as part of the good humanitarian donorship initiative) and about what other types of operational principles such as those used by the UK government and governance principles should inform good disaster management practice.

10 Humanitarian financing trends

Despite the effects of the global recession, in 2010 humanitarian aid contributions from states and the private sector continued to increase. This is in part accounted for by the high levels of support to Haiti and Pakistan (OCHA 2011). The pool of donors and other actors providing assistance, including private flows to national civil society actors, is increasing. A growing number of donors are providing resources for humanitarian action, including some that are affected states themselves. Humanitarian assistance from non OECD DAC governments has been significant in recent years and is almost certainly under-reported (GHA 2010). Some of the 112 governments that provided contributions in response to humanitarian crises in 2008 were also recipients of humanitarian aid (GHA 2010). Domestic response is clearly significant, but the international community has a very limited understanding of the size and relative proportion of the funding provided from domestic sources. Partial figures suggest it could be quite significant. For example, while Indonesia received a substantial \$243 million in humanitarian aid in 2007, it also spent \$269 million of its own funds on disaster response.

An ongoing challenge to ensuring appropriate humanitarian financing is that DAC donors rarely channel their humanitarian aid directly to recipient governments – in fact this accounted for just about 3 per cent of the total in 2008 (GHA 2010). This is the case even among donors that provide direct budget support to governments for development. Instead, the aid flows through many different agencies and mechanisms – including through international aid agencies, and through the UN via appeals, and increasingly through common funds. Thus, while the total funding for humanitarian work has increased and new mechanisms have been developed, the proportion of government-to-government relief assistance has declined (GHA 2010).

In Pakistan for example, the government wanted the international community to support it directly in the response, including their own disaster management capacities. Very little support went directly to the state itself however, other than in-kind assistance and the deployment of some technical experts. Instead, donors opted to contribute to the UN response plan, mainly due to concerns related to transparency in disbursement of funds in the past.

Common funds (for example, the CERF, Common Humanitarian Funds and Emergency Relief Funds) represent a major development in new financing mechanisms in recent years. The improvements sought with these new mechanisms have focused largely on improving the way funding is provided to international organisations, and they have the effect of being outside the control of the recipient state (GHA 2010). On the other hand, pooled mechanisms are providing a channel of humanitarian aid for those donors that perhaps do not have a substantial decision-making infrastructure of their own. This can be seen in the CERF, where the numbers of donors increased from 54 in 2006 to 91 in 2009, and also for example, in the Haiti Emergency Relief Fund, where contributions from 24 non-DAC donors in response to the earthquake accounted for 82.6 per cent of the total received by the fund (GHA 2010).

Despite widespread recognition of the need to strengthen the capacity of governments and local communities to prevent and prepare for humanitarian crises, funding for preparedness is ad hoc and inconsistent (Harmer et al. 2009). Appropriate and well-resourced financing mechanisms need to be put in place to fund preparedness activities on a predictable basis. Part of better engagement with national authorities should come about through mainstreaming disaster-risk-management concerns into development assistance and working with state authorities to strengthen their capacity to respond to disasters over the longer-term.

11 Appeals – how governments call for and accept assistance

The system for providing international assistance to states affected by disasters is premised on the notion that a state makes an appeal for international assistance following a disaster. The triggers for when and why a government will call for international assistance differ. Some governments will call for assistance – including through an official appeal, others will accept offers of assistance.

However, this brings up a number of issues. First states are sometimes reluctant to appeal for international assistance due to fears that an influx of international aid will be damaging to their sovereignty and because it could be seen as an admission of failure in their own response. A likely scenario in the post-crisis setting would be a nation state struggling to deliver assistance to the affected population while holding back on allowing international aid to flood into the country for fear of being sidelined. The international community will be clamouring to get access to the populations, often circumventing national laws pertaining to visas and imports. While the government may struggle to balance retaining their sovereignty and dignity with the humanitarian imperative to assist those affected by crisis, international agencies struggle with showing deference to the nation while efficiently and effectively utilising the funds they have been granted. Such a scenario risks producing one of two extremes. Either, states appeal for assistance and face a huge influx of international actors with little control over what is provided by which organisations, or, they refuse international assistance altogether. This had led to calls for a more nuanced process of appeal where the language is less threatening to states' perceptions of sovereignty and feelings of national pride.

Then the question of how states make decisions about whether to appeal for international help arises. This implies the state has done some form of assessment of the damage from a disaster, the states own ability to respond and whether international aid could add value. As a result, a strong and growing argument is being made for pre-disaster mapping of the existing capacities and resources of states in 'at risk environments'. Ideally, the aid system should seek to provide authorities with external assistance prior to the disaster. Donors and UN agencies need information on the status of the government's capacities and the kinds of support (advisers, logistics, etc.) required to ensure that the state can carry out its coordination and leadership role and make informed judgments about necessary international support.

Wider political challenges may facing disaster affected governments (both in developing and developed countries) which can feel under pressure from media, the public, and the international community to be 'open' to international assistance when they are hit by natural disasters. In turn, donor countries are also under pressure from media and the public to be responsive to disasters and generous in offering assistance – particularly a kind that is visible. There is also often pressure to be directly operational (sending goods or people) rather than just funding local actors. As a result, international assistance continues, to some degree, to be

politicised and to be used as much as a tool for diplomacy as well as for assisting those in need.

In response to the earthquake and tsunami in March 2011, the government of Japan did not make an official appeal but *accepted* offers of assistance from foreign countries and international organisations. In an OCHA situation report it recommended ‘not to send any relief goods with coordination with the government’ and asked international NGO staff not to enter affected areas as access was restricted to rescue workers due to petrol shortages. In total, 157 countries and regions as well as 41 international organisations expressed their intention to extend assistance (MOFA website 2011). According to government representatives, Japan only accepted offers of international assistance to address identified needs that could not be covered internally. Search and Rescue teams were assigned to several sites and coordinated by National Emergency Headquarters for Response to Disaster, and medical teams were invited to provide necessary minimum medical assistance under the supervision of Japan’s own medical professionals.

Interviewees noted that the Japanese government was very concerned to be seen responding positively to offers of assistance – this was especially so as it was conscious of having been criticised for its management of international assistance at the onset of the Hanshin-Awaji Great Earthquake in 1995. At the same time, however, it were determined to have control over what came in – in particular so that its domestic disaster response capacity was not diluted. Japan’s experience in the earthquake and tsunami response demonstrates that affected states can exert far greater control over international offers of assistance than other recent examples suggest. Other states are drawing lessons from Japan’s approach with a view to better reflecting existing disaster management capacities.

The comparison of the experience in Japan, to the earthquake in Haiti is striking. Like Japan, although on a different scale, the Haitian government was also a victim of the disaster. Seventeen percent of Haiti’s central government employees, for example, were killed when government buildings collapsed. As a result, the already weak Haitian state found itself with an even further reduced capacity to take charge of the disaster response. In addition to the huge loss of life and damage to infrastructure, state capacity was limited because that the priority for many civil servants was to look for their families and to meet their basic needs in terms of shelter, water, food and safety (Grünwald 2010). This influenced the role the government played from the outset, as well as relations with the international community. The earthquake in Haiti revealed the inadequacy of the legal frameworks for both declaring a disaster and for receiving international assistance. Based on the provisions at the time, if a national disaster was called then it would automatically also indicate that international assistance was welcomed – but the government made no official declaration. There was also no guidance on the ways of appealing for financing and how it might be received. Despite this, a flash appeal was issued on 15 January—3 days after the earthquake.

In Pakistan, the ‘slow-motion tsunami’ posed a difficulty in knowing whether and when to call it a disaster. At the end of July it could have been perceived as

just heavier than usual rains rather than what it became – a torrential monsoon provoking a large-scale disaster (Ferris and Petz 2011). The government officially appealed for assistance and a UN flash appeal was launched on 11 August—12 days after the first OCHA situation report, illustrating the difficulty of responding to relatively slow-onset disasters (Ferris and Petz 2011). The UN’s revised appeal, the Pakistan Floods Emergency Response Plan (PFERP) which was the largest ever appeal at \$2billion, was launched in New York in September 2010, without the government’s consent. The government had resisted approving it due to concern over its scope and lack of prioritisation. Commentators note that the tensions could have been handled better had the UN accepted the leadership of the government on certain issues. For their part, international assistance actors argued that the government delays were only partly understandable – and that the stalling was driven by concerns other than the humanitarian imperative to assist.

Uganda is currently engaged in formulating a National Disaster Preparedness and Management Policy. The draft policy seeks to set guidelines for disaster preparedness, mitigation and management. It is anticipated that it will lay the foundation enacting a disaster management law as a subsequent step (IFRC 2011). The government will presumably request international assistance whenever disasters exceed national coping capacity. This has traditionally been done through appeals. However, no legal provisions or set procedures exist on when and how international assistance should be requested, on assessment of the type of assistance required or on how and when it may be terminated.

After the conflict in northern Uganda subsided, government authorities made it clear that they wanted to be in charge of responses, and were open to receiving budget support as well as assets and technical assistance, but they preferred to manage it themselves. In eastern Uganda in March 2010, floods and landslides arrived in Bududa. The government managed the response, working with the District Disaster Management Committees and the Ugandan Red Cross as their main implementing partners. The international humanitarian community wanted to quickly mount a response. Push back from the government and some key development agencies stressing that they did not need it, was largely accepted and Uganda ran one of its first nationally-led responses. There were inevitably challenges – and as one interviewee noted, ‘it wasn’t efficient, but it was effective.’ The lesson from the experience is that the international community can develop the capacity to make better and more nuanced judgment calls about the basis on which it shifts gears. It is not an easy judgment call because the context is very fragile and it does not take much for the coping capacities of local communities to quickly unravel. At the same time, the international community should not replace state functions where they can otherwise adequately address a crisis. This, as one interviewee argued, should be seen as part of an important process of holding a government to account and demanding greater transparency regarding the budgets and planning processes for responding to disasters.

12 Coordinating international and national assistance

Governments have a responsibility and a right to coordinate disaster assistance. However, coordinating the complex and fragmented web of international organisations involved in disaster assistance can be a demanding task. This is particularly challenging in the event of high profile, large-scale disasters such as Haiti, Pakistan and Japan which generate media interest, generous funding and an influx of international actors. However, remembering that these sorts of large-scale, high profile disasters are the exception rather than the rule is important. Many disasters suffer from the opposite problem of not enough attention, insufficient funding and limited numbers of actors.

States have a clear 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 local-level coordination. Legislation may be in place to formalise these coordination roles; 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 those 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 agencies bypass national coordination structures and fail to inform the domestic authorities of their activities (IFRC 2007b).

These tensions have been seen most recently following the introduction of the cluster system. Concerns about the way in which national authorities were included in cluster coordination processes led to revised guidance that stresses their role (IASC 2007). A recent evaluation of cluster coordination, however, found a continuing failure to engage with national authorities sufficiently:

In their current implementation, clusters largely exclude national and local actors and often fail to link with, build on, or support existing coordination and response mechanisms. Among other reasons, this is due to insufficient analysis of local structures and capacities before cluster implementation, as well as a lack of clear transition and exit criteria and strategies. As a result, the introduction of clusters has in several cases weakened national and local ownership and capacities (Steets et al. 2010).

However, the international community still has to act on relevant recommendations. In particular, the guidance available for cluster coordinators on working with national authorities remains inadequate and there is a lack of clear ownership of the issue and agreement on who should take it forward, particularly between OCHA and the cluster lead agencies.

The United Nations humanitarian or resident coordinator (and his or her office) plays an important role as the primary interlocutor between the international humanitarian community and the government. This is the formally agreed mechanism for linking governments to the wide range of international assistance actors, although it is not without its challenges. It has been highlighted by the IASC that greater leadership during humanitarian crisis and stronger coordination capacities are needed, and the office needs to be adequately resourced. The HC-strengthening topic is the first theme of a new business model introduced to the IASC by the Emergency Response Coordinator, Valerie Amos.

When it came to facilitating additional assistance from international actors in Japan, the Japanese government in collaboration with an UNDAC team assessed where foreign assistance was needed to complement national efforts. The government also consulted with OCHA to provide guidance on how such a process could be managed, but overall the role of the UN was very limited. Most NGOs engaged in the relief effort did so through local Japanese counterparts, and greater engagement of the INGO community was restricted. This is in contrast to Haiti where tens of thousands of NGOs set up operations without much coordination by the government or with each other and as such, Japan has been held up as an example of how effective government disaster management processes and controls can be (Ferris 2011). The reality is however, that most governments don't have these in place, and even where they do – exercising their right to coordinate can be deeply problematic – partly due to ineffective resourcing and competing authorities internally, but also due to the dynamics created by the international actors, including a lack of respect for, and consultation with, government perspectives.

In Pakistan, for example, the Pakistan National Disaster Management Authority (NDMA) highlighted in a lessons learned exercise a number of challenges to the response effort, including a lack of resources for the NDMA, and difficulties in mounting a centrally organised and cohesive national response. The NDMA emphasised that it did not enough resources to effectively manage the response – it had only 21 people in its team to manage the entire disaster, and an annual budget of approx \$750,000, which did not allow for any additional personnel or equipment. Critically, only one donor government provided support to the NDMA to fill capacity gaps, despite an international appeal of \$2billion dollars for the overall response (NDMA 2011b). Other donors provided technical assistance but in general, the international community has a very cautious attitude towards providing budget support to Pakistan. In addition, the National Disaster Management Act did not clearly identify which department had legislated authority to control the activities of other government agencies, in particular, challenges existed between the centre and the provinces regarding coordination, only made more challenging by the decision to launch a significant cluster response.

In Pakistan and Haiti, the cluster system was established to coordinate the international response. Recent global findings suggest the cluster approach has positively affected the quality of humanitarian assistance, including reducing duplication. However, significant challenges remain as to how the approach supports existing coordination systems, rather than sidelines them (Steets et al. 2010,

Grünewald 2010). The cluster system should be not only compatible with national and local coordination structures, but should also work with the government to jointly prioritise needs. In Pakistan, the government requested that priority be placed on the 'life-saving' sectors of food, WASH, shelter and health. Its preference was to support only a small number of clusters, and have other sectoral issues addressed through working groups. The Humanitarian Country Team, however, established the more 'traditional' model of 12 clusters, and 4 sub-clusters. The problem in establishing such a wide range and number of clusters is not, however, only that it did not fit with government wishes, or that difficulties in prioritisation resulted, but that it created a vastly more complex and expensive operation. The Real Time Evaluation (RTE) found that while all clusters indisputably have made contributions to ease suffering of the affected populations, the large cluster setup was too cumbersome and took the focus away from the response. The general impression is that due to the scale of the disaster the humanitarian community was unable to respond effectively through so many clusters (Polastro 2011).

In Haiti, despite early coordination efforts between national and local authorities and international relief actors, the close cooperation with national authorities was not sustained over time. The RTE and other evaluations found that many government agencies at the national and local levels (e.g., ministries, the Directorate for Civil Protection and municipalities) were excluded from humanitarian coordination and decision-making, and as a result the relationship between humanitarian organisations and the government was strained – risking a further weakening of the government and weakening of ownership of the response effort (Duplat and Perry 2010, Grünewald and Renaudin 2010). This was coupled with a non-governmental response, marked by a significant number of NGOs that lacked the skills and professional experience to operate in the country, were not properly registered, had inadequate approaches to quality and standards and didn't effectively coordinate with the government, the UN or each other (Granger/IDRL2011). An important lesson from the Haiti response was that the IASC and global clusters should develop guidance to ensure that only experienced and professional INGOs play a role in future response efforts (see discussion below on certification).

The cluster approach was established in Haiti before the earthquake, but the links between the clusters and the government were uneven. Several clusters had excellent relations with their line ministries at the Port-au-Prince level, while others had very little contact (Grünewald 2010). Humanitarian coordination was set up at the Log Base, which was difficult for Haitians to access, and cluster meetings were held in English, further aggravating the situation (Grünewald 2010). Valuable coordination and information materials in French or in appropriate formats were scarce (the main information Web portal was largely in English) (Duplat and Perry 2010, Grünewald and Renaudin 2010). In addition, little was done at the provincial and local levels to facilitate coordination with the local authorities. The Real Time Evaluation also argued that despite a lot of talk about supporting the Haitian government, bilateral donors reacted too slowly and only provided the government with basic facilities to carry out their role (e.g., 'offices in a box', communication means, and meeting spaces) three months after the disaster (Rencoret et al. 2010).

However, there were some positive developments: some donors allocated resources to support the Haitian state. The president created a national expert group of civil society and private sector leaders to advise him on questions such as humanitarian aid and reconstruction. However, some of these experts had difficult relations with technical ministries. In addition, several countries seconded external consultants to work with the prime minister. This system created confusion about whom the international community was supposed to interact with.

Indonesia's 2007 disaster-management law created a new high-level agency for disaster management, the BNPB. At the time of the West Java and West Sumatra earthquakes in 2009, the BNPB had been established at the national level but not completely at the provincial and district levels. OCHA recognised the importance of coordinating with the government of Indonesia at national, provincial and district levels. In Padang (West Sumatra) OCHA made efforts to invite government officials to coordination meetings and to keep them engaged. In the first two weeks, government officials did participate in general coordination meetings, helped by the fact that the head of the office in Padang was Indonesian and spoke Bahasa. At the cluster level, there were strong partnerships with the government in sectors such as health and education where clear counterpart line ministries existed. Government attendance at the general coordination meetings dropped off after the first two weeks, however, and the meetings started to be held solely in English. The issue of language was a key constraint for government officials and national NGOs, making it hard for them to attend and play an active part in general coordination and cluster meetings. Approaches to tackling this varied. The shelter cluster had simultaneous translation facilities. Some education clusters provided translation in all meetings and just accepted that this meant extending the schedule, while others switched between Bahasa and English depending on who was attending.

OCHA is currently caught in something of a Catch 22. It recognises the need to move towards greater national ownership and leadership in coordinating and responding to disasters. But, in high-profile disasters OCHA is completely absorbed by the influx of hundreds of international aid agencies. The system tends to default to the familiar, which is coordination largely among international agencies and run in English. This excludes nationals and either marginalises them and/or leads to two responses running in parallel, and only limited understanding between them. This could be seen in Padang, where international aid, government-led assistance and the efforts of national NGOs were coordinated in parallel rather than jointly (Harvey et al. 2010).

There are examples of good practice emerging. For instance, in the Philippines, the cluster coordination system was adapted to the context and has been embedded in national legislation. As with so many of the challenges facing greater cooperation with national authorities, there is a need for greater attention as to how to improve coordination between national and international actors particularly regarding investments in preparedness and contingency planning.

Dealing with influxes – the debate about certification

In many disasters, the problem is not that too many actors or too much money exists, but the opposite. We need to guard against taking large-scale disasters such as the 2010 earthquake in Haiti or the Pakistan floods and assuming that these are the norm. However, these large-scale disasters do present the particular problem of how to deal with and coordinate thousands of international organisations.

Calls have recently occurred for some form of certification system at an international level. For instance Alan Duncan, the UK Minister of State for International Development, argued at a recent meeting that,

It was clear, after Haiti, that a system of NGO certification was needed to avoid similar problems in the future.

In response, Barbara Stocking the head of Oxfam noted that,

It had been recognised by the NGOs themselves, after Haiti, that a certification system was indeed needed, and a lot of work was now under way on this. The issues were tricky, not least avoiding too much emphasis on the big NGOs, and discouraging the emergence of new NGOs. Small, specialised NGOs often did a first class job. And situations where there were too many NGOs were the exception, not the rule.

Calls for a system for certifying or accrediting international agencies are not new but have tended to founder on the many difficulties of setting up an international system of self-regulation. If NGOs do not establish some sort of system or exhibit greater individual restraint in deciding whether they will add value in responding to disasters then government possibly will take matters into their own hands.

Governments could certainly exert greater control. They could, for example, welcome international assistance but only from international organisations already registered and working in the country or from a pre-agreed list of international organisations established through a contingency planning process. They could link legal facilities (such as expedited visas or customs clearance) to a system of registration, as recommended by IFRC (2007b).

However, international agencies' fear is that restrictions could hamper the ability of organisations to meet real and urgent needs. Many governments have already introduced domestic legislation and regulation which Moore (2007) describes as a regulatory backlash against NGOs. However, if international efforts to reduce the problem of unregulated influxes of thousands of international organisations do not bear fruit then international agencies should expect governments to take matters into their own hands.

Civil-military coordination

Recent experience in large-scale emergencies demonstrates that unique capabilities afforded by military actors makes them well positioned to help support humanitarian action. The Haiti earthquake and Pakistan floods served as reminders that both domestic and international military forces can contribute timely, appropriate and unique assets to assist in the initial phases of humanitarian emergency response. However, the challenges in maintaining the civilian character of humanitarian assistance remain, and are often amplified where bilateral foreign military assistance is provided.

In many countries, the armed forces are mandated to provide the first emergency response. In India, for instance, the Disaster Management Act provides for the establishment of a National Disaster Response Force (NDRF) consisting of eight battalions stationed around the country. These troops train in disaster response and integrate with state disaster-response mechanisms. The NRDF was active in the response to floods in Bihar in 2008 (Price and Bhatt 2009, Harvey 2009).

Existing guidelines on using the armed forces in disaster responses, such as the UN Military and Civil Defence Asset (MCDA) Register and the Oslo Guidelines, focus largely on the deployment of international forces in complex emergencies (UN 2003, UN 2006). But the guidelines fail to address the practical question of how humanitarian agencies should relate to the armed forces of affected states. Some countries, including India, have rejected the Oslo Guidelines because they were not developed inter-governmentally and are seen as impinging on their sovereignty. 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 documents focus on how humanitarian agencies relate to the military, rather than the latter's role in providing assistance.

In Pakistan, the Pakistani military deployed approximately 70,000 troops in support of the 2010 flood relief operations. Here and in previous responses – including the rescue operations after the 2005 earthquake it is clear that, had the military not been involved, casualties in both disasters would have been much higher (Shah 2011). The military facilitated relief operations by providing logistical support in the shape of helicopters, boats and personnel to deliver food and other relief items in inaccessible hilly areas or in plains inundated by floods (Shah 2011). But their role also demonstrated that civil-military relations remain a challenge, both at the political and operational level. The Pakistani army has also been engaged in a military operation against militants in its north-west provinces and, as such, constraints were imposed on aid agency movements and access to beneficiaries in this region.

13 Linking disaster risk reduction and emergency response

Developing country governments (through their Hyogo Framework commitments), donor governments and aid agencies are increasingly committed to investment in disaster preparedness and disaster risk reduction. Some progress is being made on financing for disaster risk reduction and this could usefully be taken forward (Harmer et al. 2009). However, the disaster risk reduction and humanitarian agendas are still too separate and those working on humanitarian action and disaster response and those working on disaster risk reduction and preparedness could usefully be more engaged with each other. This should not be difficult – after all those working on the two issues often sit within the same organisations but the policy debates and practical action have remained oddly separate.

Coherence of action on this issue matters greatly for how international humanitarian actors relate to national governments because much of what would be needed to build stronger relationships and for governments to better fulfil their primary responsibilities to assist and protect citizens in times of disaster needs to happen as part of preparedness planning. The midst of a disaster response is always a bad time to try to develop different ways of working and the international humanitarian system tends to default to what is familiar working largely with each other and ignoring or sidelining national capacities. The process of building trust with national authorities, strengthening national capacities and embedding different ways of working in preparedness and contingency plans needs to take place as part of longer term investments in disaster preparedness.

14 Monitoring and evaluation

In developing a better understanding of what states do in response to disasters and how they relate to international agencies, one issue is that little monitoring and evaluation of government responses occurs. International aid agencies are getting better at monitoring and evaluating their own work, but rarely include any analysis of host government responses. Two recent reports by Development Initiatives are exceptional in this respect (DRT and Development Initiatives, 2010; Shushilan and Development Initiatives, 2010). Governments themselves seldom commission or publish internal or independent analyses or evaluations of their disaster responses. The result is no critical, independent analysis of the impact, effectiveness or efficiency of large-scale government responses exist for to recent disasters such as Pakistan's response to the earthquake, China's response in Sichuan, Bangladesh's response to Cyclone Sidr or Indonesia's response in West Sumatra. Governments might be sensitive about allowing independent evaluations of their provision of emergency relief, but this critical dimension of the overall relief response needs to be better documented and understood.

The lack of independent and publicly available analysis of government responses to disasters makes it more difficult to establish the trust and credibility donor governments need to confidently directly support governments to respond to their own disasters. The evidence base on the effectiveness, efficiency and impact of government responses to disasters is woefully insufficient.

The response to the floods to Pakistan is a welcome exception to this trend. While not independently managed, and lacking in detail regarding how much money and resources the government and the military put into the response, the National Disaster Management Authority (NDMA) did however publish two reviews – one focusing on the appeal and response effort (NDMA 2011a), and the other on lesson learning from the perspective of the NDMA (NDMA 2011b). These are two important contributions reflecting the perspectives of the government of Pakistan on the response, which might serve to assist and improve the relationship between the government and the international community for response efforts in the future.

15 Conclusions

A real momentum for action is growing on how governments and international aid actors can work together better in meeting people's needs following disasters. The International Dialogue on Strengthening Partnership in Disaster Response for which this is a background paper, the last ALNAP meeting in Malaysia which focused on this topic, the June 2011 Montreux meeting, discussions in the ECOSOC session in 2011 and other bilateral level interest such as DFID's humanitarian response review are all examples that the issues raised in this paper are finally being talked about.

This flurry of attention is welcome but needs to be sustained and there needs to be strong coordination is needed to avoid a confusing proliferation of solutions. This improved dialogue also needs to translate into changes in policy and practice. The IDRL guidelines still need to be more widely adopted and when this happens they will provide a strong legal framework for improved collaboration. But a better legal framework is only part of the battle. Changes are also needed in the how international humanitarian aid is appealed for, financed, coordinated, staffed, assessed, delivered and monitored. At the heart of many of these practical challenges is a deficit in trust between national governments and international aid actors. This trust deficit can only be tackled by building up confidence in each other's motives and capacities over time, including through greater investments in disaster preparedness

A stronger and constructive cooperation between national authorities and international humanitarian actors could produce great benefits for people affected by disasters, resulting in more timely, effective and efficient delivery of assistance that saves lives and enables people to recover faster from the impacts of disasters. This improved dialogue should not carry a Western 'capacity building' agenda where international agencies seek to strengthen the capacity of southern governments. It should be a discussion between equals about how states can better fulfil their primary role in the 'initiation, coordination and implementation of humanitarian assistance' by drawing on the strengths of international aid actors when needed in ways that respect state primacy and national capacities.

Endnotes

- 1 The term ‘non-DAC’ is used to refer to the group of donors that remain largely (although not entirely) outside the membership of the Development Assistance Committee (DAC) of the Organisation for Economic Cooperation and Development (OECD). Although the non-DAC grouping disguises a diverse range of institutions, policies and capacities of donors, terms like ‘new’ and ‘emerging’ or ‘non-traditional’ do not reflect the long histories and established programmes of aid donorship non-DAC governments have in many affected states.
- 2 ASEAN Plus Three includes China, Japan and South Korea.
- 3 UAE, Korea and Turkey represented as non OECD DAC donors, but no big ‘affected states’ (i.e., Pakistan or Kenya are represented).

References

- Ashdown, P. 2011. *Humanitarian Emergency Response Review*. London.
- Bennett, Nicki. 2011. *Civil-Military Principles in the Pakistan Flood Response*. Humanitarian Exchange 49, January.
- Benson, C. and Twigg, J. 2007. *Tools for Mainstreaming Disaster Risk Reduction: Guidance Notes for Development Organizations*, Provention Consortium.
- Donini, A., L. Fast, G. Hansen, L. Minear, T. Mowjee and A. Wilder. 2008. *The State of the Humanitarian Enterprise*. Humanitarian Agenda 2015. Medford, MA: Feinstein International Center, Tufts University.
- ECHO. 2011. *DG ECHO's Operational Strategy 2011*. European Commission Humanitarian Aid.
- Ferris, Elizabeth, and Daniel Petz. 2011. *A Year of Living Dangerously: A Review of Natural Disasters in 2010*. The Brookings Institution – London School of Economics Project on Internal Displacement. April.
- Ferris, Elizabeth. 2011. *Beyond the Disaster: A Call for Japanese Leadership in International Disaster Response Law*. The Brookings Institution. 22 March.
- Fisher, D. 2010. 'The Right to Humanitarian Assistance.' In *Incorporating the Guiding Principles on Internal Displacement into Domestic Law, Issues and Challenges*, edited by W. Kalinet al. Brookings Bern Project on Internal Displacement
- Foley, C. 2007. *Mozambique: A Case Study in the Role of the Affected State in Humanitarian Action*. HPG Working Paper, Overseas Development Institute.
- GHA. 2010. Global Humanitarian Assistance Report.
- GHD 2003. 23 Principles and Good Practice of Humanitarian Donorship.
- Grünewald, François, Andrea Binder and Yvion Georges. 2010. *Inter-agency Real Time Evaluation in Haiti: 3 Months after the Earthquake*.
- Guha-Sapir, D., F. Vos, R. Below with S. Ponserre. 2011. *Annual Disaster Statistical Review 2010: The Numbers and Trends*. Brussels: CRED.
- Harmer, A. et al. 2009. Thematic CAP for National Disaster Preparedness: Feasibility Study. Humanitarian Outcomes, commissioned by the Norwegian Ministry of Foreign Affairs.
- Harvey, P. 2009. *Towards Good Humanitarian Government: The Role of the Affected State in Disaster Response*. HPG Report 29, Overseas Development Institute.
- Harvey, P. 2010. *The Role of National Governments in International Humanitarian Response*. ALNAP meeting paper, 26th Annual Meeting, 16–17 November 2010, Kuala Lumpur, Malaysia.
- Harvey, P. et al. 2010. *The State of the Humanitarian System: Assessing Performance and Progress, a Pilot Study*, ALNAP. Hunger Safety Net Programme. 2008. *Newsletter*, Volume 1, Issue 1.
- IASC. 2004. *Civil Military Relationship in Complex Emergencies*. An IASC Reference Paper, Inter-Agency Standing Committee.
- IASC. 2007. *Guidance Note on Using the Cluster Approach to Strengthen Humanitarian Response*. Inter-Agency Standing Committee.
- IASC. 2009. 'Operational Guidance for Cluster Lead Agencies on Working with National Authorities.' January. IASC Cluster/Sector Leadership Training Advocating with National Authorities (no date).
- IASC. 2011. *Operational Guidelines on the Protection of Persons in Situations of Natural Disasters*. Published by The Brookings-Bern Project on Internal Displacement.
- 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. 2007. *Law and Legal Issues in International Disaster Response: A Desk Study*. 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.
- IFRC. 2011. *International Disaster Response Law in Uganda*. International Federation of the Red Cross and Red Crescent Societies in cooperation with Uganda Red Cross.
- ISDR. 2005. *Hyogo Framework for Action 2005–2015: Building the Resilience of Nations and Communities to Disasters*. International Strategy for Disaster Reduction.

- Macrae, G. 2008. 'Could the System Work Better? Scale and Local Knowledge in Humanitarian Relief,' *Development in Practice* 18, No 2.
- NDMA. 2011a. *A Review of the Pakistan Flood Relief and Early Recovery Response Plan*. National Disaster Management Authority, Prime Minister's Secretariat, Islamabad, January.
- NDMA. 2011b. *Pakistan 2010 Flood Relief – Learning from Experience: Opportunities and Observations*. National Disaster Management Authority, Prime Minister's Secretariat, Islamabad, 12 April.
- OCHA. 2011. *Montreux Retreat on the Consolidated Appeal Process and Humanitarian Financing Mechanisms*. Humanitarian Reform in the twenty years since GA Resolution 46/182, background document, based on various sources.
- OECD-DAC. 2005. *Paris Declaration on Aid Effectiveness, Ownership, Harmonisation, Alignment, Results and Mutual Accountability*.
- OECD-DAC. 2007. *Fragile States: Policy Commitments and Principles for Good International Engagement in Fragile States and Situations*. DAC High Level Meeting.
- OECD-DAC. 2008a. *Humanitarian Aid in DAC Peer Reviews: A Synthesis of Findings and Experiences 2006–2007*.
- PAHO. 2009. *Be a Better Donor: Practical Recommendations for Humanitarian Aid*. Pan-American Health Organisation.
- Pictet, J. 1979. *The Fundamental Principles of the Red Cross*. Henry Dunant Institute.
- Polastro, Riccardo, Aatika Nagrahm, Nicolai Steen and Farwa Zafar. 2011. *Inter-Agency Real Time Evaluation of the Humanitarian Response to Pakistan's 2010 Flood Crisis*. IASC/DARA, March.
- Rencoret, N. et al. 2010. *Haiti Earthquake Response: Context Analysis*. ALNAP.
- Shah, Zahir. 2011. *Military–Humanitarian Relations in Pakistan*. Humanitarian Exchange Number 49, January.
- Sphere. 2011. *Humanitarian Charter and Minimum Standards in Disaster Response*. The Sphere Project.
- Steets, J. et al. 2010. *Cluster Approach Evaluation 2: Synthesis Report*. IASC Cluster Approach Evaluation 2nd Phase, Groupe URD and the Global Public Policy Institute.
- Stoddard, A., et al. 2007. *Cluster Approach Evaluation, Final Report*. OCHA Evaluation and Studies Section.
- UN. 1991. General Assembly Resolution 46/182, *Strengthening of the Coordination of Humanitarian Emergency Assistance of the United Nations*. United Nations.
- UN. 2003. *Guidelines on the Use of Military and Civil Defence Assets to Support United Nations Humanitarian Activities in Complex Emergencies*. United Nations.
- UN. 2006. *Guidelines on the Use of Foreign Military and Civil Defence Assets in Disaster Relief – 'Oslo Guidelines'*. United Nations.
- World Bank and ISDR. 2007. *Global Facility for Disaster Reduction and Recovery*. A Partnership for Mainstreaming Disaster Mitigation in Poverty Reduction Strategies.

Interviewees

Francis Buwule, Legal Advisor, Ugandan Red Cross Society

Rebecca Dale, Senior Conflict Adviser, MENA, DFID

Phillip Dyer, Head, Office of the UN Resident Coordinator,
Uganda

Elizabeth Ferris, Co-Director, Brookings-Bern Project on
Internal Displacement Kei Hakata, Seikei University,
The Brookings Institution

Scott Gardiner, Humanitarian Adviser, DFID

Isabelle Granger, Coordinator for America, International
Disaster Response Laws, Rules and Principles
Programme, International Federation of Red Cross and
Red Crescent Societies

Edouard Jay, Programme Manager, Federal Department
of Foreign Affairs (FDFA), Swiss Agency for
Development and Cooperation (SDC), Directorate of
Humanitarian Aid, Multilateral Affairs Division

Natasha Kindergan, Head, Intergovernmental Support
Section, Policy Development and Studies Branch,
Office for the Coordination of Humanitarian Affairs
(OCHA), New York

Oliver Lacey-Hall, Head, Regional Office for Asia and the
Pacific, Office for the Coordination of Humanitarian
Affairs (OCHA), Bangkok, Thailand

Patrick Saez, Humanitarian Adviser, Conflict Humanitarian
and Security Department, DFID

Graham Saunders, Head, Shelter & Settlements
Department, International Federation of Red Cross and
Red Crescent Societies

Ed Schenkenberg, Executive Director, International Council
of Voluntary Agencies (ICVA)

Lewis Sida, Consultant

Antonin Petr, Seconded National Expert, European
Commission, DG ECHO, Directorate General for
Humanitarian Aid and Civil Protection

Tim Waites, Humanitarian and Disaster Risk Reduction
Adviser, DFID

Aimee Wielechowski, Chief, Strategic Planning Unit (SPU),
Office for the Coordination of Humanitarian Affairs
(OCHA), New York

Colum Wilson, Senior Humanitarian Advisor, Africa
Regional Department, DFID

Kae Yanagisawa, Director General, Secretariat of Japan
Disaster Relief Team, Japan International Cooperation
Agency

Humanitarian Outcomes

An independent team of professionals providing evidence-based analysis and policy consultations to governments and international organisations on their humanitarian response efforts.

London: 40 Sutherland Square, London, SE17 3EE, UK.

Telephone +44 207 252 4752

New York: 263 West 20th Street, Second Floor, New York, NY

10011, USA. Telephone +1 212 727 8175

For more information regarding this report, contact Adele Harmer at adele.harmer@humanitarianoutcomes.org.