

NGOs and Humanitarian Reform: Mapping Study Afghanistan Report

By:
Antonio Donini
Senior Researcher, Feinstein International Center, Tufts University

Commissioned by NGOs and Humanitarian Reform project

This mapping study is one of a series of five reports commissioned by the NGOs and Humanitarian Reform Project. It is written by an independent consultant and does not necessarily represent the individual views of the project consortium member.

NGOs and Humanitarian Reform is a three year consortium project funded by DfID. Member agencies are *ActionAid, CAFOD, CARE, International Council of Voluntary Agencies, International Rescue Committee, Oxfam and Save the Children*. The consortium was formed to set up and run the project. This project was established to support the effective engagement of international, national and local humanitarian non-governmental agencies (NGOs) in reform efforts. It promotes an integrated approach across policy-relevant research and operational learning to explore what works and does not work in reform informed by the operational experience of NGOs on the ground. The project aims to strengthen the NGO voice in policy debates and field processes related humanitarian reform.

NGOs and Humanitarian Reform: Mapping Study Afghanistan Report

FOR: ActionAid, CAFOD, CARE, ICVA, IRC, Oxfam, Save the Children

DATE: March 2009

By: Antonio Donini
Senior Researcher, Feinstein International Center, Tufts University

TABLE OF CONTENTS

Executive Summary	1
Acronyms	4
1. Context	5
2. Methodology	11
3. Coordination	12
4. Funding	21
5. Leadership	24
6. Partnership	25
7. Accountability to crisis-affected communities	28
8. Effect of reforms on humanitarian response	30
9. Conclusions and recommendations	31
Annex: NGOs and Humanitarian Reform Project	36

Executive summary

Afghanistan is in the grip of a deepening humanitarian crisis. Humanitarian actors and the principles they profess are under attack. The ability of humanitarian agencies to address urgent need is compromised by internal and external factors, i.e., both by the organisation and modus operandi of aid agencies on the ground, and by an extremely volatile and dangerous operating environment characterised by external military intervention and spreading insurgency.

This report highlights key challenges and dilemmas that the humanitarian community in general, and non-governmental organisations (NGOs) in particular, are facing in Afghanistan today. The terms of reference (TOR) envisioned that this exercise would provide a baseline against which progress on humanitarian reform could be assessed. However, in Afghanistan humanitarian reform issues pale in comparison to the bigger issues of redressing the credibility of the humanitarian enterprise and addressing the potentially escalating assistance and protection needs of civilians caught up in conflict and crisis.

Unlike earlier phases of the conflict where all parties had formally agreed to respect humanitarian actors, there is no such humanitarian consensus in Afghanistan today and very little humanitarian space. Both have been trampled by political expediency and by the disregard by belligerents for the plight of civilians. Aid workers are being increasingly targeted by the Taliban and other insurgents for their perceived alignment with alien political agendas. Access and operational space are almost nonexistent in the south, south-east, and parts of the west of the country. The combined effects of conflict, drought, increased food prices, and a long history of recurring disasters are thought to be severe, but the actual depth and breadth of the crisis are as yet unknown.

The challenges faced by humanitarian agencies arise from a complex mix of causes relating to the nature of the war, the set-up of the international community and its objectives in Afghanistan, the failure of the externally-directed state-building project, and the conditions of structural underdevelopment, which have been made worse by thirty years of unending war and foreign occupation and manipulation. Against this backdrop, the report analyses the progress of humanitarian reform initiatives and their impact on NGOs. Key findings are highlighted below.

*Humanitarian **coordination** is dysfunctional and suffers from the legacy of decisions taken in 2001 to establish a UN integrated mission and to close down the Office for the Coordination of Humanitarian Affairs (OCHA) office. An OCHA office has recently been re-opened – thanks largely to advocacy by NGOs. This has created opportunities and expectations but OCHA still faces an uphill battle to restore the bona fides of humanitarian coordination, a capacity to collect and analyse information on humanitarian conditions around the country, and, importantly, to negotiate access and space with all sets of belligerents. In terms of the mechanics of coordination, **clusters** have been introduced but their overall effectiveness in terms of improved response remains unclear. In particular, more needs to be done to ensure effective buy-in of the cluster system and cluster-lead responsibilities by UN agencies. For the first time since*

2002 a **consolidated appeal** was put together in late 2008. While a positive development, it remains a collection of funding requests rather than a programmatic instrument built on substantive work in the clusters.

There is no pooled **funding** mechanism in Afghanistan, although one is reportedly in the pipeline. So far, participation of NGOs in the Central Emergency Response Fund (CERF) has been symbolic rather than real. Procedures for access to CERF are cumbersome and opaque. More transparent and accountable procedures are required, showing for example disbursements via UN agencies to NGOs rather than simply to UN agencies.

Leadership is a key pillar of humanitarian reform. Unfortunately in Afghanistan humanitarian leadership suffers from weaknesses of structure and vision. The so-called 'triple-hatted' responsibilities of the single individual who serves as United Nations Humanitarian Coordinator (HC), Resident Coordinator (RC) and Deputy Special Representative of the Secretary General (DSRSG), undermine the incumbent's ability to devote time and energy to humanitarian coordination. Given the deepening humanitarian crisis and the perceptions of alignment of the HC/RC/DSRSG position with government and Coalition interests, there is a strong case for the separation, both functional and physical, of the HC position from the RC/DSRSG position. It is also critical that the incumbent has impeccable humanitarian credentials and is committed to boosting partnership with NGOs.

The aid community in Afghanistan is large, varied and somewhat fragmented. There is a core group of agencies with humanitarian interests among whom there is a relatively good sense of **partnership** around what needs to be done to improve the effectiveness of humanitarian action. NGOs have been particularly effective on humanitarian advocacy issues and in bringing about the return of OCHA. One of the peculiarities of Afghanistan is that apart from the Norwegian Refugee Council (NRC) and Action Against Hunger (ACF), there are no international NGOs (INGOs) with exclusively humanitarian mandates. All the UN agencies, except OCHA and the UN High Commissioner for Refugees (UNHCR), are also multi-mandate. Those that do have humanitarian programmes (UN Children's Fund (UNICEF), the World Health Organisation and the World Food Programme) also maintain strong links with the government and implement its programmes. This is problematic because of the perceived loss of neutrality and independence of humanitarian actors.

So far, the impact of humanitarian reform on humanitarian response has been minimal. As one respondent remarked: "There is so little humanitarian work going on that any impact would be very difficult to measure". There is also a widespread perception that the reform has benefited the UN and its agencies more than the NGOs. The appointment of a humanitarian reform officer would help to redress this situation.

The report concludes with **two overarching recommendations**. The first is that in order to enhance the perception of neutrality, independence and impartiality of their humanitarian activities, particularly in those areas of the country where working with legitimate local authorities is no longer possible, NGOs should establish a **Humanitarian Consortium** that would distinguish itself from other actors on the ground by a recognizable symbol (e.g. pink vehicles or a particular logo) and by a set of

*principled, clear and transparent operational guidelines. The second relates to the urgent need to launch a **communications strategy** aimed at the general public and all belligerents to explain the principles, objectives and modus operandi of consortium agencies. This should include efforts to ensure that the vernacular media provide a balanced presentation of humanitarian activities, a campaign to sensitise decision-makers at the sub-national level (provincial councils, governors, leading mullahs), including efforts directed at influencing the leadership of the insurgency on humanitarian access and the rights of civilians caught up in conflict.*

List of Acronyms

ACBAR	Agency Coordinating Body for Afghan Relief
ACF	Action Against Hunger (Action Contre la Faim)
AHF	Afghanistan Humanitarian Forum
AMI	Aide Médicale Internationale
ANDS	Afghanistan National Development Strategy
ANSO	Afghanistan NGO Safety Office
BOGs	Basic Operational Guidelines
CARE	Cooperative for Assistance and Relief Everywhere
CERF	Central Emergency Response Fund
DFID	Department for International Development (UK)
DSRSG	Deputy SRSG
ECHO	European Commission Humanitarian Aid Department
ERC	(UN) Emergency Relief Coordinator
FAO	Food and Agriculture Organisation
GWOT	Global War on Terror
HAP	Humanitarian Action Plan
HAU	Humanitarian Affairs Unit
HC	Humanitarian Coordinator
HCT	Humanitarian Country Team
HRO	Humanitarian Reform Officer
ICRC	International Committee of the Red Cross
IDP	Internally Displaced Person
IFRC	International Federation of Red Cross and Red Crescent Societies
INGO	International Non-Governmental Organisation
IOM	International Organisation for Migration
IRC	International Rescue Committee
ISAF	International Security Assistance Force
MSF	Médecins sans Frontières
NNGO	National Non Governmental Organisation
NRC	Norwegian Refugee Council
NSP	National Solidarity Programme
OCHA	(UN) Office for the Coordination of Humanitarian Affairs
OHCHR	(UN) Office of the High Commissioner for Human Rights
PRT	Provincial Reconstruction Team
RC	Resident Coordinator
SCF-US	Save the Children Fund US
SRSG	(UN) Special Representative of the Secretary-General
UNAMA	United Nations Mission in Afghanistan
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNHAS	United Nations Humanitarian Air Service
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNMACA	United Nations Mine Action Center for Afghanistan
UNOCHA	UN Office for the Coordination of Humanitarian Assistance to Afghanistan
UNOPS	UN Office of Project Services
USAID	US Agency for International Development
WFP	World Food Programme
WHO	World Health Organisation

*"Humanitarian work has never been as difficult as now.
2009 will be a very difficult year for Afghanistan and its people"*
Reto Stocker, International Committee of the Red Cross, Kabul¹

The consortium of NGOs implementing the NGOs and Humanitarian Reform project has commissioned five 'mapping' studies to provide baseline data for the three-year project and guidance on country-specific activities that consortium members should undertake to implement the project. For further details of the project, see the terms of reference (TOR) in Annex 1. One consortium member is the lead agency in each of the mapping study countries. In Afghanistan, the Cooperative for Assistance and Relief Everywhere (CARE) took the lead and provided excellent substantive and logistical support. Special thanks are due to Marit Glad and Lex Kassenberg of CARE and their national staff who facilitated the visit. The International Rescue Committee (IRC) was also extremely helpful in organising a field visit to Jalalabad. Their help and the support of other consortium members is gratefully acknowledged.

Comments on an earlier draft have been received from consortium members, other NGOs, the Office for the Coordination of Humanitarian Affairs (OCHA) and UN staff. While these have been carefully considered, this report is issued under the responsibility of its author and thus does not necessarily reflect the views of consortium members.

1. Context

By all accounts Afghanistan is in the grip of a deepening humanitarian crisis, even if the contours of the crisis are difficult to define. Humanitarianism itself is under deep threat. Humanitarian actors and the principles they profess are under attack. The ability of humanitarian agencies to address urgent need is compromised by internal and external factors, i.e., both by the organisation and modus operandi of aid agencies on the ground, and by an extremely volatile and dangerous operating environment characterised by external military intervention and spreading insurgency.

Humanitarian action has a long history in Afghanistan. The international community's response to the Afghanistan crisis spans a 30 year period which saw the demise of the Cold War, the ensuing disorder and reshuffling of political, military and economic agendas in Central and South Asia, and the tentative emergence of a new hegemonic order based on globalisation and the anti-terrorism agenda.

While humanitarian action has remained a constant in Afghanistan, it has of course been affected both by the structural changes in the nature of the conflict and by the

¹ IRIN, 17 March 2009, accessed at: www.irinnews.org/Report.aspx?ReportId=83528

broader developments in the international community's approaches to conflict and crisis. These changes relate to policy shifts within the humanitarian arena itself as well as the changing status of humanitarian action in relation to the other variables affecting the Afghanistan crisis – political, economic and human rights factors in particular.

This report is written from a humanitarian perspective. However it must be said at the outset that in Afghanistan, as elsewhere, it is particularly difficult to separate out humanitarian issues from the political context and its ramifications. The Afghan crisis was of course primarily political from day one. The military vicissitudes that accompanied it in turn gave rise to massive humanitarian need. The manner in which the international community responded to these needs and the fluctuations of the response over time, were heavily influenced by political agendas that were often at odds with humanitarian objectives. From the start, as in most complex emergencies, the space for humanitarian action was determined by politics and, particularly most recently, by military agendas. This intrusion of the political has ranged from relatively benign pressure to the overt manipulation of humanitarian action for partisan purposes. Today, this intrusion has reached unparalleled levels.

There are two important lessons to reflect upon here. The first is that there seems to be a negative correlation between “international politics”, understood as direct superpower involvement, and the ability of the international system to engage with crises in a relatively principled manner. In Afghanistan, the “highs” in politics (Cold War proxy interventions; post 9/11 US-led intervention) correspond to “lows” in principles. Conversely, reduced superpower attention to the Afghan crisis, as in the 1992-1998 period of internecine conflict, allowed more space for issues of principle and for significant innovations in how the UN and other external actors could do business in a crisis country. The corollary to this law is that when international political interest is high, as a rule the political people in the donor and UN bureaucracies take over policy and decision-making, including humanitarian and human rights decision-making, displacing the humanitarian players who often have a better understanding of realities on the ground.

The second lesson is that the “instrumentalisation” of humanitarian assistance for political gain, in addition to constituting in itself a violation of humanitarian principles, does not pay. Subordination of principles to so-called higher imperatives of *Realpolitik* or of the Global War on Terror (GWOT) may allow short-term gains, but in the long term, the Afghan experience shows, the price in terms of access and security for aid agencies can be high. And in Afghanistan blowback from the politics and the manipulations of humanitarian action of the 1980s and 1990s continues to this day.

Timeline of the Afghan Crisis.

It is useful, for analytical purposes, to separate the humanitarian response to the Afghan crisis into four distinct phases:

From the Soviet invasion to the fall of Najibullah (1979-1992)—or the Cold War period and its aftermath. In humanitarian terms, there were two distinct phases to this period: first came the cross-border solidarity phase during which NGOs operated, by necessity, from neighbouring countries. The second phase saw the arrival of the UN agencies on the scene and was accompanied by agreement on a “humanitarian consensus”

endorsed by belligerents as well as neighbouring countries, and the first attempt to set up a robust UN humanitarian coordination mechanism while simultaneous UN attempts to broker peace followed a formulaic Cold War script.

The civil war and the triumph of warlordism (1992-1996). The volatility of the situation in Afghanistan, which included the devastation and complete breakdown of institutions, hampered the provision of assistance and provoked great soul searching in the assistance community – what are we doing here? Are we fuelling the war? – as well as growing disillusionment in a UN peace process that was increasingly reduced to “talks about talks”.

The Taliban period (1996-10 October 2001). The rise of the Taliban regime triggered a resurgence of interest in humanitarian principles, as well as human rights issues, and was coupled with a second attempt at more robust coordination among, at least in theory, the assistance, human rights and political dimensions of the international approach to Afghanistan.

Post 9/11, or the perils of “nation-building lite” in a weak state. The heavy engagement of the international community (and great powers in particular) that has accompanied renewed interest in Afghanistan since the events of 9/11 has, again, been characterised by politics trumping principles in the elusive quest for a durable peace, and by the resurgence of conflict. Humanitarian actors are once again at the receiving end of partisan politics and are paying a high price for their perceived alignment with an external agenda.

While there are elements of “dépà vu” in the present phase of the crisis, there are also worrying new features. These, and the challenges faced by aid agencies in addressing them, are briefly described below.

The UN is, and is seen as, aligned with the US-led coalition intervention. The United Nations Mission in Afghanistan’s (UNAMA) objectives and activities are functionally linked in a so-called “comprehensive approach” to those of the coalition.² Unlike all previous phases of the conflict, the UN interacts on political and humanitarian matters with only one set of belligerents and with the Karzai government that these belligerents support. Understandably, it has a credibility problem with the “other side”.³ The UN agencies fare no better: with the partial exception of the World Health Organisation (WHO), they see their role as supporting the government. The World Food Programme (WFP) uses International Security Assistance Force (ISAF) intelligence to assist its

² Security Council resolution 1868 of 24 March 2009 asks UNAMA “to ensure coherence between the activities of national and international security forces and of civilian actors in support of an Afghan-led development and stabilisation process, including through engagement with provincial reconstruction teams and engagement with non-governmental organisations”.

³ “The UN was established to ensure the rights of nations, but now this organisation supports one side in Afghanistan and wants to eliminate the other. Therefore the new UN representative will not achieve success... The Taliban view him as NATO’s general and not as the UN secretary general’s representative...”, statement by Taliban spokesman, Afghan Islamic Press, 8 March 2008, www.afghanislamicpress.com

convoys⁴, The UN High Commissioner for Refugees, UN Children's Fund and UN Development Programme (UNHCR, UNICEF and UNDP) all work hand in hand with the government. Their record in terms of humanitarian principles is poor. A number of UN agencies opposed the establishment of OCHA; some still now only perfunctorily accept its role.

Thus the UN humanitarian capacity is weak and further diminished by its incorporation, until very recently, into an essentially political UN integrated mission. The separate OCHA office that had existed since 1988 was disbanded when the integrated mission was set up in 2002. A humanitarian unit was only re-established within the United Nations Mission in Afghanistan (UNAMA) in 2007.⁵ This arrangement was seen as insufficient and unsatisfactory, especially by international NGOs which, as the crisis deepened, advocated repeatedly for the creation of a separate OCHA office,⁶ a move that the Special Representative of the UN Secretary-General (SRSG) initially resisted and the UN headquarters political departments opposed. OCHA headquarters and the Emergency Relief Coordinator (ERC) were initially hesitant but eventually supported the idea of a separate OCHA office. While it has recently been decided (November 2008) to uncouple, at least formally, the humanitarian coordination function from the mission through the establishment of a separate OCHA office, the problem of perception of alignment, weak leadership and inadequate UN humanitarian capacity remains.

NGOs are facing difficult challenges in Afghanistan. Many work as implementing partners for government programs or, even if they do not, are seen as part of the international enterprise that supports the government. Unlike other conflict situations, there are few NGOs with purely humanitarian mandates and track records in Afghanistan. Most, if not all, NGOs are multi-mandate organisations focused principally on reconstruction, development, and advocacy or solidarity issues. Some engage in humanitarian activities as part of their varied portfolios. A few of these (CARE or NRC for example) have dedicated humanitarian staff that ably engage on issues of principle or humanitarian advocacy. Nevertheless, the absence of a critical mass of principled "Dunantist" humanitarian players affects the quality of the debate around humanitarian issues and the ability to address these issues on the ground. While many NGOs have been active in the defense and promotion of humanitarian principles, the International Committee of the Red Cross (ICRC) is the only international organisation able to work neutrally, impartially, and independently with all parties to the conflict, and to be seen as such. The ICRC has spent considerable time and effort in developing a relationship based on trust with the insurgents. However, its ability to interact and negotiate access with the Taliban and other insurgent groups is impaired by the volatility of the situation and uncertainties about the representativeness of local interlocutors on the ground.

⁴ WFP 2008 annual report for Afghanistan, p 6.

⁵ Thanks to a contribution from Norway, one of the few donors to recognize the need for a humanitarian capacity within UNAMA.

⁶ Through a formal letter to the DRSG/RC/HC in March 2008 and subsequently in various demarches, both at UN HQ and in the field.

Donor countries, all of whom are also belligerents, with the exception of Switzerland, are either unwilling or unable to recognize the need for a humanitarian response and to mobilize the necessary resources. ECHO (the European Commission Humanitarian Aid Department) and Norway stand out as donors supportive of principled humanitarian approaches. The programs of most other donors are driven by political and security agendas and based, in the main, on the increasingly erroneous assumption that Afghanistan is a post-conflict country. The pressure from donors on “their” NGOs to work with and around their country’s Provincial Reconstruction Teams (PRTs) or in broader military-civilian stabilisation enterprises is particularly troubling. The pursuit of “joined-up” or “comprehensive” approaches, in which assistance, including humanitarian assistance, is functionally linked to political and military agendas, is seen by many observers as a dangerous blurring of lines, in addition to clashing with the Good Humanitarian Donorship (GHD) principles to which donors have subscribed. Certain donors create additional challenges for NGOs. Recipients of US Agency for International Development (USAID) funding are not allowed to have contact with “terrorist” groups such as the Taliban who are on the US terrorist list. Thus negotiating access to Taliban controlled-areas could potentially jeopardise funding (as well as violating US anti-terrorism legislation).

Unlike earlier phases of the conflict where all parties had formally agreed to respect humanitarian actors, there is no such humanitarian consensus in Afghanistan today and very little humanitarian space. Both have been trampled by political expediency and by the disregard shown by all parties to the conflict for the plight of civilians. Civilians are dying because of conflict and insecurity. According to UNAMA, there has been a 40% increase of civilian casualties in 2008 over the previous year. The human security of ordinary Afghans is rapidly deteriorating because of the combination of conflict, appalling levels of poverty, food shortages, difficulties of access, and the accumulated consequences of three decades of war. Conflict-related displacement is a seriously under-addressed issue. Estimates of the numbers of displaced vary, but there is agreement among aid workers that they are on the rise and that the international community is not doing enough, even in places like Kabul, where access is possible.

Aid agency staff are increasingly being targeted by the Taliban and other insurgents for their perceived instrumentalisation by, and support of, alien political agendas at odds with those of the Taliban. Access and operational space are almost nonexistent in the south, south-east, and parts of the west of the country. Large swathes of the country are no-go areas to the extent that it is now impossible to have a clear picture of the humanitarian situation on the ground. The combined effects of conflict, drought, increased food prices, and a long history of recurring disasters are thought to be severe in parts of the country, but the actual depth and breadth of the crisis are as yet unknown.

Thus, the aid community in Afghanistan faces severe challenges that need to be urgently addressed so that civilians in need can be protected and assisted and the credibility of the humanitarian enterprise restored. These challenges arise from a complex mix of causes relating to the nature of the war, the set-up of the international community and its objectives in Afghanistan, the failure of the externally-directed state-building project, and the conditions of structural underdevelopment pertaining in

Afghanistan, which have been made worse by thirty years of unending war and foreign occupation and manipulation.

From a humanitarian perspective, perhaps the single most serious error committed since 2001 is to be found in the way in which donors and the aid community defined the Afghan situation in the aftermath of 9/11. All players willingly accepted the notion that Afghanistan was in a post-conflict situation and that there was no longer a need for humanitarian action despite evidence to the contrary. The prevailing wisdom was that the principal role of external actors, including UN agencies and NGOs, was to support the government. As a result, the existing capacity for addressing humanitarian need that had been built up since the late 1980s and had successfully weathered the Taliban years (1996-2001), when it provided the only visible representation of the international community's engagement in Afghanistan, was dismantled under the fallacious assumption that it was no longer needed.⁷ Since 2003, and increasingly every year, it has become clearer that the conflict is not over, that it is becoming more deadly for civilians and has no end in sight. The realisation among aid agencies that the combination of conflict, vulnerability to disasters and structural violence was resulting in a deep humanitarian crisis has been slow, in large part because agencies and donors had shifted to post-conflict mode and were thus reluctant to "see" the crisis.

While much denial still prevails in the fortified compounds of Kabul's "green zone," where donor and UN bureaucracies live in a kind of virtual Afghanistan, the seriousness of the situation is plain to see for anyone who ventures outside the wire or the blast walls and interacts with ordinary Afghans. Hopelessness and disenchantment, if not rising anger, are everywhere. The government and its police, in particular, are universally seen as corrupt; both are increasingly reviled. The tide is turning against the foreign militaries, largely because of poorly targeted bombing raids and heavy-handed searches of civilian houses that violate custom and culture, as well as Western support for power holders with infamous human rights track records.

In this fraught context, aid agencies, and NGOs in particular, face difficult choices: to stay or to go; to go native or to affirm their profile; to align with the Coalition, with government and with donors who hold them by their purse strings, or to keep their distance and assert humanitarian principles at the risk of jeopardising their funding base. There is a range of positions on these issues in the aid community and particularly in the INGO community. This complicates the task of coordination among NGOs and between NGOs and the UN.

Because of deteriorating security and access, NGOs are facing serious operational challenges in maintaining a modicum of programme effectiveness. Attacks against aid workers have greatly reduced the possibility of travel by road to project sites in rural areas. This means that international staff and senior national staff based in Kabul and other urban centres are increasingly unable to verify the situation on the ground as it is presented to them by their local staff. Many activities in insecure areas are suspended

⁷ At the end of 2001, UN-OCHA had a network of seven field offices, had some 20 international staff, ran the UN mine action programme, air operations and an information management system and was the key interlocutor on humanitarian issues with donors, belligerents and the international community at large.

and/or local staff withdrawn because of threats. In others, remote management prevails; distributions and trainings are conducted in district centres rather than in the villages. The relationship with communities inevitably suffers. At the same time donors are pushing for more: why are you not on the ground? If NGOs can't do it, others (Provincial Reconstruction Teams (PRTs) or private contractors) will. NGOs are struggling in a situation where operating according to humanitarian principles is getting increasingly difficult. For example, donor pressure to enter into areas to provide assistance in the aftermath of a military does not necessarily follow a humanitarian and needs based approach. The decision of a troop-contributing country to provide funding for relief work after a military attack is often guided by the concern not to alienate communities that have been attacked. Humanitarians are concerned that more needy communities in areas that have not been attacked might in this way not receive the assistance that they are entitled to. The response to the humanitarian needs of communities is second to the overall objective of a stable Afghanistan. As one experienced NGO worker puts it: "Politicisation has reached unprecedented levels. People on the ground have difficulties in separating out private contractors (with guns) from NGOs. This murkiness exacerbates insecurity".

In many ways, the issues of principle and of positioning vis-à-vis the externally driven political/military agenda mentioned above overshadow the interest in and relevance of the humanitarian reform agenda in Afghanistan. Humanitarian access, cooption by the Coalition, blurring of lines, deteriorating security, management and monitoring of activities in insecure areas, difficulties in raising funds are issues that are much more on people's minds. Nevertheless, the reality check provided by this study yields some interesting results which point to disconnects in the humanitarian reform project and to some opportunities for redressing the situation. These are described below.

2. Methodology

This report summarizes the findings of a two-and-a-half week visit to Afghanistan in January 2008. It also builds on the accumulated knowledge (and, perhaps, the biases) of the author's earlier involvement in humanitarian matters in Afghanistan. The visit to Afghanistan coincided with the winter lull in fighting. Security was nevertheless tight and possibilities of movement very limited. Most of the time was spent in Kabul. CARE facilitated a visit to Shomali (just north of Kabul) for a focus group with local villagers and teachers and IRC organised a three day visit to Jalalabad where three focus groups (conflict affected, returnees receiving assistance, and returnees not receiving assistance) were held. Unfortunately, because of security constraints, it was impossible to organise the focus group meetings in situ; IRC helpfully arranged transport for the participants to come to their office in Jalalabad.

All in all, and in addition to the focus groups, some 60 people were interviewed. Interviews were held with:

- Government (deputy minister of rural rehabilitation and development (MRRD), MRRD staff in Jalalabad, director of Afghan Disaster Management Agency (ANDMA) in Kabul)
- UNAMA DSRSG RC/HC and staff
- OCHA Head of Office and staff

- Country directors and/or staff of UN Agencies: UNHCR, UNICEF, WFP, WHO, OHCHR
- UNAMA and UNHCR staff in Jalalabad
- INGOs and NGO coordination body (ACBAR) both in individual and group meetings
- Afghan NGOs in individual and group meetings
- three donor representatives
- A couple of Afghan analysts unconnected to the aid enterprise

A meeting with the consortium members was held at the beginning of the visit and a briefing for donors, UN and NGOs on the findings of the visit (with some 25 participants) was held prior to the consultant's departure.

The interviews were based on a common set of questions devised for all the mapping studies. In addition, a questionnaire was circulated to both local and international NGOs. CARE distributed the questionnaire in advance of the visit. Response was poor numerically (only 8 completed questionnaires were received), though a few of the responses were detailed and insightful. Not all consortium members responded.

3. Coordination

Coordination and humanitarian reform.

Coordination of humanitarian action has had a long and varied history in Afghanistan. It has ebbed and flowed with the vagaries of conflict and politics. There were high points in the late 80s (establishment of a UN special coordination body (UNOCHA), negotiation of a "humanitarian consensus" with all parties to the conflict) and again during the Taliban period (Strategic Framework, some elements of common programming in the aid community through sectoral programming groups, more or less united front on how to interact with the Taliban). The low points were during the 1992-1996 internecine war period when Afghanistan all but disappeared from the international community's radar screen notwithstanding a brutal and rapacious war with great suffering, and the post 9/11 agency scramble coupled with the dismantling of OCHA and of the humanitarian coordination architecture that had anchored the aid community during the Taliban period.

Coordination today still suffers from the legacy of the decisions taken at the time of the establishment of the UN integrated mission in early 2002. When it was scrapped, the OCHA office had more than 25 international staff in Kabul and 6 offices around the country and acted as the hub for coordination and information collection and analysis mechanisms that served the entire humanitarian community. Remaining staff were incorporated into UNAMA's assistance pillar on the assumption that a separate humanitarian capacity was no longer needed and that natural disaster issues could be handled from within the pillar. In addition to the dismantling of the humanitarian coordination hardware, the incorporation into UNAMA resulted in significant loss of software: experience, trusted relationships with Afghan interlocutors, back-channel networks patiently built over the years, and the like.

The humanitarian coordination structures existing at the time (sectoral and thematic working groups among aid agencies at the central and regional level, which functioned much like today's clusters; the emergency task force; the regular UN-NGO-donor policy and coordination meetings, etc.) were suspended or fell into disuse. More importantly, humanitarian consolidated appeals were discontinued after 2002 as it was felt at the time that they were no longer necessary.

If we fast-forward to the present, one has the impression that humanitarian coordination is struggling to emerge from half a decade of lethargy. The re-establishment of an OCHA office in January 2009 has created opportunities and expectations among NGOs that coordination will improve, but there is still an uphill battle to be fought if the *bona fides* of the humanitarian community in Afghanistan are to be restored. There are big picture and small picture issues here.

Among the big picture issues:

- Perhaps the biggest issue affecting coordination is the lack of data: there is anecdotal evidence of a significant humanitarian crisis, all agree that the situation is serious but lack of access to large parts of the country, deteriorating security for aid agencies, paucity of collective analysis and strategy building means that there is no clear picture on which to build a coherent humanitarian response. As a result, "response is based on perceptions, not on need" (INGO staffer); Although the base of evidence is very weak, available data and informed opinion suggest that against a backdrop of chronic poverty, Afghanistan currently has a number of pockets of extreme vulnerability and humanitarian need which could well escalate into a full-blown assistance and protection crisis in 2009. Malnutrition rates and increasing displacement alone point to existing crises. It is also important to note that access to many of the most heavily conflict-affected areas in the south is already impossible and data on humanitarian indicators does not exist.
- OCHA has to be able to demonstrate leadership in promoting principled and effective humanitarian action in order to win over sceptics in the NGOs and the wider aid community and gain credibility; this includes winning over the HC and gaining the support of the senior management of UNAMA.
- OCHA needs to become a trusted humanitarian advocate and a credible interlocutor with all sets of belligerents in order to negotiate access and space on behalf of the humanitarian community. As it has to start from scratch vis-à-vis the Taliban and as the Coalition, the political UN and/or the government may see this as inimical, the road ahead is likely to be long and bumpy.
- NGOs, particularly those with humanitarian programmes, need to be convinced that buy-in with OCHA and its coordination mechanisms, especially in terms of negotiating access and developing a joint strategic vision for the humanitarian community, is worth their effort and likely to lead to better humanitarian outcomes than other alternatives (going it alone, working with the Coalition, creating non UN-centric coordination mechanisms, etc).
- Multi-mandate NGOs face serious dilemmas. While agencies affirm that their long term development activities and commitment to communities is what gives them access to carry out humanitarian interventions, it is becoming difficult if not

impossible for the same organisation to work as a government or PRT implementing partner and at the same time aspire to do humanitarian work according to principle without being seen as aligned with the government or the coalition intervention. They will have to choose one or the other - or find creative solutions allowing them to be perceived as principled players. For example, NGOs with humanitarian programmes could pool their resources or create a consortium whereby humanitarian action would be provided under a joint humanitarian banner rather than under possibly compromised individual NGO logos. Similar solutions have been adopted elsewhere (e.g. in Cambodia after the Vietnamese intervention⁸ or in the Sudan during the Operation Lifeline Sudan (OLS) period).

- UN agencies need to see the value of putting their weight behind OCHA and UN-led coordination rather than just paying lip service to these, i.e. they need to move from a formulaic or “ticking the box” approach to a substantive engagement in making humanitarian reform work. In other words, they need to sign up to a reform ethos of principled, timely, accountable, and by extension, effective humanitarian action.

Among the more pedestrian issues:

- OCHA needs to build up its staff capacity and its separate offices around the country. Given UN bureaucratic constraints, this is a time-consuming and frustrating exercise. Failure to achieve capacity and physical separation from the UN integrated mission will likely spell failure for OCHA and humanitarian reform in Afghanistan.
- At present, as NGOs like to point out, it is far easier for NATO military personnel (with weapons) to enter UN compounds than for NGOs. NGO vehicles cannot enter most UN compounds; even parking outside is problematic. In some cases, NGOs are reluctant to be seen entering the UN. That is why they feel that OCHA offices should be separate from UNAMA offices, not just for symbolic reasons but for very practical and security reasons.
- UN agencies, NGOs and donors need to be convinced that the consolidated appeal/Humanitarian Action Plan (HAP) process, reinstated after a hiatus of seven years, is worth their time and effort (the same applies to the clusters, see below).
- The lack of humanitarian capacity and resources is broader than just OCHA’s coordination functions: there is at present no common information collection and analysis system, nor an adequate humanitarian logistics capacity, common services for customs and tax agreements, joint convoys, coordinated air services, and the like.
- Given the situation described above, it is fair to say that humanitarian reform has not made substantial inroads in Afghanistan. As one UN staffer put it, “Afghanistan is reform insensitive.”⁹ This is partly because of ingrained resistance

⁸ The experience of the “Consortium for Cambodia” is chronicled in Brian Walker, “NGOs Break the Cold War Impasse in Cambodia” in L. Minear and H. Smith (eds), *Humanitarian Diplomacy. Practitioners and their Craft*, United Nations University Press, 2007, pp 133-152.

⁹ Or, worse, as one donor put it: “the reform is a system that increases NGO dependency on the UN; through CERF and pooled funds, NGO possibilities of action are diminished”.

to change and questioning the status quo. More importantly, the issues of concern to the UN and the NGO community are of an altogether different order. They are essentially political, related to security and have to do with overall UN leadership, not just humanitarian leadership/partnership (see leadership section below). It is unlikely that humanitarian reform *per se* will be able to address and redress the situation. Nevertheless, some action has been taken to implement the reform, at least formally. After a period of initial scepticism, the NGO community has become a relatively active participant in the roll-out of the reform project, despite the fact that it is still seen very much as a “UN thing”. This is described in the following paragraphs.

Clusters: “Too early to tell”

The humanitarian ‘cluster’ system was adopted by the Humanitarian Country Team (HCT) in April 2008 and clusters started being rolled out shortly thereafter. Unusually, it was requested by NGOs amid lukewarm support from some UN agencies and outright resistance from others.¹⁰ One UN agency head quipped: “I was surprised by the enthusiasm of the NGOs... I am not sure they have thought it through. It is time consuming and resource intensive.” Thus NGO advocacy for a separate OCHA, the establishment of a humanitarian country team (HCT) and clusters went hand in hand. It appears that the perceived weakness of senior level UN humanitarian leadership and the absence of an effective humanitarian coordination mechanism were key factors in the NGOs desire for a dedicated forum for humanitarian coordination. Unlike other situations, where there might have been a choice between existing sectoral coordination fora and the establishment of a new system, in Afghanistan the state of coordination was parlous and there was very little information on humanitarian needs and gaps in the response.

As yet, clusters are a Kabul-only phenomenon and, given the lack of capacity in the UNAMA Humanitarian Affairs Unit and now in OCHA, their impact has been modest at best. There are eight functioning clusters: Telecom; Education; Emergency Shelter; Protection; Food Security and Agriculture; Water, Sanitation and Hygiene (WASH); Health; and Nutrition. Despite continuing requests from the NGOs, there is no Logistics cluster just an embryonic logistics cluster working group. All clusters are chaired by UN agencies (Food and Agriculture is jointly led by WFP and the Food and Agriculture Organisation (FAO)). NGOs hold deputy chair positions in three clusters (Protection, Shelter and WASH). Additionally, Save the Children US is the co-lead with UNICEF of the education cluster.

While there is potential in clusterisation in terms of improving the quality and predictability of humanitarian action, the system still suffers from a number of flaws. While clusters have been established – with the exception of the logistics cluster due to WFP resistance – their track record is chequered:

¹⁰ The ‘cluster’ system is part of the humanitarian reform process. On the basis of agreement in the IASC, UN agencies accept accountability for key issues such as IDPs and protection where gaps used to exist. ERC Holmes has issued an instruction that use of the cluster system is non-negotiable and that all ‘new crises’ will use the system. Despite this, in Afghanistan, reportedly UNDP, WFP and UNICEF actively resisted clusterisation. WFP is still seen as a naysayer or barely cooperative participant to this day.

- The commitment of some UN agencies is shaky. Several commented that there was no need or that “clusters were sectors by another name”. As a result, leadership and the requirement of devoting independent agency capacity to cluster lead functions have been weak. As one INGO country director put it: “Leadership in most clusters has been reluctant, non-existent or low-capacity”.
- NGOs feel that the UN sets the agenda and does not really play ball with the NGOs. UN agencies are sometimes dismissive if not unprofessional (meetings cancelled frequently without notice).
- Smaller NGOs have trouble committing staff to meetings that are primarily of an information-sharing nature (this refers particularly to the inter-cluster meeting). The feel decisions seem to be pre-cooked by the bigger players. “Too many meetings, too many expats, too much English” (NNGO country director).
- Most clusters (Health and Protection are exceptions) have not really developed substantive strategies. This has led to a mismatch between the clusters and the preparation of the HAP: two disjointed exercises rather than a coherent appeal process built on identification of programme priorities in the clusters.
- Only three cluster leads (WASH, Health and Protection) have dedicated cluster lead staff. Even these have been plagued by high turnover of staff. Several HCT members now support increased NGO participation, and options for funding NGOs as co-leads are being explored. In fact, the health cluster has already agreed to fund an NGO to take on co-lead responsibilities. However, accountability of cluster leads to the cluster rather than to their own agency is still in its infancy.
- Clusters are still very much a Kabul-only phenomenon. The Protection cluster is again the exception as it has started to work in Jalalabad and soon in other locations as well. Of course, in insecure areas such as Kandahar or in smaller hubs such as Khost or Kunduz, there are few staff that could be drawn together to attend cluster meetings.
- There are still a number of ambiguities that need to be addressed. The added value of clusters needs to be visibly demonstrated, the role of government in clusters needs to be clarified. More importantly, the distinction between humanitarian coordination fora and development sector (Afghanistan National Development Strategy - ANDS) coordination meetings needs to be clarified and explained so that duplication can be avoided and the humanitarian profile of clusters promoted. Because of an absence of many convincing examples of clear-cut humanitarian programming, the clusters are struggling to separate efforts to address acute humanitarian need as distinct from chronic and deep-seated vulnerability and broader (reconstruction/development) coordination.
- Many respondents were concerned at the number of meetings that they needed to attend. Time spent at cluster meetings (and at the inter-cluster meeting) was often wasted because of poor preparation of meetings, lack of continuity in UN and NGO representation at meetings, lackadaisical chairing etc. It was felt that ad hoc meetings focused on a specific problem (e.g. agreeing on NGO inputs for a Security Council meeting, debates over principles and OCHA establishment) were often more effective. Hastily-formed networks seem to trump humanitarian bureaucratisation of coordination.

Cluster composition in Afghanistan

(For a full list of acronyms, see page 4)

Cluster	Lead & Co-leads	UN agencies	NGOs
Telecom	WFP	WFP, UNAMA, UNDSS, UNHCR, UNICEF, UNDP, FAO, World Bank, Asian Development Bank, WHO, UNOPS, UNDP/ANBP, UN-Habitat,	ANSO
Education*	UNICEF Save the Children Fund (US)	UNICEF, UNESCO, WFP	Aschiana, AWEC, BRAC, CARE, CHA, DHSA, IRC, SCF-N, US&UK, NRC,
Emergency Shelter	UNHCR CARE	UNHCR, IOM	CARE, NRC, IRC, United Methodist Committee on Relief (UMCOR), Shelter for Life (SFL), ADA, CWS, DAARTT, DACAAR, SC-UK, Afghanistan Children Training Organisation (ACTO), Shafaq Rehabilitation Organisation (SHA). <i>Observers:</i> (IFRC), (ARCS).
Protection	UNHCR OHCHR dep. co-chair NRC dep. co-chair	UNHCR UNAMA/HR, OCHA, UNICEF,WHO, UNFPA, IOM, WFP, UNMACA	NRC, IRC, OXFAM, ACTED, DLO), CARE, CORDAID, ACBAR, ADA, Serve Afghanistan, SC-UK, SC-Norw/Sweden, Children in Crisis, Tearfund, CRS, WADAN, Afghanistan Humanitarian Assistance Organisation (AHAO), Education and Handicraft Bureau for Afghanistan (EHBA), COA), HRRAC, Tribal Liaison Office (TLO), ANSO;AIHRC. <i>Obs:</i> ICRC, IFRC, ARCS
Food Security/Agric*	WFP joint lead FAO joint lead	WFP,FAO,OCHA, UNNICEF, UNHCR,WHO,IOM, World Bank NB: various donors also members (ECHO, EC, DFID, USAID)	ACF,CARE,AVIPA, Mercy Corps, CRS, Tearfund, CGIAR, NRC, AA, DACAAR, BRAC, AREA, IRC, OXFAM/GB, FEWSNET, Concern, ADA, Focus, ACTED, IRD,AKDN, AKF, CHA, GTZ, Trocaire,

			Obs: ICRC, IFRC
WASH*	UNICEF lead DACAAR dep. lead	UNICEF, OCHA	DACAAR, SCA, Mission East, IRC, Helvetas, Caritas, CHF, People in Need, TearFund, Afghan Aid, ACF, SC-UK, Oxfam, BRAC, BERO, AREA, ACTED and NPO. Obs.: ICRC
Health*	WHO NGO deputy lead yet to be decided	WHO	AKHS, AMI, Cordaid, CRS, SCUS&UK, Merlin, BDN, IBNsina, Medair, Obs: IFRC
Nutrition*	UNICEF FAO	UNICEF, FAO, WHO, WFP	CHA, Ibsina, STEP, CAF, ACF, AMI, Oxfam, SCUL, SCUSA, MI, Sanayee, AREA, Cordaid, AHDS and BPHS IPs
Logistics	Not activated yet		
Inter-cluster mtg			

* Indicates government participation in cluster meeting

Of the agencies that responded to the survey, most rated effectiveness of cluster meetings between two and three on a one to five scale. Frequent comments were that meetings are more about information sharing (“ticking the box”) than substance, that there was insufficient outreach to ensure participation of smaller or non-Kabul based NGOs, that information on outcomes of meetings was poorly disseminated and that there was a need to extend the cluster system to the sub-national level in order to make it more relevant for humanitarian response and on-the-ground decision making.

In a recent development, it was suggested in the Kabul Humanitarian Country Team (HCT) that the Ethiopia Review on the Cluster Approach be taken into account: in Ethiopia cluster coordinators report directly to the HCT. Thus, HCT membership could be extended to include cluster leads (who are already there as UN agency representatives) and co-leads. This would potentially allow for better NGO participation in the HCT. Several participants of a recent HCT meeting (22nd February 2009) supported the idea of expanding the HCT to include cluster coordinators. Another view, which is perhaps more valid, is that such an expansion would undermine the role of the HCT as a meeting of Agency heads; thus Cluster Leads should rather report to the Inter-Cluster meeting, the findings of which should be forwarded to the HCT.

Other coordination mechanisms: HCT and HAP

The Humanitarian Country Team monthly meeting was instituted in late 2007, a few months before the clusters. It is chaired by the RC/HC/DSRSG, in his capacity as as HC, and its composition is at follows:

- Chair: the Humanitarian Coordinator (who is also Resident Coordinator/DSRSG).
- FAO, UNDP, United Nations Population Fund (UNFPA), UNHCR, UNICEF, WFP, WHO, IFRC, the International Organisation for Migration (IOM), UNAMA/human rights, and OCHA. The UN security office provides a briefing on security matters.
- Five elected NGOs - CARE International, International Rescue Committee (IRC), ACTED and Norwegian Refugee Council (NRC) are the current elected representatives for the INGOs. The Coordination of Afghan Relief/Organisation for Sustainable Development and Research (CoAR/OSDR) is the current national NGO representative. Elections for NGO representation are supposed to be held every six months in order to ensure some rotation. ACBAR has also participated on an ad hoc basis.
- Observers: ICRC, Afghan Red Crescent Society (ARCS), IFRC. ICRC seldom attends.

The UNAMA Humanitarian Affairs Unit (HAU) provided secretariat services to the HCT until the establishment of the OCHA office. There is also a HCT Secretariat meeting chaired by HAU/OCHA in which NRC represents the NGOs, but its functioning has been erratic.

During its initial months, the HCT seems to have worked well: the secretariat would draft the agenda and relevant materials to bring to the HCT for decision. Because of lack of leadership and the departure of key HAU staff in the summer of 2008, the HCT suffered. The linkages with the clusters and the inter-cluster meeting weakened, HCT meetings lost their regularity and in the view of NGOs became information-sharing rather than decision-making venues. The scramble for the preparation of the Humanitarian Action Plan (HAP), in November-December 2008 and the arrival of the new head of OCHA have re-energised the HCT and the inter-cluster meeting somewhat, but issues of strategy, capacity and respect of basic procedures still remain a concern.

Views on the effectiveness of the HCT vary from the relatively useful to the ineffectual, but it is perhaps unfair to dismiss the HCT given that the visit to Afghanistan coincided with a low-point in the UN humanitarian coordination capacity. Key HAU staff had left and OCHA was only starting to show its presence. Clearly, there is a general feeling that the HCT is necessary – and not just because it is prescribed by the humanitarian reform – and that it needs to be reenergised.

For the NGOs the HCT has been a useful platform in which to raise issues of humanitarian principle. The debate on whether an OCHA office was needed brought out some of the differences between NGOs and UN agencies concerning the appropriateness of promoting and respecting humanitarian principles in Afghanistan and on the so-called integrated approaches that link humanitarian action to political or military agendas. Those UN agencies that saw themselves in post-conflict mode disputed the requirement that humanitarian action should strive to be neutral and

independent (impartiality was not an issue) arguing that the mandate given to UNAMA, and by extension to the UN system, was to support the government (and by extension to work in tandem with the Coalition). Therefore there was no need for neutrality and independence and thus no need for a separate OCHA office. NGOs argued, ultimately successfully, that the absence of an OCHA office put the NGOs, and humanitarian action, in a precarious position. Without a body mandated with advocating for humanitarian access and space with all parties to the conflict, the perception that NGOs were politically aligned was more difficult to dispel. They requested a separation of OCHA from UNAMA in order to facilitate operations and to provide a counter-balance to calls for greater coordination between the UN and military actors.

Consolidated Appeal. For the first time since 2002, a consolidated appeal/HAP (for some US\$ 648 million¹¹) was issued in January 2009. While there is general agreement that the appeal was necessary, most people interviewed felt that the appeal preparation process was less than satisfactory. The terms “disjointed” and even “shambolic” were used. This was partly due to the fact that an external team with little or no appeal preparation experience or knowledge of Afghanistan was brought in by OCHA, unrealistic deadlines, general absence of baseline data and to the fact that the appeal preparation coincided with the lowest UN humanitarian capacity during the transition from HAU to OCHA. There was also a feeling that the big players (the HC and the larger UN agencies) failed to provide leadership and engage in the process. There was little collective discussion, or agreement, on scenarios and bigger humanitarian policy issues (a key HCT meeting to discuss scenarios was cancelled at the last minute and then postponed until six weeks into the appeal preparation process).

In addition, because of timing and other constraints, the clusters found it difficult to feed into the appeal preparation process. As a result, most people (including OCHA) recognise that the appeal lacks a strategic vision and that the programmatic content is weak, i.e., it is more a collection of disparate projects than a coherent action plan that identifies the humanitarian caseload, needs and gaps.

Overall, how effective was the HAP process? A document was produced: in itself this was an achievement given the near total absence of humanitarian community-wide discussion and analysis on how to deal with the crisis for the previous six years. Although NGO participation was less than adequate, particularly outside Kabul, and the process was a bit chaotic and not very well coordinated, the appeal provides an approximate benchmark against which to assess the humanitarian response.

Recommendations:

- *Now that an OCHA office has been re-established, NGOs should support its development and ensure that it becomes a credible force for principled humanitarian action. NGOs must support OCHA's role in negotiating humanitarian access and space on behalf of the humanitarian aid community.*

¹¹ At the time of writing the coverage of the Appeal was 48%. In 2008 funding received for humanitarian activities in Afghanistan was US\$ 532 million. Roughly half of this was raised through two food/drought emergency appeals issued in 2008. Food aid represents about 45% of funding received in 2008. NGOs received less than one fifth of the total (US\$ 93 million) while UN agencies got the largest share (US\$ 336M). Source:reliefweb/fts, 13th January 2009.

NGOs should support physical separation of OCHA offices from UNAMA offices in the field.

- The HC and the HCT should reemphasise the importance of impartial and objective chairing of cluster meetings, particularly when CERF funding allocations are being discussed and in the context of the appeal/HAP preparation.*
- UN agencies should not systematically be cluster leads. Clusters should be chaired by officials without agency management responsibilities. Where this is not possible, cluster leads should request their co-leads to chair funding/appeal related discussions. Ways of strengthening NGO capacity to take on lead functions should be explored*
- OCHA should ensure that the next appeal preparation process results in a programmatic plan, built on substantive work in the clusters, rather than a simple collection of funding requests.*
- A nationwide rapid assessment of key humanitarian needs should be conducted in preparation of the next appeal, and donors should be lobbied to ensure funding for such a key exercise.*

4. Funding – Central Emergency Response Fund (CERF)

There are no pooled funds in Afghanistan (though OCHA supports the idea and the HCT is currently in the process of elaborating a concept note for the establishment of an Emergency Response Fund to which NGOs would have direct access). The Appeal/HAP has only just been launched and has not had any significant impact on NGOs participation in humanitarian reform, though it may in the future. The only remaining funding mechanism of interest for this report is CERF. While CERF has provided substantial resources for UN agencies, it does not seem that CERF has had any impact on humanitarian coordination and response from the NGOs perspective. The benefits for NGOs have been symbolic at best.

Afghanistan is the third largest recipient of CERF funds, after the Democratic Republic of Congo and the Sudan. As of March 2009 it had received US\$ 60.1 million or 5.58% of the total.

CERF disbursements:

2006	US\$ 32.3 million
2007	US\$ 5.4 million
2008	US\$ 18.2 million
2009	US\$ 4.2 million (as of 20/3/09)
Total	US\$ 60.1 million

The lion's share of CERF funds have gone to WFP (US\$ 37 million) with UNICEF (US\$ 3 million) and IOM (US\$ 2.9 million) a distant second and third. Despite requests to both OCHA and NGOs in the field, it was not possible to ascertain how much of the above funding actually reached NGOs, nor how many NGO requests for funds were

turned down. None of the NGOs that were interviewed or answered the survey questionnaire were aware of having received any CERF funds (in fact some had not really paid much attention to the existence of CERF). Presumably, at least some NGOs had received CERF funds indirectly as implementing partners for e.g. WFP, UNICEF or IOM.¹² The 2007 CERF report¹³ mentions two NGOs as having received CERF funds via IOM and an unspecified number of NGOs under WHO. It is no surprise therefore that most people interviewed in the NGO community either had no views on CERF or felt that it had been primarily for the benefit of UN agencies.

The vast majority of CERF funding in Afghanistan has been from the ‘rapid response’ window, with only US\$ 4 million in 2008 coming from the ‘underfunded’ window. Among the UN members of the HCT there was still some uncertainty about what they could apply for, and the basis on which allocations could be made. WFP for instance were keen to explore the loan facility to cover the funding gap that they had for the UNHAS service; other agencies were not clear about the basis on which the underfunded allocation had been proposed, or how the CERF secretariat made the decision on the level of proposals that could be funded.

The CERF occupies a unique and interesting position in Afghanistan. In comparison to other international funding, it is a modest amount. Since 2001 approximately US\$ 15 billion has been provided in reconstruction and development aid. Over the same time US\$ 25 billion has been donated for building the Afghan security forces. The US military spends US\$ 36 billion a year for the Afghan operation. The US military’s PRTs have a budget of approximately US\$ 400 million a year.¹⁴

In terms of humanitarian funding however, the CERF is far more significant. A very rough average for humanitarian spending for the last three years is about US\$ 160 million a year (taken from the OCHA Financial Tracking System (FTS)). UN agencies account for about half of that amount, meaning that CERF has constituted about a third of all UN humanitarian funding in the last two years. That suggests that CERF is the main source of humanitarian funding for a number of the UN agencies, making CERF a first, rather than last resort.”¹⁵ ECHO is the major ‘humanitarian’ donor in the country, with a budget of € 31 million for 2008. The US OFDA has been a regular source of humanitarian funding but their presence in Kabul has not been consistent. Because of the absence of an appeal until this year, it is also difficult to unscramble funds for humanitarian activities from development or reconstruction funds. For example, much of the US\$ 152 million contributed by the US from 2006 to 2008 has gone to investments in the agricultural and livestock sector which do not seem to be principally humanitarian. Similar problems arise in the education sector projects included in the appeal for 2009.

¹² UNICEF informed me that in 2008 it had transferred approx US\$ 3 million for WASH to SCF and SCA and US\$ 0.5 million to two Afghan NGOs (IBNSina and CHA) and Novib, but no funds for education

¹³ Available online at OCHA/FTS. The 2008 report was unavailable at the time of writing.

¹⁴ CERF Two year evaluation, p 155

¹⁵ Ibid.

This situation is extraordinary for a country where conflict has raged for the past 30 years and indicators on human wellbeing are so hard to come by that the country does not even figure on the Human Development Index (HDI). The ICRC recently issued a statement stating that they had less access to people displaced by conflict than at any time in the last 20 years, that the humanitarian situation was worsening as hostilities spread and that humanitarian work had never been so difficult.¹⁶ The fact that there has been no common appeal until this year, nor any kind of a humanitarian strategy, has led to a heavy reliance on the CERF. It is unclear whether the availability of CERF funds actually allowed for additional resources for humanitarian action beyond those that the donors would otherwise have committed. It may have actually served as a disincentive for the development of a coherent strategy. According to the CERF Two Year Evaluation, “the easy availability of CERF may have allowed the UN country team to avoid developing a humanitarian strategy and appeal”.¹⁷

In sum, CERF allocations seem to have had a significant impact on the response capacity of UN agencies. WFP has been the largest “consumer” of CERF funds and has used them in a number of ways (including as a stop-gap measure to support the United Nations Humanitarian Air Service (UNHAS) air operations) though in relative terms this is much less. For WHO, on the other hand, CERF has been a lifeline, representing some three quarters of its funding sources for the 2006-2008 period.¹⁸ On the positive side, CERF in Afghanistan has provided some level of predictability of humanitarian funding, which is one of its main purposes. On the negative side, the CERF has almost certainly had very little impact on the funding of NGOs, as so few receive funds through UN agencies anyway (for example, only about 20% of WFP’s activities are implemented through mostly national NGO implementing partners).

So far, the cluster system has not allowed for greater transparency in the use of CERF funds nor facilitated the access of NGOs to UN funds. Many NGOs view CERF as the UN agencies’ “private fund”. They feel that they are given little information about the rationale for allocations, either before or after they are made. In the view of many, including some UN staff, the absence of an appeal and the current functioning of CERF have worked to boost the UN’s control over humanitarian funding allocations to the detriment of NGOs’ participation in the system

Recommendations: *Even if it is not legally possible (for now?) for NGOs to access CERF funds directly, OCHA and the UN agencies need to acknowledge that NGOs have unique strengths to contribute to humanitarian response and thus to the objectives of the CERF. So far NGO participation in CERF has been symbolic. OCHA needs to ensure that NGOs play a more important role in CERF processes. OCHA, through the cluster system, should ensure that:*

- *a system to track disbursements of CERF funds to NGOs is set up (both for ‘pass through’ funds and projects initiated by UN agencies contracting NGOs as*

¹⁶ IRIN, 17 March 2009.

¹⁷ Ibid, p 167

¹⁸ FTS figures quoted in CERF Two Year Evaluation

- implementing partners with CERF funds).*
- *procedures for access to CERF by NGOs, rapidly and with low overhead costs, are streamlined and disseminated, including to smaller NGOs.*
 - *more transparency and accountability, including accountability to beneficiaries, is assured. Annual reports should include detailed information on CERF disbursements to NGOs rather than just disbursements to UN agencies.*

5. Leadership

Leadership is the third pillar of humanitarian reform. However, as the CERF Two Year Evaluation notes, “The strengthening of the Humanitarian Coordinator system is perhaps the key to making all of the other components of humanitarian reform (HR) work effectively”.¹⁹ Regrettably, this is not happening in Afghanistan. By all accounts, the humanitarian coordination function suffers both from weaknesses of structure and vision.

The HC also performs the functions of RC and DSRSG of UNAMA. Since its inception, UNAMA was conceived as a politically-driven, integrated mission in which humanitarian principles and concerns were subordinated to the fulfillment of a Security Council-mandated political agenda. While this set-up did not appear as excessively problematic in the first couple of years after the fall of the Taliban regime (although the flaws in the “coherence” approach had been identified early on²⁰), the consequences of integration, from a humanitarian perspective, have become ever clearer. It is difficult if not impossible for the same person to be an advocate for humanitarian principle and impartial humanitarian action and at the same time act as the main interlocutor on reconstruction and development issues with the government and Coalition forces. Understandably, the government – as well as major donors and the Coalition forces themselves – are not keen to acknowledge the depth of the conflict related humanitarian crisis as this would undermine the rhetoric of post-conflict nation-building. Talking about drought and vulnerability to disasters associated with natural hazards is acceptable, of course, as the government can claim it has the lead role. While it is probably no longer possible for most UN officials to be in denial about the existence of a conflict-related humanitarian crisis, it is not something that the development set is comfortable talking about. In the words of a senior UN agency official, “when I arrived, I was shocked: the humanitarian crisis was something not to be mentioned in public”.

Moreover, even if the HC wanted to, his “triple-hatted” responsibilities undermine the incumbent’s ability to devote sufficient time to humanitarian responsibilities. The current HC is seen as devoting the bulk of his time to his RC/DSRSG functions and not taking his HC role with the commitment it requires. Many interviewees – donors, NGOs, UN – were dismissive of the UN humanitarian leadership. It was termed “incoherent” and “disjointed”. A donor said: “there is none”. Various interviewees lamented the

¹⁹ Op.cit, p 55.

²⁰ See Feinstein International Center HA2015 case study on Afghanistan & HA2015 State of the Humanitarian Enterprise report, both available at fic.tufts.edu

bureaucratic and disengaged approach of the HC. As a result, the humanitarian wing of the UN in Afghanistan has lost not only its credibility but also its ability to engage and negotiate access as an acceptable interlocutor to all sets of belligerents.

It should be noted, however, that until early 2008, the HC was getting scant support or guidance from OCHA headquarters. Not having a foothold through an OCHA presence on the ground, the Emergency Relief Coordinator (ERC) – until his visit to Afghanistan in June 2008 – was also widely seen as failing in his advocacy and principled responsibilities. The humanitarian failure is wider than just the HC and OCHA: UN agencies and donors deserve their share of blame as well for not having raised their voices to promote and defend basic humanitarian principles.

This situation would have continued to fester had the NGOs, led by an initially small group of INGOs, not mounted a campaign for a separate OCHA that was ultimately successful. It remains to be seen, however, if this will be sufficient to restore the bona fides of a humanitarian enterprise that is seen as tainted by association. This is especially the case in the context of stabilisation approaches that are predicated on the “integration” of assistance agencies in military/civilian post-battlefield activities.

The tension between NGOs on the one side, and the HC and development-oriented UN agencies on the other, over advocacy on access and humanitarian principles highlights the problem of a dual-hatted Resident and Humanitarian Coordinator. While the RC’s priority is to work and maintain a good relationship with the host government, the HC needs to be the champion of the humanitarian community as a whole. She/he must be an acceptable interlocutor to all parties to the conflict and a strong advocate for the right of civilians caught up in crisis and conflict to receive humanitarian assistance. This means being seen as publicly going the extra mile to engage with all belligerents and to challenge them when respect of humanitarian space is violated. This is impossible if the HC is seen as maintaining a cosy relationship only with the government and its backers. It may also be very difficult for an RC/HC without solid experience of humanitarian issues in a conflict setting to understand the complexities involved and to balance these conflicting demands effectively.

Recommendation: *Given the deepening humanitarian crisis and the perceptions of alignment of the HC/RC/DSRSG position with government and Coalition interests, NGOs should advocate for the separation, both functional and physical, of the HC position from the RC/DSRSG position. The HC should thus sit in the OCHA office and have a direct reporting line to the ERC. It is also critical that the person appointed to be HC has impeccable humanitarian credentials and is committed to boosting partnership with NGOs.*

6. Partnership

The aid community in Afghanistan is large, varied and somewhat fragmented. There is a core group of agencies with humanitarian interests among whom there is a relatively good sense of what needs to be done to improve the effectiveness of humanitarian action. This includes OCHA, UNAMA/human rights, WHO and UNHCR on the UN side,

a group of multi-mandate Kabul-based INGOS (CARE, IRC, NRC, SCF and a few others), and, slightly on the sidelines, a few NNGOs (e.g. HAFO, CHA, AREA). The NGO component of this core group has been particularly effective on humanitarian advocacy issues and in bringing about the return of OCHA. This core group interacts frequently with the handful of donors with humanitarian interests (ECHO, Norway, Switzerland and occasionally others on an ad hoc basis) and with the ICRC. One of the peculiarities of Afghanistan is that apart from NRC and ACF, there are no INGOS with exclusively humanitarian mandates. Médecins sans Frontières (MSF) is reportedly resuming operations in Afghanistan in 2009 (they had left after an attack in which five of their staff were killed in 2005).

All the UN agencies, except OCHA and UNHCR, are also multi-mandate. Those that do have humanitarian programmes (UNICEF, WHO, WFP) also maintain strong links with the government and implement its programmes. Fifty percent of WFP's activities are implemented through the government. WHO is somewhat unusual in that although it works closely with the government, it has tried to ensure that its activities (for example immunisation) also extend into areas beyond the reach of the government. In 2008 it has been successful in negotiating access/space with groups and communities "on the other side". This is a welcome development. UNDP, on the other hand, is seen as uncritically supportive of the government. The perception of alignment of the UN with the government and the Coalition is of course problematical for those parts of the aid community striving to work in a more principled way. NGOs are not immune from the same criticism as many work with government, and some even with the PRTs, while at the same time claiming they can work according to principle. Operating with multiple mandates is also problematic when it comes to advocacy and solidarity activities. While advocacy for humanitarian principles and the respect of international humanitarian law by all sides of the conflict is not an issue as long as it is non-partisan, the advocacy activities of some INGOS on development, justice and human rights issues, or statements on security issues such as the "surge", run the risk of being seen as overly political by belligerents.

Beyond the humanitarian sphere, there are a number of other vectors of interaction and networks of coordination in which aid agencies are involved. These include civil-military relations which involve various working groups between:

- UNAMA, NATO/ISAF, the PRTs and NGOs;
- coordination on staff security matters between UNDSS/Afghanistan NGO Safety Office (ANSO);
- the web of government-led Afghanistan National Development Strategy (ANDS) sectoral coordination meetings at the national, regional and provincial level that sometimes overlap in membership with the clusters; PRT/government led provincial coordination meetings;
- ACBAR heads of agency meetings and working groups; and
- a plethora of ad hoc or task-specific working groups on issues such as Internally Displaced Persons (IDPs), Justice, Land, Rule of Law, etc.

Afghan NGOs also have their coordination body (ANCB) but at the time of the visit it suffered from capacity problems and appeared to be dormant. There must also be donor coordination meetings, although everyone seems to agree that donor coordination is ineffectual.

From the perspective of NGOs involved in humanitarian work, there is serious concern with respect to the forthcoming surge of 17,000 US troops and the implications of a strategy that is predicated on the incorporation of civilian activities into a military and political “stabilisation” strategy through the “civilian surge”. The US is planning to deploy an elevated number of civilians to Afghanistan, likely through the PRT system. As one senior UN official put it “we will have to start having civilian-civilian coordination meetings to separate PRT-civilians from the rest”. The so-called “integrated approach” calls for the deployment of civilian personnel, including UN and NGO staff, to “swing” or “critical” districts once these have been cleansed of insurgent presence. The fact that some UN agencies and NGOs are likely to work in these fraught environments does not bode well for the security of humanitarian staff and for maintaining the necessary distinctions between humanitarian and other forms of assistance on the ground.

While partnership between core humanitarian players exists, it needs to be tightened. It will be the HCs and OCHA’s role to ensure that the HCT boosts the partnership. However, the HCT is not inclusive (nor would it necessarily make sense to further widen its membership). Humanitarian donors are not part of it, nor of any other humanitarian coordination mechanism. There is a monthly NGO-Donors coordination meeting, but UN agencies do not seem to be keen to be involved. OCHA tried to widen it to become “humanitarian – donors” forum but HC insisted calling it an NGO-donor coordination meeting. As it is likely that humanitarian donor presence (and funding) will increase, a forum where all humanitarian players can come together (as was the case under the aegis of the HC and OCHA up to 2002) should be established. In theory, the HCT could play this function through ad hoc meetings open to donors. However, the HCT includes several players who are not, strictly speaking, humanitarian and the general perception is that it is a “UN thing” rather than a humanitarian body.

The establishment of a monthly Afghanistan Humanitarian Forum (AHF) in early 2009 co-chaired by OCHA and ACBAR is a welcome development. This is a forum that is open to all humanitarian actors (i.e., no military or PRTs are members but they can be invited on an ad hoc basis depending on topics being discussed). Participants are invited to raise issues of concern for discussion and agreement on joint action. The meeting takes place on the Wednesday that precedes the HCT so matters arising can be taken to the HCT for discussion. This in fact replicates what existed until mid 2002, i.e. *an “emergency task force” bringing together all humanitarian players in Afghanistan comprising UN, NGOs, the Red Cross movement and donors directly involved in delivering or funding humanitarian action.*

Recommendation. *The Afghanistan Humanitarian Forum (AHF) should become the key forum for humanitarian coordination in Afghanistan. It should continue to be chaired by the head of OCHA, or by the HC when the situation so warrants, and replicated as necessary at the sub-national level. The AHF, in addition to ensuring coherence of operational coordination and response, would be the locus for discussions on humanitarian policy and advocacy, on perceptions of neutrality and on negotiations of access and humanitarian space. For example, the AHF might discuss practical measures to ensure that humanitarian actors – in particular multi-mandate agencies – are able to affirm their humanitarian profile and counter perceptions of alignment (through a consortium approach, pink vehicles and other conflict-defusing measures).*

7. Accountability to crisis-affected communities

Accountability to beneficiaries is weak and likely to further deteriorate. Two points are worth mentioning here:

- One of the strengths of INGOs and NNGOs in Afghanistan has traditionally been the strong relationship with, and support from, the communities with which they work. A kind of “social contract” bound agencies and communities together, which provided feedback on activities and advance warning if there were security risks for the outsiders. This contract is now greatly frayed for a number of reasons. NGOs have lost the aura of respect that they had in Taliban times when they were the only visible manifestation of the outside world’s commitment to helping Afghans. Government, media and even donors have been critical of NGOs; they have been tarred with the same brush as private contractors; they have been confused with the PRTs and even Special Forces who, like humanitarian actors worldwide, drive around in white vehicles. Moreover, because most communities have interacted to some degree with NGOs – but not necessarily with other big players in the aid enterprise such as bilateral donors, multilateral banks and UN agencies – NGOs tend to take the blame for dashed expectations. A frequent refrain is the inappropriateness of the aid that Afghanistan is receiving, both in terms of quantity and quality. One often hears: “Why are the NGOs doing such small projects that we can do ourselves? We need factories, we need infrastructure.” Because of the perceived lack of tangible change in people’s lives, NGOs seem to be losing the protection they received from the communities in which they work. As a director of an NNGO put it, “NGOs are living on borrowed time.” The Taliban and other militant groups have found it convenient to attack NGOs for their perceived (sometimes real) alignment with the government and the Coalition forces, or simply because they are soft targets. It would be simplistic to claim that NGOs are being attacked because of the failures of the post-9/11 aid effort or because of their lack of independence. A number of factors come into play. But the fact remains that aid workers had very rarely been targeted until 2002. Since then, from the perspective of the insurgents, it is no longer taboo to do so.
- Accountability to beneficiaries has also been negatively affected by deteriorating security and specifically by the inability of NGO international staff – and increasingly national staff as well – to visit field offices and project sites. NGOs are increasingly working under the radar and/or by remote control in large swaths of the country. This can work for the short term, but over time if monitoring becomes impossible it affects the quality of the work. Institutional and personal survival reflexes are likely to set in: local staff will underreport security threats or incidents for fear that activities will be closed down and they will lose their job; agencies will withdraw staff and move them to safer locations; reporting to donors will become less credible (implementation difficulties will be played down for fear of funding cuts). As in Iraq and Nepal, NGOs will become reluctant to share sensitive information on their activities. Even collecting information on who does what where may be perceived as too dangerous.

Given time and security constraints, it was not possible to collect anything more than a few anecdotal comments from beneficiaries on the quality and relevance of the assistance activities they had been involved in. The snippets below are drawn from interviews and focus group discussions in Shomali and Jalalabad.

Many comments reflected unhappiness with respect to the nature and quality of assistance. For example, a villager in Kaloqan complained: *“Too many people come here to ask questions, but nothing changes. Lots of promises have been made since the last seven years. Only temporary things have been done”*.

A parliamentarian from the same area echoed similar views: *“In the ‘60s we had big irrigation schemes here (built by the Chinese). But they have not been rehabilitated. No change. The international community and donors come here with their own project ideas and don’t consult either the government or the people. Our feeling is that the money goes back to the donors. Money comes in the door and goes out the window.”*

While many participants in the discussions did mention that there had been some consultation about the planned activities of aid agencies, this was often seen as perfunctory, i.e. communities felt that they did not have a say in the decision-making or that things were decided “from above”. The perceived lack of transparency in the assistance relationship was a common motif. A villager complained: *“Where does the money go? There is no accountability. If you involve the people there will be less corruption and programmes will be successful.”*

Returnees in Jalalabad and conflict-affected displaced families from Sarobi district had similar concerns:

“We have seen no assistance. What we get is very poor quality. Agencies came and asked questions but what we got was not what we asked for.”

“We got very little assistance after we were bombed. Only Aide Médicale Internationale helped us. They were good. They took risks to come up to us. All other agencies were afraid to come to our village”

“NGOs and HCR made a survey, they asked about our problems but it is going very slow. We have not seen anything. They came to sit with us. Even Gutierrez came. But we have received nothing.”

A frequent concern was that the assistance was not going to the right people or that areas where there was insecurity or poppy (or both) were being privileged by donors and agencies over secure areas. In Kaloqan – a relatively well off area that has received a lot of visible assistance, villagers complained:

“Here nobody is investing. There is conflict in Kandahar, why are the Canadians investing so much down there. They should invest here to show what investment in peace will do. Otherwise we will create insecurity so that the money comes here.”

Another quipped: *“If the child is not crying, the mother will not give it milk. If we don’t receive aid, we will have to make noise... with rockets.”*

There was a lot of commentary on corruption and on the respective merits of international and national NGOs. Some felt that the latter were corrupt (*“Local NGOs are like robbers”*) while others were critical of international NGOs and of the many layers of intermediaries between the giver and the receiver (*“We only get 10%”*). Others felt that “insiders” were better than “outsiders” because they knew the local context well. In a meeting with recent returnees, the elders stressed that aid agencies should listen more to the elders and that they should be more involved in project design and implementation. After the meeting, one of the younger participants came back to complain that the elders were untrustworthy and that it was important for international staff to be present and monitor project work.

The issue of hidden agendas was raised a number of times, but always in very generic terms. One villager in Kaloqan, reflecting an oft-heard view, said: *“The international community is here for its own motives, not for us.”* On the other hand, cultural sensitivity issues did not appear very prominently. They were secondary to the quality issue: *“NGOs normally respect our culture and customs, but we have problems with how they work. Timing and quality is often not good.”*

A number of respondents were concerned about the perceived alignment of NGOs and loss of neutrality. A staff member of a national NGO in Jalalabad explained: *“Many people think the NGOs are the eyes of the occupier. If we are neutral, we can be safe. Independence protects you. Anti-government elements do make a difference between NGOs that work for the PRT and others. One NNGO has a clinic up near Tora Bora, a Taliban area, but the Taliban don’t bother them because of the good relationship of the NGO with the community.”*

However, others stress that: *“The insurgents seem to be very coordinated, they have a lot of information on NGO activities.”* Association with foreigners or with the government therefore carries risks not only for aid agencies but also for communities. *“In Paktika, a village committee refused a National Solidarity Programme (NSP) vocational training project because it did not want to be associated with the government. They felt that it would be too dangerous.”*

8. Effect of reform on humanitarian response

Most, if not all, people interviewed agreed that the impact of humanitarian reform on humanitarian response has been minimal. “There is so little humanitarian work going on that any impact would be very difficult to measure,” noted the country director of an INGO. “There is so little humanitarian money too,” said another. The overwhelming impression is that there have been lots more meetings, but no real change. “Old wine, new bottles”. While a certain dose of cynicism in reform matters is probably inevitable, and many NGOs commented that so far the reform had benefitted the UN much more than the other partners, interviewees also recognised that the reform architecture was starting to come together and that there were opportunities to make it work.

Among the Mapping study consortium members (and at the end-of-mission workshop), there was an expectation that the appointment of the Humanitarian Reform Officer

(HRO) would have a positive effect on reform momentum. It is certainly urgent to have a dedicated person to animate NGO participation in humanitarian reform. Specifically, the HRO should function as advocate for humanitarian principles and trouble-shooter on implementation of the reform.

The HRO would be very useful to ensure coherence and continuity in NGO cluster participation and possibly could serve as the NGO key interlocutor at inter-cluster meetings. A key role would be to ensure transparency in the functioning of CERF and, especially in view of the creation of the pooled fund as she/he can actually work on the fund managing structure ensuring NGO participation and counter the UN agencies cluster lead in the fund allocation.

Recommendation. *A Humanitarian Reform Officer position for Afghanistan should be established as soon as possible. The HRO should serve the entire NGO humanitarian community. The funding of the position should be shared among the members of the Humanitarian Consortium described below (unless it is funded by a humanitarian donor). Ideally, the HRO should act as secretary to the Consortium and be based in the office of a consortium member.*

9. Conclusions and recommendations

This report has highlighted key challenges and dilemmas that the humanitarian community in general, and NGOs in particular, are facing in Afghanistan today. The TOR envisioned that this exercise would provide a baseline against which progress on humanitarian reform could be assessed. However, as mentioned earlier, **humanitarian reform issues** pale in comparison to the bigger issues of redressing the credibility of the humanitarian enterprise and addressing the potentially escalating vulnerabilities of civilians caught up in intensifying conflict and deepening crisis.

OCHA has a long way to go, despite good intentions, if it is to become the advocate for humanitarian space and negotiator of humanitarian access. It is by no means certain that the insurgents are prepared to engage with the UN on such issues, nor that trusted interlocutors can be found. In any case, it will take time before a modicum of trust can be established with those who might be prepared to talk. In the meantime, a paradigm shift in the external environment (surge, intensification of conflict) might further narrow the space for independent, neutral and impartial humanitarian action. In a polarised conflict environment – and even if political negotiations with some insurgents get underway – it is far from clear that the Afghan government, the political UN and the Coalition forces would actually tolerate more principled expressions of even-handedness from the humanitarian community. UNAMA has supported, and the government has allowed, WHO negotiations with the Taliban for the immunisation campaign. But moving beyond time-bound agreements in the health field is likely to prove difficult. According to one view, talking to the other side would be seen by the Coalition as tantamount to "collaboration with the enemy."²¹

²¹ ANSO quarterly report, January 2009, p. 1.

NGOs will be treading very carefully in 2009. In addition to the challenges of access and security, most likely they will be facing increasing attempts aimed at incorporating their work into so-called comprehensive or integrated approaches to stabilisation. The overt manipulation of NGOs to achieve political or military objectives cannot be ruled out.²² As mentioned several times in this report, multi-mandate agencies, both NGO and UN, face especially difficult choices as they risk being seen as aligned with a government whose legitimacy is questioned and a military presence that is increasingly viewed with hostility or apprehension by Afghans.

To be clear, working for the government (or in joined-up government-Coalition programmes) inevitably implies taking sides, and is seen as such by those who are fighting the government. Taking sides is a political act, defensible or not depending on one's views. Agencies that do so cannot expect to be seen as neutral and independent, although they can be impartial in their activities. This "Wilsonian" position implies a degree of identification between the agency and the foreign policy objectives and values of its sponsors. At the other end of the spectrum, "Dunantist" agencies put a premium on time-tested humanitarian principles. They see neutrality not as an end in itself but as a means to be effective in accessing, assisting and protecting those in need of humanitarian action to secure their survival. In situations of violent conflict, such as Afghanistan, it makes sense to try to achieve a clearer separation between Wilsonians and Dunantists, not so much for political or ideological reasons but because the Dunantist approach tends to be more effective in reaching those in need. Insulation or separation from partisan political agendas is a better guarantee of access and acceptance by belligerents and communities on the ground.

What then of multi-mandate agencies? Many NGOs, and some UN agencies, do both humanitarian and development work. Must they choose one or the other? In an ideal world, perhaps they should. There are various shades of grey here and much depends on perceptions. The question is not so much whether NGOs do development, but how. Agencies that are rooted in communities and have a track record of nurturing participation and accountability to beneficiaries stand a better chance of being accepted than newcomers with top-down or mechanistic approaches. Nevertheless, activities that go beyond life-saving assistance and protection *always* run the risk of being perceived as political or divisive or of benefit to certain groups rather than others. And, importantly, they will be portrayed as such.

In sum, perception and distinction are key. Multi-mandate NGOs working in violent and contested environments would be wise to consider how best to position themselves without putting their beneficiaries and themselves at risk. Whether they provide humanitarian or "early recovery" assistance is less important than whether they do so in a transparent and accountable manner or whether they have the support of the

²² A recent, and disturbing, example with potentially deleterious security consequences for NGOs is a statement attributed to Ambassador Holbrooke implying that he would be relying on NGOs "to ramp up a level of intelligence support" on the Taliban in Afghanistan; Holbrooke said the U.S. would "concentrate on that issue, partly through the intelligence structure" and partly through private aid groups that provide humanitarian and other services in Afghanistan. He estimated that 90 percent of U.S. knowledge about Afghanistan lies with aid groups. AP, "Envoy laments weak U.S. knowledge about Taliban", 7 April 2009

communities in which they work. If they are working as implementing partners for the government or the Coalition, they cannot be seen as neutral and independent humanitarian actors. This is a red line they should not cross.

Two over-arching recommendations.

1. Humanitarian Consortium. It is recommended that in order to enhance the perception of neutrality, independence and impartiality of their humanitarian activities, particularly in those areas of the country where working with legitimate local authorities is no longer possible, NGOs should establish a “**Humanitarian Consortium**” that would distinguish itself from other actors on the ground by a recognisable symbol (e.g. pink vehicles or a particular logo) and by a set of principled, clear and transparent, operational guidelines (e.g. based on the Basic Operational Guidelines (BOGs) adopted by the aid community in Nepal and Sri Lanka). Individual NGOs participating in the consortium would coordinate their activities in such a way as to maintain operational management control of their activities while operating under a common logo. Ideally, OCHA should join the consortium, and negotiate humanitarian access and space on its behalf, as soon as it is able to demonstrate its independence from UNAMA’s political agenda and its compliance with the consortium’s guidelines.

2. Communications Strategy. Once it is established, the Humanitarian Consortium should immediately launch a **communications strategy** aimed at the general public and all belligerents to explain who they are and what they do. This should include efforts to ensure that the vernacular media provide a balanced presentation of humanitarian activities, a campaign to sensitise decision-makers at the sub-national level (provincial councils, governors, leading mullahs) and as deep as possible into areas where insurgents are active. The consortium and OCHA should also devise innovative ways to inform and influence the leadership of the insurgency on humanitarian access and the rights of civilians to be treated as civilians. This could involve trusted intermediaries, contacts developed through long-term relationships at the community level, op-eds in the vernacular Pakistani media, and the like. Moreover, the BOGs should be printed in all local languages and distributed widely. Humanitarian consortium staff should carry them on their person at all times. Ultimately, the objective should be to secure the public endorsement of the BOGs by all belligerents. Finally, it is important that the Humanitarian Reform Officer be attached to the consortium and act as the Secretary to the consortium (or to the consortium’s steering committee, if one is established).

The recommendations already included in the preceding sections of the report are repeated here:

Coordination

- *Now that an OCHA office has been re-established, NGOs should support its development and ensure that it becomes a credible force for principled humanitarian action. NGOs must support OCHA’s role in negotiating humanitarian access and space on behalf of the humanitarian aid community. NGOs should support physical separation of OCHA offices from UNAMA offices in the field.*
- *The HC and the HCT should reemphasize the importance of impartial and*

objective chairing of cluster meetings, particularly when CERF funding allocations are being discussed and in the context of the appeal/HAP preparation.

- UN agencies should not systematically be cluster leads. Clusters should be chaired by officials without agency management responsibilities. Where this is not possible, cluster leads should request their co-leads to chair funding/appeal related discussions. Ways of strengthening NGO capacity to take on lead functions should be explored*
- OCHA should ensure that the next appeal preparation process results in a programmatic plan, built on substantive work in the clusters, rather than a simple collection of funding requests.*
- A nationwide rapid assessment of key humanitarian needs should be conducted in preparation of the next appeal, and donors should be lobbied to ensure funding for such a key exercise.*

Funding – CERF

Even if it is not legally possible (for now?) for NGOs to access CERF funds directly, OCHA and the UN agencies need to acknowledge that NGOs have unique strengths to contribute to humanitarian response and thus to the objectives of the CERF. So far NGO participation in CERF has been symbolic. OCHA needs to ensure that NGOs play a more important role in CERF processes. OCHA, through the cluster system, should ensure that:

- a system to track disbursements of CERF funds to NGOs is set up (both for ‘pass through’ funds and projects initiated by UN agencies contracting NGOs as implementing partners with CERF funds).*
- procedures for access to CERF by NGOs, rapidly and with low overhead costs, are streamlined and disseminated, including to smaller NGOs.*
- more transparency and accountability, including accountability to beneficiaries, is assured. Annual reports should include detailed information on CERF disbursements to NGOs rather than just disbursements to UN agencies.*

Leadership

Given the deepening humanitarian crisis and the perceptions of alignment of the HC/RC/DSRSG position with government and Coalition interests, NGOs should advocate for the separation, both functional and physical, of the HC position from the RC/DSRSG position. The HC should thus sit in the OCHA office and have a direct reporting line to the ERC. It is also critical that the person appointed to be HC has impeccable humanitarian credentials and is committed to boosting partnership with NGOs.

Partnership

The Afghanistan Humanitarian Forum (AHF) should become the key forum for humanitarian coordination in Afghanistan. It should continue to be chaired by the head of OCHA, or by the HC when the situation so warrants, and replicated as necessary at the sub-national level. The AHF, in addition to ensuring coherence of operational coordination and response, would be the locus for discussions on humanitarian policy and advocacy, on perceptions of neutrality and on negotiations of access and

humanitarian space. For example, the AHF might discuss practical measures to ensure that humanitarian actors – in particular multi-mandate agencies – are able to affirm their humanitarian profile and counter perceptions of alignment (through a consortium approach, pink vehicles and other conflict-defusing measures).

Humanitarian Reform Officer

A Humanitarian Reform Officer position for Afghanistan should be established as soon as possible. The HRO should serve the entire NGO humanitarian community. The funding of the position should be shared among the members of the Humanitarian Consortium described below (unless it is funded by a humanitarian donor). Ideally, the HRO should act as secretary to the Consortium and be based in the office of a consortium member

ANNEX : NGOS AND HUMANITARIAN REFORM PROJECT

NGOs and Humanitarian Reform: An Opportunity to Influence the Future of Humanitarian Reform

Background

Since the beginning of the UN-led humanitarian reform processⁱ, there has been growing awareness of the need to better involve NGOs – particularly national and local NGOs – in the various aspects of reform. The external evaluation of the cluster approach noted that the lack of involvement of national and community-based organisations was one of “the most disappointing findings” and that while “Partnerships have improved marginally...no significant gains were seen for local NGO participants.” The ultimate aim of improving NGO engagement in the reform process is to improve the effectiveness of humanitarian response so that populations in need can be better protected and assisted.

Improving NGO Engagement and Downward Accountability

National and local NGOs are mainly absent from many of the reform forums such as the clusters, the pooled fund boards and the humanitarian partnership country teams and even international NGOs often find it difficult to consistently engage in the various processes. National and local NGOs are mostly unable to access UN pooled funds and NGOs are excluded from direct access to the CERF.

A three-year project started in September 2008 (funded by DfID) to increase the effective engagement of international, national, and local NGOs in humanitarian reform (clusters, humanitarian financing, and Humanitarian Coordinator strengthening). The project places a particular emphasis on catalyzing NGO engagement in humanitarian reform processes.

Project Focus

The project will focus around the main themes requiring further work in the current UN-led reforms:

1. partnerships between humanitarian actors;
2. downwards accountability to beneficiaries;
3. programme impact on populations receiving humanitarian aid; and
4. at the global level, international policies related to reform and partnership.

The focus will be on clusters; innovation and lesson-learning related to NGO engagement in humanitarian coordination and financing mechanisms; and promoting effective means to represent the views of crisis-affected populations through evidence-based advocacy, a focus on downwards accountability, and improving the impact of humanitarian action. The consortium members will facilitate a global outreach.

Partnership Approach

Building upon existing initiatives like the Global Humanitarian Platform’s *Principles of Partnership*, and working as closely as possible with donors, UN agencies, and partners, the project aims to connect country level experience to international policy and learning. To meet the overall objective of the project to improve the efficiency and reach

of humanitarian response for beneficiary populations, the project will produce practical guidance for NGOs working in humanitarian situations. There will be an explicit focus on two-way capacity-building and inclusion of national and local civil society. Regional workshops will take place later in the project to learn lessons and, throughout the project, emphasis will be placed on the importance of partnership.

Country Focus

The current state of coordination and response will be mapped to create a baseline against which progress can be measured over the three years in four focus countries:

1. Afghanistan,
2. Democratic Republic of the Congo (DRC),
3. Ethiopia, and
4. Zimbabwe.

Sudan will be the fifth focus country, when additional funds are secured.

NGOs in at least five other countries – Haiti, Indonesia, Palestine, Mozambique, and Lesotho – will provide supporting evidence by regularly sharing information about clusters, response, and partnership, which will help to map the bigger picture beyond the focus countries.

Activities

Humanitarian Reform Officers (HROs) will be engaged in 2009 to provide liaison in each of the four (to five) focus countries to carry out the activities related to the project. An International Project Manager will oversee the project, providing support to the HROs in each country and working to disseminate information and share lessons.

The activities will include, *inter alia*, the following:

- ♦ a mapping study in each focus country, looking at trends and dynamics of humanitarian response;
- ♦ promotion of shared needs assessment frameworks;
- ♦ development of practical guidance and best practice;
- ♦ beneficiary workshops to be held in each focus country;
- ♦ supporting and building capacity of national NGOs for humanitarian response; and
- ♦ international advocacy to UN and donors based on elaborated policy recommendations.

The Consortium

The project is being run by a consortium of seven NGOs: ActionAid (as lead agency), CARE International UK, CAFOD, International Rescue Committee, ICVA, Oxfam, and Save the Children UK.

For more information visit: [www. ActionAid.org](http://www.ActionAid.org). or write to yasmin.mcDonnell@actionaid.org

December 2008
