

**NGOs and Humanitarian Reform
Mapping Study
Democratic Republic of Congo Report**

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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.

TABLE OF CONTENTS

List of acronyms	1
Executive Summary	2
Introduction	8
1. Context	9
2. Coordination	10
2.1 What is the cluster approach?	10
2.2 Cluster approach in the Democratic Republic of Congo (DRC)	11
2.3 Cluster effectiveness	12
2.4 Congolese NGO participation in clusters	14
2.5 Other coordination mechanisms	15
3. Funding	17
3.1 Humanitarian financing in the DRC	18
3.2 Rapid response mechanism	19
3.3 Pooled fund allocations	20
3.4 Administrative procedures	21
4. Leadership	22
5. Partnership	23
6. Accountability to crisis-affected communities	24
6.1 Overall findings on accountability	25
6.2 Outcome of participatory exercise	26
7. Effect of reforms on humanitarian response	29
8. Summary of conclusions	30
Table 1: Global clusters and cluster lead organisations	10
Table 2: Cluster Leads and co-facilitators at national level	11
Table 3: Participation in clusters	12
Table 4: Donors to the pooled fund in 2008	18
Table 5: Summary of pooled fund recipients in 2008	18
Annex 1: NGOs and Humanitarian Reform project	32

List of Acronyms

ACF	Action Contre La Faim
ACTED	Agency for Technical Cooperation and Development
BCPR	Bureau for Crisis Prevention and Recovery
CAP	Consolidated Appeals Process
CCCM	Camp Coordination and Management
CERF	Central Emergency Response Fund
CHF	Common Humanitarian Fund
CNDP	Congrès National pour la Défense du Peuple
CPIA	Provincial Inter-Agency Committee
CPIOK	Comité Permanente Inter-Organisation Kinshasa
CRS	Catholic Relief Services
DfID	UK Department for International Development
DPKO	UN Department of Peacekeeping Operations
DRC	The Democratic Republic of Congo
DRR	Disaster Risk Reduction
ECHO	European Commission Humanitarian Aid Department
EHI	Emergency Humanitarian Intervention
ERC	Emergency Relief Coordinator
ERF	Emergency Response Fund
FAO	Food and Agriculture Organization of the UN
FDLR	Forces Democratiques de Liberation du Rwanda
FTS	Financial Tracking System
GHD	Good Humanitarian Donorship
HACT	Harmonised Approach to Cash Transfers
HAG	Humanitarian Advocacy Group
HAP-I	Humanitarian Accountability Project - International
HC	Humanitarian Coordinator
HRA	Humanitarian Reform Advisor
HRF	Humanitarian Response Fund
HRO	Humanitarian Reform Officer
IASC	Inter-Agency Standing Committee
ICRC	International Committee of the Red Cross
ICVA	International Council of Voluntary Agencies
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
LRA	The Lord's Resistance Army
MONUC	United Nations Organisation Mission in DR Congo
NFI	non-food item
NGO	Non Governmental Organisation
OCHA	UN Office for the Coordination of Humanitarian Affairs
OHCHR	Office of the High Commissioner for Human Rights
RC/HC	Resident Coordinator and/or Humanitarian Coordinator
RRM	Rapid Response Mechanism
ToR	Terms of Reference
UN	United Nations
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
WASH	Water, Sanitation and Hygiene
WATSAN	Water and sanitation
WFP	World Food Programme
WHO	World Health Organization

Executive Summary

Since 2005, donors and the UN system have worked together to introduce a set of reforms to improve the timeliness, coverage and predictability of international humanitarian response. The process has focused on three elements:

- the cluster approach;
- strengthened humanitarian coordinators; and
- pooled humanitarian funding.

In 2007, the UN added partnership as a fourth element.

Although Non-Governmental Organisations (NGOs) implement the majority of humanitarian programmes at field level, this humanitarian reform process has tended to focus on the UN system and NGOs have found it difficult to participate in the new co-ordination and financing systems. Therefore, the NGOs and Humanitarian Reform project is a 3-year project funded by the UK Department for International Development (DfID) to increase the engagement of NGOs in the humanitarian reform process. The consortium implementing the project commissioned mapping studies to provide baseline data, against which the project can measure progress, as well as guidance to consortium members on country-specific activities. The consortium will then appoint a Humanitarian Reform Officer (HRO) in each country to carry out project activities.

The mapping studies covered each of the project's headings of coordination, funding, leadership, partnership, accountability to beneficiaries and the impact of the reform process on humanitarian response. Recommendations are listed at the end of the section.

Coordination

The UN introduced the cluster approach in the Democratic Republic of the Congo (DRC) in 2006. There is a well-established system of international non-governmental organisation (INGO) co-facilitators, at both Kinshasa and provincial levels. One of the main challenges for INGOs has been to find sufficient staff time to take on co-facilitator responsibilities, particularly at national level, as most of their emergency staff members are based in the East. INGOs have also found different degrees of formality and expectations around the co-facilitator role.

INGOs in the DRC are committed to ensuring that the cluster approach works effectively but they expressed some concerns as well. One is that most UN agencies have not provided their staff members with clear responsibility for leading clusters. This means that they have to cope with cluster-related work in addition to full-time jobs and some cluster leads pass on this additional workload to INGO co-facilitators. UNICEF is one exception and interviewees identified this as a factor in the success of the Water, Sanitation and Hygiene (WASH) cluster. INGOs have also found that UN agencies do not separate cluster responsibilities from organisational priorities and interests, particularly when allocating money from the Pooled Fund. Again, UNICEF has taken the unusual step of not applying to the Pooled Fund for water and sanitation (WATSAN) projects, allowing NGOs in the WASH cluster to access it instead. However, this is likely to change if UNICEF does not have access to CERF funding instead. In addition, a few INGO interviewees pointed out that it is difficult for NGOs to question or challenge the lead agency if they are dependent on it for funding or feel that they could lose out on future Pooled Fund money.

At the time of the study, one cluster was dysfunctional, with the lead agency failing to work with cluster members. The Humanitarian Coordinator (HC) had actively tried to address the problem but stopped short of replacing the cluster lead. It is difficult even for a strong HC to replace a UN agency as cluster lead if it fails to fulfil its responsibilities. This is partly due to the difficulty of finding another organisation willing to take on the responsibility and partly due to the fact that the HC has a range of different roles and relationships with UN agencies.

Due to the size of the DRC, coordination mechanisms vary from province to province and so does participation in them. Unlike in many other countries, local government bodies participate in clusters, particularly in provinces where there is a limited international humanitarian presence. Congolese NGOs involved in humanitarian aid tend to have a limited presence in Kinshasa so the national clusters have found it difficult to involve them, though the study found a couple of positive examples. They are more active at provincial level but there are both practical and perceptual barriers to their participation. Practically, they have limited email access so it is harder for them to get information about meetings, including any documents that are circulated. With regard to perceptions, they seem to believe that cluster meetings are intended to discuss humanitarian projects so it is difficult for organisations to attend unless they are implementing such projects. Since few Congolese NGOs can access funding for humanitarian projects, they do not attend cluster meetings.

The DRC also has coordination mechanisms that pre-date the cluster approach. In Kinshasa, the Humanitarian Advocacy Group (HAG), attended by donors, UN agencies and NGOs and chaired by the HC, has met weekly since mid-2005. This is now an information-sharing forum with a large number of attendees (between 50-60). In the provinces, UN-NGO fora known as Provincial Inter-Agency Committees (CPIAs) are chaired by the UN Office for the Coordination of Humanitarian Affairs (OCHA). Their effectiveness depends on OCHA's leadership and the study uncovered key problems with the CPIA in Goma, particularly around managing meetings.

Funding

In 2006, the DRC was one of the pilot countries for a Common Humanitarian Fund, known as the Pooled Fund. Donor contributions have increased from US\$92.25 million in 2006 to US\$142 million in 2008. This represented 21% of total humanitarian funding to the DRC, making the Pooled Fund the single largest source of humanitarian funds. In 2008, NGOs (international and Congolese) received 48% of Pooled Fund grants.

The HC manages the Pooled Fund with the support of a joint OCHA-UNDP Pooled Fund Unit. The United Nations Development Programme, UNDP, is responsible for financial disbursements and administration while OCHA manages the day-to-day running of the Fund. The Pooled Fund Board develops policy and provides strategic direction and advises the HC on funding decisions. The Board comprises UN agencies, three donors and three INGO representatives. The HC chairs Board meetings.

Bilateral funding from donors for humanitarian activities has traditionally focused on Eastern DRC at the expense of emergency needs in the rest of the country, so the HC has tried to distribute Pooled Fund grants more evenly. This has been hampered partly by the limited presence of humanitarian actors outside Eastern DRC. The 12-month maximum timeframe for grants may also be a factor. INGO interviewees argued that this is too short-term to justify establishing an office or partnerships with local NGOs and to address longer-term needs.

The Pooled Fund usually makes two allocations a year. In January 2009, though, the HC made a special allocation to address the North Kivu crisis, for which donors made additional contributions at the end of 2008. The Pooled Fund uses a decentralised system for standard allocations, relying on provincial-level clusters to identify and prioritise projects. This is logical in a country as large, diverse and complex as the DRC. However, it inevitably leads to conflicts of interest and INGOs felt that UN agencies could get their projects accepted more easily, especially as they have strong representation in Kinshasa to change the decisions made at provincial level. Dividing funding by cluster can also lead to an artificial division of projects, potentially resulting in separate reports and audits for the same project.

INGOs as well as Pooled Fund Board members expressed some concerns about the Fund's administrative procedures for NGOs. These include:

- UNDP's capacity assessment of NGOs, which led to the exclusion of Congolese NGOs from the second allocation in 2008;
- Audit rules that can result in multiple audits of the same projects;
- A lack of harmonisation of rules and procedures between UN agencies.

Leadership

There is general agreement that the DRC has benefited from a strong HC who has made a real effort to promote humanitarian concerns and priorities within an integrated mission structure. The HC plays an active role in reform mechanisms, chairing the Pooled Fund Board and Humanitarian Advocacy Group (HAG) meetings, and commands respect from all the actors with whom he interacts. This underlines the fact that an HC's strong and effective leadership can contribute to ensuring better functioning reform mechanisms.

However, this does not reduce the need for strong leadership and engagement from donors to ensure that the Pooled Fund operates fairly and finances good quality projects. Donors could also strengthen their leadership role if they made a greater effort to coordinate amongst themselves. The DRC was a pilot country to implement the Good Humanitarian Donorship (GHD) initiative and harmonise donor approaches at country level but this has proved to be a real challenge.

The study also found that cluster leadership is vital to the success or failure of the system. If national level leadership is weak, this can weaken the functioning of the cluster at all levels. A review of clusters in the DRC argued that good cluster leadership should:

- be credibly impartial;
- strive to improve the quality of interventions;
- respect the cluster's collective decisions; and
- foster a sense of common enterprise amongst cluster members.

Partnership

The study found that partnership between international and Congolese NGOs is limited due to the INGO view that Congolese NGOs have little capacity for humanitarian activities. Local NGOs believed that there was a vicious cycle whereby the perceived lack of capacity meant a lack of funding which in turn meant that local NGOs could not implement projects and did not have a field presence. They argued that this benefits international NGOs, which is why they do not undertake capacity building programmes. However, one local NGO provided a positive example of partnership with an INGO.

Local NGOs felt that partnership involves close engagement and working alongside local organisations and that this is the way to overcome the risk of corruption, which is endemic in a resource-poor environment like the DRC. However, INGOs are already stretched by having to provide humanitarian aid in the difficult context of the DRC. This means that they have very few resources to invest in the intensive capacity building and oversight that is required for such partnerships.

Accountability to crisis-affected communities

The study involved interviews with Internally Displaced Persons (IDPs) in three camps around Goma. It focused on three forms of accountability to crisis-affected communities and tried to ascertain the extent to which humanitarian agencies were accountable to beneficiaries.

- Consultation about needs and involvement in aid delivery: Interviewees in all three camps claimed that they had not been consulted about needs or involved in aid delivery though one camp had a hygiene committee comprised of camp residents.

- Information about assistance provided and any targeting criteria: the only information that beneficiaries had about assistance being provided was World Food Programme food rations. This lack of information often led to perception of fraud.
- Complaints procedures: although there did not appear to have been any follow-up monitoring in the camps, there were camp committees in place to raise problems. However, all interviewees complained that they had no idea if the problems they identified had been taken any further because they had not yet been addressed.

The findings presented in section 6.2 show that the IDPs in all three camps acknowledged and appreciated the work of the international community in assisting them. But they were also clearly frustrated about the way in which the aid was provided and their inability to get a meaningful response to the problems they raised.

Effect of reforms on humanitarian response

There were some suggestions that the introduction of the cluster approach has improved coordination and camp management and the Pooled Fund has ensured the availability of funding for humanitarian need across the country. However, it was not possible to make explicit links between humanitarian reforms and improved humanitarian response in the DRC.

Recommendations:

Coordination

- One of the barriers to NGO participation in clusters is their uneven implementation. If clusters do not operate effectively, NGOs will be reluctant to invest precious staff time in participating actively. Although the HC is working to improve the consistency of the clusters, a provincial cluster lead suggested that it would be more effective if INGOs joined together to address problems with a specific cluster at the Global Cluster level.
- Interviews with Congolese NGOs in Goma suggest that their perception about the purpose of clusters is one of the obstacles to their participation. Therefore, it would be helpful if cluster leads and co-facilitators undertake an outreach programme to better explain the purpose and functioning of clusters to Congolese NGOs. Since these NGOs rely on OCHA for general information about humanitarian activity, OCHA can also play a facilitating role.
- Since it was not possible to establish a detailed list of participants in clusters at both Kinshasa and provincial levels, it would be helpful if the HRO prepares this list so that the consortium can monitor participation, particularly that of Congolese NGOs, over the life of the project.
- As part of the process of formalising the co-facilitator role, it would be helpful if all the clusters examine whether they need to adapt the general Terms of Reference or develop other guidance on the selection and responsibilities of co-facilitators. This can help to ensure that there is a clear division of labour during particularly busy periods like the development of the Humanitarian Action Plan or the allocation of Pooled Fund grants.
- Although clusters do not explicitly include government representatives, government bodies have participated in provincial clusters. This is probably very helpful in a context where the government has limited capacity so cluster leads could make a more concerted effort to involve the government in clusters consistently.
- OCHA needs to address the critical problems with the CPIA in North Kivu urgently since this is one of main areas of humanitarian response, e.g., by sharing CPIA minutes with all humanitarian actors and ensuring that meetings are chaired efficiently and focus on strategic issues.

Funding

- Since the Pooled Fund is addressing relatively predictable humanitarian needs, it would be helpful if the Board could consider extending the timeframe for projects when this is appropriate for the activities being financed.
- If UN agencies are not going to implement the Harmonised Approach to Cash Transfers (HACT) in 2009, it would be useful if UNDP could consider how to streamline its funding processes, for example, by having an annual audit for NGOs financed by the Pooled Fund instead of separate audits for each project. This would make it easier for Congolese NGOs, in particular, to manage Pooled Fund grants.
- Since NGOs, particularly Congolese NGOs, have limited staff time to participate in several clusters, it would be helpful if the Pooled Fund unit could provide guidance on the allocation process to provincial clusters and CPIAs to ensure that Pooled Fund applicants do not have to split a multi-sectoral programme by cluster and thus multiply the auditing and reporting burden.

Leadership

- It is important that donors continue to remain actively engaged with the Pooled Fund and assist it to operate as efficiently as possible. They should also make a greater effort to coordinate amongst themselves in order to improve their leadership.
- To ensure that cluster leadership is credibly impartial, cluster lead agencies need to ensure a visible separation between cluster and agency responsibilities. They should also respect the cluster's collective decisions at all times.

Partnership

- Establishing genuine partnerships with Congolese NGOs (rather than sub-contracting relationships) is clearly a challenge for international NGOs, both due to their own limited resources and the operating environment in the DRC. However, if the consortium is committed to establishing partnerships and building local NGO capacity, it should draw together existing lessons and best practice from its members and the INGO community in the DRC more widely and use these to build deeper partnerships.
- Access to information about reform mechanisms and how the international humanitarian community operates is a challenge for Congolese NGOs; so the consortium could ensure that if the HRO prepares briefings or reviews, these are shared with Congolese NGOs.

Accountability to crisis-affected communities

- Although aid agencies have committed to making themselves accountable to beneficiaries, the study findings demonstrate that this remains a challenge. Therefore, UN agencies and NGOs alike need to:
 - Ensure that they communicate targeting criteria and exactly what aid beneficiaries can expect to receive. This is crucial to avoid misunderstandings and accusations of theft.
 - Find ways to introduce systematic monitoring procedures that would identify and deal with problems with aid distributions.
 - Review their complaints mechanisms to ensure that they are effective.
- Many consortium members are members of the Humanitarian Accountability Project - International (HAP-I) so, even if they are not certified, they could consider applying the HAP-I benchmarks to their activities.
- The findings from the participatory technique demonstrate that IDPs have a range of needs that are not met through the distribution of food and non-food items. This suggests that it would be more appropriate to provide cash or vouchers that enable the displaced to decide whether they spend money on their children's education or clothes and mattresses. A small number of INGOs are undertaking such programmes and have evidence that the IDPs make good spending decisions and that such

programmes boost the local economy. Therefore, aid agencies should consider scaling up these activities.

Effect of reforms on humanitarian response

- To measure the impact of reform processes on humanitarian response, performance assessments need to go beyond individual projects or elements of the reform such as the cluster approach and try to examine how the pillars of reform interact to support international response to a humanitarian crisis situation in the DRC. As the individual responsible for overseeing the overall international humanitarian response, the HC may want to consider undertaking an assessment of the system as a whole.

Introduction

Following a visit to Darfur in 2004, the then UK Secretary of State for International Development, Hilary Benn, highlighted the need to strengthen the humanitarian system because “*vulnerable people deserve much better of us than we have given them in Darfur*”¹. He called for six elements of reform:

- More, and more flexible, funding to be available right from the moment crisis strikes;
- Better and stronger Humanitarian Coordinators, with the power and the funds to act;
- Greater clarity about who does what in a crisis;
- The development of benchmarks to measure how we perform;
- Addressing unequal allocation of resources between crises; and
- More investment in reducing the risk of future disasters.

Around the same time, the UN’s Emergency Response Coordinator, Jan Egeland, commissioned the Humanitarian Response review, published in August 2005². It focused on the UN system only and the authors noted that while the review provided “*a fairly good picture of the UN family*” (p. 8), it did not cover NGOs and the Red Cross/Red Crescent Movement in any depth. The review made 36 recommendations that were used as the basis for the Humanitarian Reform project, managed by the OCHA Humanitarian Reform Support Unit. These recommendations were converted into three ‘pillars’ of UN humanitarian reform:

- The cluster approach;
- Strengthened humanitarian coordinators; and
- Pooled humanitarian funding.

Partnership is sometimes added as a fourth pillar or is sometimes described as an overall enabler for the other reforms³.

Although NGOs implement the majority of humanitarian programmes at field level, this humanitarian reform process has tended to focus on the UN system and NGOs have faced various obstacles to their engagement in the new co-ordination and financing processes. In 2008, a consortium of six international NGOs and the International Council of Voluntary Agencies (ICVA) responded to a funding call from DfID and developed a 3-year project entitled ‘NGOs and Humanitarian Reform’. The project aims to increase the effectiveness of humanitarian response by strengthening the effective engagement of international, national and local NGOs in humanitarian reform processes. For further details of the project, see Annex 1.

The NGO consortium commissioned independent researchers to undertake ‘mapping’ studies in the five countries where they intended to implement the project. These are: Afghanistan, the Democratic Republic of Congo (DRC), Ethiopia, Sudan and Zimbabwe. The aim of the studies is to provide baseline data, against which the project can measure progress, as well as guidance to consortium members on country-specific activities. To ensure comparability across the studies, the researchers developed a common set of questions under the project’s headings of coordination, funding, accountability to crisis-affected communities and partnership. The consortium will use the findings from the

¹ H. Benn (2004) *Reform of the International Humanitarian System* Speech by Hilary Benn, UK Secretary of State for International Development at ODI, 15 December 2004. Available from:

<http://www.dfid.gov.uk/news/files/Speeches/bennaidssystemreform.asp>

² See C. Adinolfi, Bassiouni, D. S., Lauritzsen, H. F., & Williams, H. R. (2005) *Humanitarian Response Review: An independent report commissioned by the United Nations Emergency Relief Coordinator & Under-Secretary-General for Humanitarian Affairs* OCHA, New York. Available from:

<http://www.humanitarianinfo.org/iasc/content/documents/other/Humanitarian%20Response%20Review%202005.pdf>

³ OCHA (2007) *The Four Pillars of Humanitarian Reform*. OCHA, New York 23 September 2007). Available from: http://www.humanitarianinfo.org/srilanka/docs/hum_re/The_humanitarian_reform-Four_Pillars.pdf

mapping studies to advocate for change at a global level. It will also appoint a Humanitarian Reform Officer to undertake project activities.

The mapping studies have found that humanitarian reforms have been introduced to a different extent in each country. The DRC is in the forefront as all the reforms have been piloted here (together with initiatives like Good Humanitarian Donorship). So the DRC was one of the two initial countries to have a Common Humanitarian Fund in 2006 (the other was Sudan) and it also rolled out the cluster approach in 2006. Humanitarian actors also consider the DRC to have an effective Humanitarian Coordinator (who has been in post since 2004). The mapping studies found this to be an important factor in the successful implementation of the reforms at country level.

This report is based on a 12-day visit to the DRC from the 19th to the 30th of January 2009. One consortium member is the lead agency in each of the mapping study countries. In the DRC, this is Oxfam GB. The country visit would not have been possible without considerable logistical support in Kinshasa from the Humanitarian Reform Adviser based in the Oxfam GB office and without logistical support in Goma from both Oxfam GB and Save the Children UK. Given the project's focus on accountability to beneficiaries and assessing whether the reforms have resulted in improvements to humanitarian response, after five days of interviews in Kinshasa, I travelled to Goma. Due to difficulties with travel in the DRC, it took one and a half days to travel to Goma (instead of a three-hour flight) so it was not possible to return to Kinshasa to present a feedback workshop. However, I held a meeting with four consortium member representatives in Goma at the end of the trip to discuss some of the key findings. As with the other mapping studies, the interviews were supplemented by emailing a questionnaire to international and local NGOs. Unfortunately, only three INGOs in the DRC responded to the questionnaire. Further details of the methodology are in Annex 2.

This report begins by outlining the elements of the context in the DRC that have direct relevance for humanitarian response. It then presents findings under the three pillars of humanitarian reform – coordination, funding and leadership – as well as under the project themes of partnership, accountability to beneficiaries and effect of the reforms on humanitarian response. To maintain a direct link between findings and recommendations, it presents the latter at the end of each section. However, it draws out some cross-cutting conclusions and recommendations at the end.

1. CONTEXT

The DRC is the second largest country in Africa, roughly the size of Western Europe. Due to a history of repressive colonialism, the Mobutu kleptocracy and extensive violent conflict since the 1990s (particularly in the East), it poses considerable challenges to humanitarian and development actors⁴. Humanitarian action is concentrated in the East of the country (the provinces of North and South Kivu and Ituri district in Province Orientale), where there are about 1.35 million IDPs (HAP 2009). These areas are experiencing ongoing violence. At the time of the study, this was due to armed clashes between Congrès National pour la Défense du Peuple (CNDP) and the government, followed by forced disarmament operations led by the government against the Forces Democratiques de Liberation du Rwanda (FDLR) in North Kivu and South Kivu, as well as The Lord's Resistance Army (LRA) attacks against civilians in Province Orientale⁵. This had resulted in the displacement of about 250,000 people in North Kivu from August 2008 onwards and over 130,000 people in Province Orientale.

⁴ See the 2009 Humanitarian Action Plan (HAP), available from <http://www.rdc-humanitaire.net/>, for an estimation of the extent of humanitarian needs.

⁵ For further information, see <http://www.rdc-humanitaire.net/>

However, there is also a 'silent emergency' in the rest of the country where some areas are experiencing malnutrition and mortality rates that exceed emergency thresholds⁶. This is why the Humanitarian Action Plan has established thresholds to trigger emergency response in these provinces. One of the barriers to response in the rest of the country is the absence of humanitarian actors. However, it has also been argued that, since the needs are largely due to state collapse, what is really needed is long-term development to address these structural causes, rather than humanitarian aid to provide a short-term 'fix'. In the absence of development assistance, though, there is an urgent need to address the acute needs and the Humanitarian Coordinator has been encouraging humanitarian actors to broaden the geographical scope of their activities (including by making money available through the Pooled Fund).

Despite the election of President Joseph Kabila in 2006, in the first democratic elections to be held in the DRC in 40 years, government capacity in the DRC remains very weak. As a result, so does the government's involvement in humanitarian assistance and this study did not involve meetings with any government representatives.

Unlike other countries in this project, a Humanitarian Reform Advisor, representing a consortium of six NGOs (Action Contre La Faim, Care International, International Rescue Committee, Oxfam GB, Save the Children and Solidarités) and based at Oxfam GB, was in post for 12 months. The Humanitarian Reform Advisor has now left. Also, the consortium does not comprise the same organisations as those undertaking the NGOs and Humanitarian Reform project. Therefore, the consortium has been enlarged to 10 INGOs (with the addition of ActionAid, CAFOD, MERLIN and the Norwegian Refugee Council) and it will appoint a new Humanitarian Reform Officer for the duration of the project. The Humanitarian Reform Advisor who was in position in 2008 has already made progress on several issues (such as a review of the cluster system) so the DRC is ahead of the other countries implementing this project.

2. COORDINATION

2.1 What is the cluster approach?⁷

The cluster approach is a coordination mechanism that is intended to prevent gaps in international humanitarian response and to ensure predictability and accountability in humanitarian response. It goes beyond previous coordination mechanisms like sector groups because it is supposed to strengthen the effectiveness of humanitarian response by building partnerships in particular sectors, such as health or shelter. The Inter-Agency Standing Committee (IASC) has designated certain UN agencies as responsible for 11 sectors at the global level (although non-UN agencies may co-lead the cluster). Not all the sectors are relevant for every crisis so the country-level IASC or Humanitarian Country Team can decide which clusters to establish in a given situation. The table below summarises the sectors and cluster lead organisations at global level.

Table 1: Global Clusters and Cluster Lead Organisations	
Sector	Global Cluster Lead(s) (please see page 1 for list of acronyms)
Agriculture	FAO
Camp Coordination/Management (CCCM): IDPs (conflict situations) Disaster situations	UNHCR IOM

⁶ See D. Lilly and A. Bertram (2008) *Targeting Humanitarian Assistance in Post-conflict DRC* in Humanitarian Exchange No. 41 (December 2008)

⁷ This section is based on information available from:
<http://www.humanitarianreform.org/humanitarianreform/Default.aspx?tabid=70>

Early Recovery	UNDP's BCPR
Education	UNICEF and Save the Children UK
Emergency Shelter: IDPs (conflict situations) Disaster situations	UNHCR IFRC (convener)
Emergency Telecommunications	OCHA/UNICEF/WFP
Health	WHO
Logistics	WFP
Nutrition	UNICEF
Protection: IDPs (conflict situations) Disasters/civilians affected by conflict (non-IDPs)	UNHCR UNHCR/OHCHR/UNICEF
Water, Sanitation and Hygiene	UNICEF

Cluster leads are responsible for ensuring that response capacity is in place and that assessment, planning and response activities are carried out in collaboration with partners and in accordance with agreed standards and guidelines. Cluster leads are also expected to be the “provider of last resort” when no other organisation can respond to identified needs. At the global level, cluster leads are accountable to the Emergency Relief Coordinator (ERC) for building up a more predictable and effective response capacity in line with IASC agreements. At the field level, in addition to their normal institutional responsibilities, cluster leads are accountable to Humanitarian Coordinators for fulfilling agreed roles and responsibilities, such as those listed in the *IASC Generic Terms of Reference for Sector/Cluster Leads at the Country Level*.

In accordance with General Assembly Resolution 46/182, the cluster approach acknowledges that a crisis-affected state has the primary role in the initiation, organisation, coordination, and implementation of humanitarian assistance. However, IASC guidance on the implementation of the cluster approach does not provide details of how to involve government bodies in clusters, where they have the capacity to participate and their involvement is desirable. Cluster leads are expected to “develop and maintain appropriate links with government and local authorities, state institutions, local civil society and other stakeholders”. But “the nature of these links will depend on the situation in each country and on the willingness of each of these actors to lead or participate in humanitarian activities”⁸.

2.2 Cluster approach in the DRC

The DRC introduced the cluster approach in 2006. Unlike many of the other mapping study countries, it has a well-established system of INGO co-facilitators, at both Kinshasa and provincial levels. Table 1 lists the national level co-facilitators at the time of the study. The returns and reintegration cluster is unusual in that it has UNDP as a co-facilitator. One of the main challenges for INGOs has been to find sufficient staff time to take on co-facilitator responsibilities, particularly at national level, as most INGO emergency staff members are based in the East. So, one INGO accepted the co-facilitator role for two clusters at national level only to have one sector specialist based in North Kivu for 3 months due to the crisis. Although this person engaged with the provincial cluster, it was very difficult to provide input at national level as well. The other sector specialist had also moved to the East.

Cluster	Lead Agency	Co-Facilitator
Education	UNICEF	Save the Children UK
Food Security	FAO/WFP	ACF
Health	WHO	
Logistics	WFP	ACTED

⁸ According to a document on Frequently Asked Questions about the cluster approach. Available from: www.humanitarianreform.org/humanitarianreform/Portals/1/cluster%20approach%20page/Kenya/Cluster_Approach-FAQ-NEW%5B2%5D.pdf

NFI/Shelter	UNICEF	CRS
Nutrition	UNICEF	ACF
Protection	UNHCR	Save the Children UK
Returns and Reintegration	UNHCR	UNDP
WATSAN	UNICEF	PSI/ASF

The INGOs have also found different degrees of formality and expectations around the co-facilitator role. For example, the national logistics cluster informally approached an INGO to be co-facilitator. The INGO agreed to take on the responsibility for 6 months because it was not sure it could make a staff commitment for longer. The two organisations were going to adapt the general Terms of Reference (ToR) to make it specific to the cluster, but this did not happen because of the cluster's workload. As a result, the INGO was never clear about its role. On the other hand, the national protection cluster has adapted the standard ToR.

OCHA chairs an inter-cluster meeting in Kinshasa. It meets once a month and every cluster should be represented, either by the lead or the co-facilitator. Even if the cluster lead agency is present, co-facilitators can attend. This provides an opportunity for INGOs to participate in discussions of issues that cut across cluster boundaries. However, cluster leads tend to attend the meeting as agency, rather than cluster, representatives so they miss opportunities for cross-sectoral links. It also means that they do not feed back information from the meetings to the individual clusters systematically.

Due to the size of the DRC, coordination mechanisms (including the numbers of clusters) vary from province to province and so does participation in them. OCHA has a record of participation in most provinces but these are not differentiated by type of organisation. Therefore, it was only possible to obtain a detailed picture of cluster participation in Kisangani (Province Orientale), as table 3 demonstrates.

Kisangani (Province Orientale)	UN	INGO	Int'l Org	Government	Local NGO
Education	2	4		2	1
Food security	1	2	1	6	7
Health	4	4		3	3
Nutrition	1	2		1	5
Protection	7	1	1	2	5
Return & Reintegration	9	4		3	2
WASH	2	3		1	8

This shows that, unlike in many other countries, local government bodies also participate in clusters. Perhaps due to a limited international presence in this part of the country, there are more government and local NGO participants than international participants, particularly in the food security, nutrition and WASH clusters. Not all the clusters in Kisangani have INGO co-facilitators – only the education, food security and WASH clusters.

2.3 Cluster effectiveness

The Humanitarian Reform Advisor (HRA) recently reviewed NGO experiences of participating in clusters. The report, *Clusters in the DRC: turning theory into good practice*, acknowledges that clusters 'will never be perfect or uniform' because they work in challenging contexts and have different members and objectives. But it takes the approach of identifying what makes a cluster effective. It highlights the following characteristics:

- A cluster lead that executes the functions of coordination, leadership, secretariat, and provider of last resort efficiently;

- Where present, co-facilitators that support the coordination and leadership functions of the cluster lead (but not the secretariat or provider of last resort roles since they do not have the mandate, responsibility, or financing for these);
- A membership that is dynamic, informed, involved and organised.

The report goes on to explain that coordination means identifying needs systematically and transparently, identifying the actors providing assistance, and highlighting the gaps. It argues that it then requires credible and impartial leadership (i.e., leadership that separates coordination and fundraising functions) and the accountability of being provider of last resort to ensure that the coordination function results in appropriate action.

One of the challenges with coordination that both UN agencies and INGOs in Kinshasa identified is communication between provincial and national-level clusters. This is not surprising given the size of the country and the problems with infrastructure. The protection cluster has found it particularly difficult to gather and process vast amounts of information from provincial clusters and sub-clusters, so it organised a workshop with field representatives in November 2008 to clarify lines of communication. It then introduced a section on 'Points from the Provinces' onto the agenda of national-level meetings.

This study found INGOs concerned that most UN agencies have not provided their staff members with clear responsibility for leading clusters. This means that they have to cope with cluster-related work in addition to full-time jobs, and some cluster leads pass on this additional workload to their INGO co-facilitators. UNICEF is the one exception as it has started including cluster-related responsibilities in the job descriptions of staff members and ensuring that cluster responsibilities form at least a small part of their performance assessments. Interviewees identified this as one of the factors contributing to the success of the WASH cluster.

INGOs have also found that UN agencies do not separate cluster responsibilities from organisational and programme priorities and interests, particularly when allocating money from the Pooled Fund. The UN High Commissioner for Refugees (UNHCR) and World Food Programme (WFP) have tried to do this at Kinshasa level (in the protection and logistics clusters respectively). However, INGO interviewees felt that it was not always clear when the WFP staff member leading the cluster was speaking as the lead and when he was representing WFP's interests. Again, UNICEF has proved to be an exception with the WASH cluster. The national cluster lead has made it clear that UNICEF will not apply to the Pooled Fund for WATSAN projects, allowing NGOs to access it instead.

The HRA's review of the cluster approach highlights the fact that cluster members need to play an active role if it is to be successful. However, a few NGO interviewees pointed out that it is difficult for NGOs to question or challenge the lead agency if they are dependent on it for funding or if they feel that they could lose out on future Pooled Fund money. One NGO gave the example of WFP presenting its strategy to cut food rations, due to the global food crisis, to the North Kivu food security cluster. This included an option to stop food distributions to IDP camps near Goma and focus on 'the most vulnerable'. This was at the height of the North Kivu crisis in October 2008 but cluster members did not protest about it and even the CPIA did not challenge the proposal on the grounds that it contravened minimum standards. However, one cluster member argued against it and WFP withdrew the proposal. The cluster was considering alternative options to replace food distributions with food for work projects, cash transfers etc.

The HRA's cluster review also highlighted good practice in performing the cluster's secretariat function, such as a clear purpose for meetings and good timekeeping, predictable meetings with information shared in advance and explaining processes proactively and clearly. However, a protection cluster interviewee pointed to the difficulty of balancing the need for ensuring adequate information sharing with timekeeping. Cluster members do not

have time to read much of the background information, such as Security Council Resolutions, and information on access and other protection-related issues changes rapidly. Therefore, the cluster lead felt that oral briefings in cluster meetings are necessary to keep members fully informed, even if they are time-consuming.

One cluster has proved to be dysfunctional at national level, with the lead agency failing to work with cluster members. The HC has been very active in addressing the problem but has stopped short of replacing the organisation as cluster lead. This highlights the fact that it is difficult for even a strong HC to replace a UN agency as cluster lead, if it fails to fulfil its responsibilities. This is partly due to the difficulty of finding another organisation willing to take on the responsibility and partly due to the fact that the HC has a range of different roles and relationships with UN agencies.

While clusters have clearly helped with coordination as well as identifying and filling sectoral gaps, there is a potential for so-called 'silo thinking' due to the cluster approach. This is particularly acute because the Pooled Fund is divided into envelopes by province and cluster. This is discussed further in section 3.3.

Channelling funding through the clusters also raises questions about who is accountable for a cluster's performance overall. The lead agencies have been reluctant to take on responsibility for monitoring whether cluster members are implementing activities as claimed, particularly when they have received Pooled Fund grants. Some INGO interviewees complained about organisations that had undertaken to provide aid in a particular area but then failed to do it in a timely way. However, INGOs are reluctant to face criticism openly and one interviewee pointed out that, since the DRC is a difficult working environment, he would be very upset if another NGO criticised his organisation for failing to fulfil its responsibilities in a cluster meeting.

Overall, despite the difficulties with the cluster system outlined above, the INGOs interviewed for this study were of the view that it provides a useful coordination forum and is worth continuing (some were very positive about the system). They expressed a commitment to making clusters effective, which is why the HRA's paper focuses on how to improve the system and makes recommendations based on examples of good practice. The key challenge for NGOs is a lack of spare staff capacity for engaging in the clusters, especially if they have co-facilitator positions. The issue is discussed in more detail in section 8.

2.4 Congolese NGO participation in clusters

Congolese NGOs involved in humanitarian aid tend to have a limited presence in Kinshasa so the national clusters have found it difficult to involve them. However, the protection cluster, through the INGO co-facilitator, had recently included the representatives of two Congolese NGO networks. The aim is to test whether the NGOs are genuinely interested in coordination or whether the main aim is to access funding. Cluster members were concerned about sharing sensitive security information with the local NGOs, though one interviewee argued that they had probably overestimated the risk because the cluster does not tend to discuss confidential information at national level. Nevertheless, the lead has asked the local NGOs to join meetings after the United Nations Organization Mission in DR Congo (MONUC) security briefing.

One INGO interviewee reported a positive experience with involving Congolese NGOs in an inter-agency group in Kinshasa, the Comité Permanente Inter-Organisation Kinshasa (CPIOK) (see section 2.5 below). The organisation had a small amount of funds for capacity building in WATSAN so it persuaded local NGOs working in a particularly deprived part of Kinshasa to attend CPIOK meetings. This gave the CPIOK access to information about this

difficult area and it enabled the local NGOs to learn to prioritise activities, work with international organisations to develop proposals, establish a bank account etc.

Interviewees in Kinshasa reported that Congolese NGOs are more involved at provincial level, particularly in areas where international humanitarian actors have a limited presence. Their attendance also increases sharply around the time of Pooled Fund allocations (but this is not dissimilar to INGO participation). As Table 3 shows, government representatives tend to participate more at provincial level too.

But there are both practical and perceptual barriers to local NGO participation in clusters, even at provincial level. At a practical level, they have limited email access so it is harder for them to get information about cluster meetings, including any documents that are circulated. Congolese NGOs also have certain perceptions about the purpose and functioning of clusters that limits their participation. Two local NGO representatives in Goma were adamant that cluster meetings are intended to discuss humanitarian projects so it is difficult for organisations to attend if they are not implementing such projects. Since few Congolese NGOs can access funding for humanitarian activities, they do not attend cluster meetings.

Even if Congolese NGOs attend cluster meetings, they do not necessarily participate actively. One local NGO staff member described how the organisation had been invited to attend cluster meetings by an INGO partner. However, since the INGO partner was also present and the local NGO was 'under its wing', the local NGO representative did not feel it was his place to speak. As a result, the cluster lead and other members were unaware of the local NGO's activities. The local NGO approached the cluster lead about the possibility of funding to link a school without water to a nearby water source. The cluster lead did not know the NGO well enough to offer support and suggested working through the INGO partner. But the INGO partner did not have funding for the project so a potentially simple but very useful project was not implemented.

2.5 Other Coordination Mechanisms

In the DRC, inter-agency coordination mechanisms existed before the introduction of the cluster system. At national level, the Humanitarian Advocacy Group (HAG), attended by donors, UN agencies and NGOs and chaired by the Humanitarian Coordinator, has met weekly since mid-2005. This is now an information-sharing forum with a large number of attendees (between 50 and 60). For example, the meeting on 23 January included a film and update from an OCHA mission to Doruma to gather information on the Christmas Day massacre by the LRA. It also had a presentation by the Humanitarian Reform Adviser on his work and introducing the NGOs and Humanitarian Reform Project. A few respondents felt that the HAG is now more useful as a networking opportunity than for the information shared during the meetings.

In addition to the national clusters, there is an inter-agency body – the Comité Permanente Inter-Organisation Kinshasa (CPIOK) - specifically to address emergency needs (such as the effects of recurrent floods) in and around Kinshasa. The CPIOK is supposed to meet monthly but, according to one interviewee, it did not meet between November 2008 and January 2009. At the first meeting in 2009, participants reviewed its operation and decided to meet every 2 weeks. The CPIOK has sectoral committees that decide on priority needs for Kinshasa and submissions to the Pooled Fund. One INGO interviewee described how the WATSAN group had contributed to a report on needs for the second allocation of the Pooled Fund in 2008 but the CPIOK lead had failed to submit it. He believed that, as a result, the funding set aside for Kinshasa was redistributed to other provinces. Although he raised the problem in other fora, such as the inter-cluster group, this did not help. This example highlights potential problems with allocating funding through coordination mechanisms and is discussed in more detail in section 3.3.

At provincial level, there is an IASC, known as the CPIA (Provincial Inter-Agency Committee), chaired by OCHA. In Eastern provinces, this meets weekly. One INGO highlighted the CPIA as an example of effective coordination because “it is multi-sectoral and represents true coordination across the spectrum of humanitarian interventions focusing on the most important issues”. However, its effectiveness depends on OCHA’s leadership. Although the CPIA in Goma used to function well, interviewees highlighted 5 key problems with it at present:

- Level of representation: since the CPIA has not been functioning well in recent months, organisations have a tendency to send junior staff members or not attend at all (one CPIA meeting was cancelled because key UN agencies failed to attend without giving prior notice).
- Meeting management: a number of interviewees pointed out that meetings that last for 3 hours or more are unproductive. OCHA needs to ensure that the chairperson can keep time and prevent participants from talking at length about issues that are not necessarily relevant. Recently, a number of different OCHA staff members have chaired the meetings, including the national head of OCHA, which has not helped.
- Dissemination of information: currently, meeting minutes are not shared by email. Instead, attendees receive hard copies of the previous meeting’s minutes. Since INGO participation is limited to 4, this means that INGOs not on the CPIA do not get information on the discussions. One INGO representative on the CPIA pointed out that INGO staff members are too stretched to take on the responsibility of providing minutes to their INGO colleagues.
- Issues discussed: a number of interviewees pointed out that, instead of focusing on strategic issues, CPIA meetings often get bogged down in operational detail. For example, participants spent substantial time (in at least two meetings) discussing whether food security kits should include machetes or not. Since they were to be distributed in a forested area, beneficiaries needed them but food security cluster members were concerned that they could be used as weapons. Two interviewees pointed that such a detailed issue should be resolved within the cluster. Instead, the matter was referred to the protection cluster.
- Level of follow up: Interviewees felt that the CPIA’s effectiveness was reduced because issues for follow-up were not allocated a clear deadline. Also, due to patchy attendance, if an organisation charged with following up a matter was absent, the matter had to be deferred to the next meeting.

In addition to the inter-agency groups, in both Kinshasa and Goma, INGOs have a Heads-of-Mission meeting to discuss issues of common interest such as tax issues, customs problems, security concerns, NGO registration etc. This meets monthly in Kinshasa and fortnightly in Goma.

In July 2008, a group of over 60 aid agencies and human rights groups (including Congolese NGOs) came together to establish the Congo Advocacy Coalition (although a core group of 11 NGOs comprises the steering committee and other organisations sign up to individual statements)⁹. This has grown to over 100 organisations and has made a number of calls for the protection of civilians in North and South Kivu, most recently in a public letter to John Holmes prior to his visit to Goma on 7th February 2009¹⁰.

⁹ The 11 NGOs are: ActionAid, ENOUGH, Human Rights Watch, International Rescue Committee (IRC), Mercy Corps, Norwegian Refugee Council (NRC), Oxfam, Conseil Régional des Organisations Non Gouvernementales de Développement (CRONGD) - North Kivu, Promotion et Appui aux Initiatives Féminines (PAIF) – North Kivu, Initiative Congolaise pour la Justice et la Paix (ICJP) – South Kivu, and Association des Femmes Juristes du Congo (AFEJUCO) – South Kivu. See <http://www.hrw.org/legacy/english/docs/2008/07/28/congo19717.htm>

¹⁰ See <http://www.hrw.org/en/news/2008/07/27/dr-congo-peace-process-fragile-civilians-risk-updated-version-august-28-2008> and <http://jrs.net/news/index.php?lang=fr&sid=4130>

Recommendations:

- One of the barriers to NGO participation in clusters is their uneven implementation. If clusters do not operate effectively, NGOs will be reluctant to invest precious staff time in participating actively. Although the HC is working to improve the consistency of the clusters, a provincial cluster lead suggested that it would be more effective if INGOs joined together to address problems with a specific cluster at the Global Cluster level.
- Interviews with Congolese NGOs in Goma suggest that their perception about the purpose of clusters is one of the obstacles to their participation. Therefore, it would be helpful if cluster leads and co-facilitators undertake an outreach programme to better explain the purpose and functioning of clusters to Congolese NGOs. Since these NGOs rely on OCHA for general information about humanitarian activity, OCHA can also play a facilitating role.
- Since it was not possible to establish a detailed list of participants in clusters at both Kinshasa and provincial levels, it would be helpful if the HRO prepares this list so that the consortium can monitor participation, particularly that of Congolese NGOs, over the life of the project.
- As part of the process of formalising the co-facilitator role, it would be helpful if all the clusters examine whether they need to adapt the general Terms of Reference or develop other guidance on the selection and responsibilities of co-facilitators. This can help to ensure that there is a clear division of labour during particularly busy periods like the development of the Humanitarian Action Plan or the allocation of Pooled Fund grants.
- Although clusters do not explicitly include government representatives, government bodies have participated in provincial clusters. This is probably very helpful in a context like the DRC where the government has limited capacity so cluster leads could make a more concerted effort to involve the government in clusters consistently.
- At the time of the study, there were critical problems with the CPIA in North Kivu, which is one of main areas of humanitarian response. Therefore, OCHA needs to address the problems highlighted above urgently, e.g., by sharing CPIA minutes with all humanitarian actors and ensuring that meetings are chaired efficiently and focus on strategic issues.

3. FUNDING

In order to ensure that humanitarian financing is more timely, flexible and needs-based, the General Assembly approved the establishment of the Central Emergency Response Fund (CERF) on 15 December 2005. The CERF's objectives are:

- to promote early action and response to reduce loss of life;
- to enhance response to time-critical requirements; and
- to strengthen core elements of humanitarian response in under-funded crises.

The CERF aims to provide up to US\$500 million a year. This comprises a grant facility of up to US\$450 million and a loan facility of US\$50 million. The grant component has two windows: one for rapid response and one for under-funded emergencies. The CERF can only finance UN agencies and the International Organisation for Migration (IOM) directly. The Emergency Relief Coordinator (ERC) manages the CERF with support from OCHA.

Donors also decided to establish country-level pooled funds, the Common Humanitarian Funds (CHFs), as part of the reform process. The CHFs have been piloted in Sudan and the DRC and a third fund now operates in the Central African Republic. The Humanitarian Coordinator manages CHFs, with support from OCHA on programmatic issues and UNDP as financial administrator. CHFs are designed to finance needs identified in an annual humanitarian plan.

Emergency or Humanitarian Response Funds (ERFs or HRFs) are also country-level pooled humanitarian funds that have existed since 1997. They aim to enable mainly NGOs (which cannot access the CERF) and UN agencies to respond quickly and effectively to unforeseen humanitarian needs. The Humanitarian Coordinator manages these funds with support from OCHA, which is the financial administrator. An advisory board reviews project proposals and recommends whether the Humanitarian Coordinator should fund them or not. Although these mechanisms pre-date the introduction of humanitarian reforms, they have been incorporated into the process since they support reform objectives.

There are two main differences between CHF and ERFs/HRFs. One is that the CHFs are focused on financing humanitarian needs incorporated into an annual humanitarian plan (or projects that contribute to plan objectives) while ERFs/HRFs respond to unforeseen needs. The other difference is the financial administrator – UNDP in the case of CHFs and OCHA in the case of ERFs/HRFs.

3.1 Humanitarian funding in the DRC

In 2006, when the Pooled Fund began operating, it received donor contributions of US\$92.25 million, far exceeding the HC's expectation of the size of the fund. It received US\$99.6 million in 2007 and, in 2008, the Fund increased to US\$142 million (see Table 4). According to OCHA's Financial Tracking System (FTS), the DRC received US\$656 million in humanitarian funding in 2008. This means that contributions to the Pooled Fund represent 21% of humanitarian aid flows to the country. It also makes the Pooled Fund the single largest source of humanitarian funds in the DRC.

Donor	Amount (in USD)
Belgium	6,029,250
Denmark	1,808,449
DFID	58,721,400
Ireland	10,986,850
Luxembourg	489,310
Netherlands	28,216,185
Norway	6,153,122
Spain	5,295,536
Sweden	22,847,104
Interest earned	1,842,514
Total	142,389,720

Organisation type	No of Projects	Amount Received
UN Agency	119	US\$ 66,545,147
International NGO	147	US\$ 54,011,490
Congolese NGO	47	US\$ 7,429,773
TOTAL	313	US\$ 127,986,410

Table 5 above provides a summary of the number of UN agency, INGO and local NGO projects financed in 2008 and total funding by type of agency¹¹. This shows that international and Congolese NGOs together received about 48% of direct funding. However, they will have received additional funding as implementing partners for UN agencies. The full list of recipients is available from the Pooled Fund Unit.

¹¹ See the Pooled Fund Annual Report for 2006 and 2007 for a list of recipients in these years. Available from: <http://www.rdc-humanitaire.net/>. Also see the forthcoming Global Humanitarian Assistance 2009 report (www.globalhumanitarianassistance.org) for an analysis of pooled funding recipients globally.

The HC is responsible for managing the Pooled Fund with the support of a joint OCHA-UNDP Pooled Fund Unit. UNDP is responsible for financial disbursements and administration while OCHA manages the day-to-day running of the Fund, including allocations, processing applications, ensuring the technical review of projects etc. The Pooled Fund Board develops policy and provides strategic direction and also advises the HC on funding decisions. The Board comprises UN agencies, three donors and three INGO representatives. The HC chairs Board meetings.

Bilateral funding from donors for humanitarian activities has traditionally focused on Eastern DRC at the expense of emergency needs in the rest of the country¹². This may be because the emergency in the East is more visible due to ongoing fighting between various armed militias and the Congolese army. In other parts of the country, emergency needs are due to structural causes - decades of lack of investment in infrastructure and basic public services. The Humanitarian Action Plan explicitly recognises the need for recovery/rehabilitation activities and the HC has also tried to direct the Pooled Fund to needs across the country. This has been hampered to some extent by the limited presence of humanitarian actors outside Eastern DRC. One interviewee argued that it is difficult for INGOs to establish humanitarian programmes in other parts of the country because the Pooled Fund is one of the only sources of funding and it is too short-term to make it worth establishing a new office only to close it down again. She also argued that short-term funding is not suitable for addressing the longer-term nature of the needs. Another interviewee argued that a longer funding timeframe might encourage INGOs to focus more on building the capacity of Congolese NGOs, whereas short projects do not support long-term partnerships. Given that the Pooled Fund is addressing more predictable needs, it would perhaps be more appropriate if it could fund projects with a timeframe of over 12 months.

Despite the HC's attempts to make the Pooled Fund more responsive to needs on the ground (through decentralised allocations, as described in section 3.3, and ensuring funding across the DRC), 2 of the 3 respondents to the questionnaire stated that the Pooled Fund was about as needs-driven, flexible and predictable as other funding sources. The third respondent felt it was less so. One respondent suggested that it was not more flexible because "it is administered by bureaucrats who do not have the programming experience to understand what the bureaucracy translates into in terms of on-the-ground programming". This was echoed by at least one INGO interviewee and reflects concerns about the Pooled Fund's administrative requirements. These are outlined in section 3.4.

3.2 *Rapid Response Mechanism*

The Emergency Response Fund (ERF) and Emergency Humanitarian Intervention (EHI) mechanisms were established in the DRC in late 1999, with the first projects being funded in 2000. While the ERF funded quick-impact projects (such as the distribution of non-food items to IDPs or medical assistance), the EHI funded logistics and transport costs as well as multi-agency assessment missions. By 2004, these funds had evolved into the Rapid Response Mechanism (RRM).

The aim of the RRM is to improve international humanitarian response to sudden population displacements and the variety of small crises that arise on a regular basis in Eastern DRC. The availability of quick-disbursing funding was not the only problem since NGOs would still have to procure relief items to respond to the new emergencies. Since UNICEF had the logistics capability to procure and pre-position Non-Food Item (NFI) kits, OCHA established the mechanism jointly with UNICEF. The RRM finances UNICEF to procure and pre-position

¹² See D. Lilly and A. Bertram (Dec 2008), *Targeting Humanitarian Assistance in DRC*. HPN Humanitarian Exchange No. 41.

NFI kits and fund NGO partners to ensure their distribution when there is a population displacement, natural disaster or outbreak of disease.

The RRM supports responses to population displacements that have occurred within the previous three months or when a displaced population has been accessible for less than three months. It can also fund a response to natural disasters and epidemics. It has operated mainly in North Kivu, South Kivu and Ituri though it has also been used in Katanga. OCHA and UNICEF select an NGO focal point with the necessary capacity in each province and UNICEF pre-finances the NGO so that it has the capacity to undertake a needs assessment and respond when an emergency occurs (security permitting). The RRM committee, comprising UNICEF, OCHA and the focal point NGO, decide when a response is required and the nature of the response. This decision has to be shared with the CPIA.

If the focal point NGO is unable to respond, OCHA can use the Rapid Response Fund (RRF) to finance another NGO (selected by the RRM committee and the CPIA) though this process can take time. Unlike the RRM, the RRF is not restricted to particular provinces or to specific sectors but it must address one of the three situations outlined above.

Bilateral donors used to fund the RRM directly but, when the Pooled Fund was established in 2006, it guaranteed a minimum level of funding to the mechanism.

3.3 Pooled Fund allocations

The HC makes two to three allocations in a year, depending on availability of funding and needs. There were two allocations in 2008 and the Pooled Fund Unit expected the same in 2009. However, due to the North Kivu crisis at the end of 2008, donors contributed an additional US\$23 million at the very end of the year. The HC decided to wait until January 2009 to provide a special allocation specifically for the crisis in the East. This will be separate from the standard allocations. There were two main reasons for waiting until January. One was that humanitarian actors had direct funds, either from the general public (particularly in the case of UK NGOs) or from bilateral donors (the Pooled Fund Unit did its best to track this funding). Therefore, it made sense to provide additional funds after donor interest had died down but needs continued. The second was that some donor payments did not arrive till December and UNDP had closed for Christmas by 15th December.

Although an NGO interviewee complained that a lot of the bilateral funding for the North Kivu crisis was very short-term (for one to two months) and that this was inappropriate for a sensible response, there was general agreement that the crisis was relatively well-funded (given that humanitarian actors had problems of access and some also had absorption capacity issues). In this context, the Pooled Fund was sensible not to rush to provide money. Instead, it was making funding available at a time when donor funding was not likely to be readily available, and when not only did the existing displaced population continue to need assistance but there was also a risk of further large-scale displacement during the joint Congolese-Rwandan armies attack on the FDLR.

The Pooled Fund uses a decentralised system for standard allocations. A strategic committee comprising two donors, two UN agencies and two INGOs examines the provincial strategies developed by CPIAs and develops a list of funding envelopes by province and by sector within a province. These are communicated to clusters, which are then responsible for developing a list of priority projects. Clusters submit a shortlist of priority projects to the CPIA, which reviews priorities. Projects are then sent to the Pooled Fund Unit, which makes final checks before presenting them to the Pooled Fund Board for funding decisions. The HRA noted that the Pooled Fund application process has been changed to increase transparency on how much work will be completed by the applicant and how much by implementing partners.

Due to its decentralised nature, the standard allocation process takes time. To ensure faster decision-making for the special allocation process, the HC asks national cluster leads to identify key priorities and outline what it would cost to address the priorities. This is based on the assumption that the national cluster leads regularly receive information from provincial clusters on needs and priorities. The Pooled Fund Unit then asks the cluster leads to identify capable NGO partners and ask these organisations to submit proposals. The Pooled Fund Unit expressed concern that the process is not consultative or transparent to NGOs and that a request for priorities leads instead to project proposals for an unrealistic amount of funding. But this process does speed up allocations and funding.

The use of provincial-level clusters to identify and prioritise projects is logical in a country as large and diverse as the DRC and where the context can change rapidly. However, it inevitably leads to conflicts of interest and INGOs felt that UN agencies could get their projects accepted more easily, particularly as they have strong representation in Kinshasa to change the decisions made at provincial level. This, combined with the need to liaise with the government on issues such as visas, may be the reason that more INGOs are establishing liaison offices in Kinshasa. However, it is still more difficult for INGOs working in remote locations to get funding because they are not always able to attend crucial provincial meetings to argue for their projects.

Dividing funding by cluster can also lead to an artificial division of projects. One INGO gave the example of having to divide a project to provide seeds and tools and NFIs to the same group of beneficiaries in a particular geographical area into two applications that were processed separately by the food security and NFI clusters. It was felt that the two clusters handled the project very differently, with the NFI cluster willing to consider the project holistically but the food security cluster only interested in the seeds and tools part, which meant additional work to separate this out. This also necessitated two sets of reports for the same project and audits for the different parts of the project at different times of the year.

3.4 Administrative procedures

In general, the INGOs interviewed for this study were willing to work with the Pooled Fund and did not complain about it to the extent reported in the first evaluation of the mechanism. However, there is some concern, not just amongst INGOs but also amongst Pooled Fund Board members about the Fund's administrative procedures for NGOs. This section provides specific examples.

In the first allocation in 2008, the Pooled Fund gave grants to several NGOs (international and local) that had not been funded before. According to UNDP rules, these organisations needed to undergo a capacity assessment. UNDP could not cope with the number of assessments required so the Pooled Fund unit decided that, during the second allocation in 2008, it would not fund any organisations that had not gone through a full cycle of receiving and reporting on a Pooled Fund grant. One INGO interviewee pointed out that this message was not communicated at the beginning of the allocation process and a number of Congolese NGOs participating in clusters were under the impression that they would undergo UNDP assessments and be eligible to receive money. When the Pooled Fund Unit eventually sent a letter explaining the situation, these organisations were bitterly disappointed.

The UN system has made an attempt to streamline funding procedures for NGOs. Under the Harmonised Approach to Cash Transfers (HACT) system, UNICEF, WFP, UNDP and UNFPA have decided to adopt a risk-based management approach. Based on an analysis of the risk that an NGO represents, the UN agencies will apply joint payment procedures and accountability requirements. So, for example, instead of separate audits for projects financed by the UN agencies, the NGO would undergo an annual audit covering all the projects

financed by the four agencies. This will be a considerable improvement for NGOs because, currently, under UNDP rules, a project can be audited more than once if it meets any of the following criteria:

- The project size is over US\$100,000
- If over 70% of the budget has been spent in one calendar year. If a project audited under this rule receives an unfavourable comment, it can be audited again the following year.

A number of NGOs had received unfavourable audits due to discrepancies between their financial statements and reports generated by the UNDP financial system even though these discrepancies turned out to be due to the way UNDP was handling data. Multiple audits create a considerable workload for NGO staff members. One INGO pointed out that it had four audit teams for its Pooled Fund projects at different times of the year. They can also be costly. UNDP has negotiated a flat rate of US\$5,400 per audit and audit costs totalled around US\$700,000 in 2008. This shocked Pooled Fund Board members but UNDP explained that it could not make exceptions to its rules and regulations. So, if the Pooled Fund did not finance audit costs, NGOs would have to use their own funds.

To prepare for HACT implementation, the Pooled Fund Unit has conducted risk analyses of NGO partners. However, this may not always be accurate. One well-established INGO receiving substantial USAID funding was told that it was a 'risky' organisation because it had not received a Pooled Fund grant before. Although the Pooled Fund Unit is now 'HACT compliant', at the Pooled Fund Board meeting it appeared that the UN agencies were not planning to implement HACT in 2009. This means that the NGOs will continue to be subject to different administrative and reporting requirements until 2010 at least.

Recommendations:

- Since the Pooled Fund is addressing relatively predictable humanitarian needs, it would be helpful if the Board could consider extending the timeframe for projects when this is appropriate for the activities being financed.
- If UN agencies are not going to implement HACT in 2009, it would be useful if UNDP could consider how to streamline its funding processes, for example, by having an annual audit for NGOs financed by the Pooled Fund instead of separate audits for each project. This would make it easier for Congolese NGOs, in particular, to manage Pooled Fund grants.
- Since NGOs, particularly Congolese NGOs, have limited staff time to participate in several clusters, it would be helpful if the Pooled Fund unit could provide guidance on the allocation process to provincial clusters and CPIAs to ensure that Pooled Fund applicants do not have to split a multi-sectoral programme by cluster and thus multiply the auditing and reporting burden.

4. LEADERSHIP

There is general agreement that the DRC has benefited substantially from a strong Humanitarian Coordinator who has made a real effort to push for humanitarian concerns and priorities within an integrated mission structure. The HC plays an active role in reform mechanisms, chairing the Pooled Fund Board and HAG meetings, and commands respect from all the actors with whom he interacts. Observing the Pooled Fund Board meeting, it was clear that the HC was well acquainted with the details of the proposals presented and capable of asking agency representatives tough questions when necessary. This, in turn, helps to improve the quality of Pooled Fund projects. The HC also takes a keen interest in ensuring that the cluster system works effectively and is willing to raise problems with cluster lead agencies to ensure that they are addressed. Therefore, it is clear that an HC's strong and effective leadership can contribute to ensuring better functioning reform mechanisms (e.g., donor confidence in the HC has been one of the factors in attracting significant contributions to the Pooled Fund and has moved the DRC out of 'aid orphan' status).

However, this does not reduce the need for strong leadership and engagement from donors to ensure that the Pooled Fund operates fairly and finances good quality projects, i.e., that it functions as a good humanitarian donor. One of the donor representatives on the Pooled Fund Board is vocal and provides useful support to the HC on his decisions. For example, at the Board meeting, the HC followed his policy of refusing an application for funding for cluster coordination (made for the special allocation to the crisis in the East). The donor representative supported this by arguing that UN agencies have undertaken cluster responsibilities at IASC level. Therefore, this is part of their core functions and they have to find the resources required to fulfil their obligations because the Pooled Fund is not intended to cover the in-country costs of meeting UN agency core responsibilities. This kind of support helps to strengthen the performance of the Pooled Fund and the HC's decisions.

Donors could also strengthen their leadership role more broadly if they made a greater effort to coordinate amongst themselves (at the time of the study, there were no mechanisms for donor coordination). The DRC was a pilot country to implement the GHD initiative and harmonise donor approaches at country level but this has proved to be a real challenge.

The findings presented in section 2.3 demonstrate that cluster leadership is vital to the success or failure of the system. For example, UNICEF's decision, as the WASH cluster lead, not to seek funding for its own projects through the cluster has enabled it to focus on coordination and removed competition with NGO cluster members¹³. On the other hand, if cluster leadership at national level is weak, this can weaken the functioning of the cluster at all levels. The HRA's review of clusters argues that good cluster leadership should:

- be credibly impartial;
- strive to improve the quality of interventions;
- respect the cluster's collective decisions; and
- foster a sense of common enterprise amongst cluster members.

Recommendations:

- It is important that donors continue to remain actively engaged with the Pooled Fund and assist it to operate as efficiently as possible. They should also make a greater effort to coordinate amongst themselves in order to improve their leadership.
- To ensure that cluster leadership is credibly impartial, cluster lead agencies need to ensure a visible separation between cluster and agency responsibilities. They should also respect the cluster's collective decisions at all times.

5. PARTNERSHIP

This study and the cluster review have identified examples of good working relationships between UN agencies and INGOs. However, there are also times when the relationship is not a partnership. One small INGO is dependent on the UN agencies that fund it to provide cars for its programmes. This means that it has to use cars with UN logos, even though this may make it a target for the militias operating in Eastern DRC. This poses a real security risk because, while UN agencies have strict rules governing their movements, NGOs travel to areas closed to UN agencies and also without armed escorts. As a result, a few INGOs have chosen to paint their vehicles a different colour, to distinguish themselves from the white vehicles of the UN (including MONUC).

The responses to the questionnaire reveal that two INGOs had five Congolese NGOs as implementing partners while a third INGO had two or three local NGO partners. In addition, two of the INGOs work with several community-based groups. However, interviews

¹³ UNICEF was able to do this because it received substantial CERF funding. In 2009, though, the DRC has not received CERF funding so UNICEF may have to apply to the Pooled Fund to support its projects. This may change the dynamic in the WASH cluster.

highlighted the fact that partnership between international and Congolese NGOs is limited due to the view of INGOs that Congolese NGOs have little capacity for humanitarian activities. Two local NGO interviewees pointed out that this perception makes it difficult for Congolese NGOs to access international funding for their humanitarian work. They believed that there was a vicious cycle whereby the perceived lack of capacity meant a lack of funding which in turn meant that local NGOs could not implement projects and did not have a field presence. They argued that this benefits international NGOs, which is why they do not undertake capacity building programmes.

The lack of capacity amongst Congolese NGOs is mainly due to the country's history, which has resulted in a lack of infrastructure for education and the absence of an environment to nurture civil society from which a cadre of capable local organisations might emerge. However, one of the local NGOs interviewed praised an INGO partner (which is a consortium member) for building both its technical and administrative capacity and introducing it to a relevant cluster. It contrasted this with a UN agency that had provided items for project but no oversight or follow-up. The NGO was not even sure that the agency had read its project report because it had received no feedback on a problem that it had highlighted.

A local NGO umbrella body echoed this notion that partnership involves close engagement and working alongside local organisations. The representative argued that this is the way to overcome the risk of corruption, which he admitted is endemic in a resource-poor environment like the DRC (though he argued that some international organisations are also corrupt). However, INGOs are already stretched by having to provide humanitarian aid in the difficult context of the DRC. This means that they have very few resources to invest in the intensive capacity building and oversight that is required for such partnerships. One INGO explained that it would like to work with local partners and focus on institutional development rather than increasing capacity through the provision of computers and material resources alone. But the reality is that it does not have the resources for this. In one programme, it has simply sub-contracted a local NGO to distribute items because this saves hiring over 20 staff members. The INGO would also like to design programmes with the participation of Congolese NGOs but, again, the pressures of providing emergency assistance have meant that it has designed the programmes first and then found organisations with the required skills.

Recommendations:

- Establishing genuine partnerships with Congolese NGOs (rather than sub-contracting relationships) is clearly a challenge for international NGOs, both due to their own limited resources and the operating environment in the DRC. However, if the consortium is committed to establishing partnerships and building local NGO capacity, it should draw together existing lessons and best practice from its members and the wider INGO community in the DRC and use these to build deeper partnerships.
- Access to information about reform mechanisms and how the international humanitarian community operates is a challenge for Congolese NGOs so the consortium could ensure that, if the HRO prepares briefings or reviews, these are shared with Congolese NGOs.

6. ACCOUNTABILITY TO CRISIS-AFFECTED COMMUNITIES

This section is based on group interviews and the outcome of a participatory exercise with women and camp leaders in three IDP camps near Goma. It also draws on the three INGO responses to the questionnaire. Unfortunately, there was no time to visit IDPs living with host families. Their responses and views may have been different because they were receiving

little assistance until recently, when reports from UNICEF and CARE and Oxfam highlighted the problem¹⁴.

6.1 Overall findings on accountability

According to the responses to the questionnaires, two of the three INGOs involve beneficiaries in needs assessments, project implementation and monitoring and evaluation. The third respondent stated that beneficiaries are involved in assessments for ongoing programmes and they are consulted about emergency responses though not to the same degree.

One of the INGOs interviewed was obtaining certification from the Humanitarian Accountability Project, so it was exploring opportunities to increase beneficiary participation in humanitarian programmes. It was still in the process of putting in place complaints mechanisms and procedures to inform beneficiaries about what they could expect to receive so that, if they did not, they could raise this with the INGO. It was then planning to check these systems through a baseline study.

The interviews with IDPs tried to identify three forms of accountability to them. The first was whether they had been consulted about their needs and involved in aid programmes. In all three camps, the IDPs claimed that they had not been consulted about their needs. This was largely supported by their discussion of their needs during the participatory exercise (see section 6.2 below). However, in one camp, several IDPs belonged to a hygiene committee as part of a WATSAN programme and an INGO had trained a female IDP to chlorinate the water supply for the camp.

The second form of accountability was information about the assistance provided (including criteria for beneficiary selection if the aid was targeted). In the three camps visited, WFP had given IDPs details of the food rations they could expect to receive. But they had not received information about other aid distributions. This lack of information can lead to perceptions of fraud. For example, in one camp, IDPs alleged that two items (sheeting and biscuits) had been removed from boxes of NFIs because they had found them in only one of the boxes distributed in the camp. It was not possible to verify the reason for this. It may have been a simple mistake and the INGO concerned may not have intended to distribute these items at all (i.e., they had been included in one box by accident). However, because the IDPs had no idea of what they were supposed to receive, they automatically reached the conclusion that they had been deprived of these items.

In another camp, IDPs praised the International Committee of the Red Cross' NFI distribution to those living with host families as 'perfect' in registering IDPs and reaching all those in need. They then criticised an INGO's NFI distribution to IDPs in the camp as 'unfair'. They believed that the INGO had distributed the NFIs to people from the INGO itself rather than genuine IDPs. The IDP leaders went to the INGO afterwards but were too nervous to accuse its staff members of theft directly. So they merely said that the distribution had been insufficient and asked the INGO to expand its distribution to all IDPs. According to the interviewees, the staff member said that the INGO had more NFI kits in storage but was unable to do a further distribution because of disagreement with the camp managing NGO about beneficiary lists. The IDPs were unconvinced by this explanation but felt too afraid to take the matter further. When I relayed this complaint to the INGO concerned, its programme manager explained that the organisation had tried to target its aid using lists provided by the camp manager. However, it did not have enough NFI kits for all the IDPs so it had used

¹⁴ See S. McDowell (April 2008) *Study of Coping Mechanisms of the Displaced and Their Host Communities in the Conflict Affected Areas of North Kivu*. Report for UNICEF DRC and CARE DRC and K. Haver (Sept 2008) *Out of Site: Building better responses to displacement in the Democratic Republic of Congo by helping host families*. Oxfam International Research Report.

vulnerability criteria to distribute them to a limited number. This example again highlights the risk of misunderstanding if aid agencies do not communicate clearly with crisis-affected communities.

The third form of accountability was a procedure for beneficiaries to raise problems or complaints. Despite the responses to the questionnaires, the IDPs interviewed did not seem to have been involved in any project monitoring. In one camp, the leaders explicitly said that there had been no follow-up to aid distributions or conversations with aid agencies about them. But all the three camps visited have management structures in place to raise problems with the aid received or highlight needs. This consists of a camp committee of IDPs (headed by a President), an NGO camp manager and a government representative. However, the camp leaders complained that when they take problems to the NGO camp manager and the government representative, they have no idea whether these are taken further or not. In any case, the problems are not addressed. In one camp, the President and other committee members claimed that the NGO camp manager had transferred the previous President to another camp because he was too vocal in expressing IDP concerns. Therefore, the committee was much more cautious about raising problems. In another camp, the leaders said that the NGO camp manager had dismissed their concerns by saying 'IDP problems never end'. A UNHCR representative had visited this camp once and been shown around by the NGO camp manager. The IDPs appreciated his visit and had formed a good impression of him but he never returned. A different UNHCR representative had been introduced to the IDPs the previous week. They had raised their problems with him but felt that his responses were unsatisfactory and that he had tried to avoid the difficult questions. There had also been no feedback on the problems raised so they suspected that he had not communicated the issues to the rest of the organisation.

As a result, the IDPs in the camps were very frustrated and felt that no one listened to them but they were also afraid of taking problems to the aid agencies directly.

6.2 Outcome of Participatory Exercise

First camp

Camp 1: Assistance received:

Due to a lack of time, it was not possible to speak to the IDPs in detail about the aid that they were receiving in the camp. However, it was possible to identify the following forms of assistance. Overall, the camp was clearly very well organised and a group of youths were playing a football match against IDPs from a neighbouring camp.

- Food (from WFP but distributed by a local NGO)
- Water supply and hygiene programme (1 INGO)
- Latrines (UNICEF and 1 INGO)
- School supplies (UNICEF)
- Mattresses and health services for pregnant women (1 INGO)
- Cooking utensils (Distribution in September 2007)
- Wood (distribution to the elderly)

The women in the camp identified the following as needs that should be met to enable them to cope with the crisis. They also indicated the extent to which they were being fulfilled.

1. Food: This was indicated at the half-way mark because there is a monthly food distribution in the camp. But the women explained that they received less than they were supposed to get (e.g., 1 cup of food instead of 2) so the food only lasted up to 2 weeks. They then had to try to find work in Goma, such as carrying luggage, to make money to buy food. They had raised the problem with WFP and it had ensured that they got the correct amounts of food for the last two months. In addition, some families are left off the

distribution list each month so they do not receive food. This happens to different families each month. When the IDPs raised the problem with the distributing NGO, they were told that this was because the computer sometimes 'jumps' over names. They were frustrated about this because the trucks then leave the camp without distributing all the food.

2. Education: This was also shown as half met because children could attend two schools in nearby villages and received food there. However, parents need to pay school fees and most families did not have the money to send their children to school.
3. Mattresses: This was shown at a low level because most of the IDPs had not received them.
4. Cooking utensils: This was indicated at a relatively high level because there had been a distribution in the camp. However, recent arrivals to the camp had not received any.
5. Health: This was indicated at the half-way point because the IDPs have access to some basic health care in the camp but there is no doctor based there so urgent cases have to be taken into Goma.
6. Plastic sheeting: This was shown at a high level because both the first IDPs to arrive in the camp and the more recently displaced had received sheeting. However, since the first IDPs had been in the camp for well over a year, their sheeting was old and leaking.
7. Firewood: This was shown to be at a low level because young women were not entitled to the firewood. They had to go outside the camp to look for wood and were attacked by the Congolese army.
8. Clothes: The women had not received any clothes and also lacked the money to buy them so this was shown at the lowest level.

Second camp

Camp 2: Assistance received:

- Water supply (1 INGO in camp and another INGO to host families)
- Assistance for children though not education (2 INGOs and 1 Congolese NGO)
- Health (1 INGO though another INGO had provided short-term medical treatment for cholera)
- Food (from WFP but distributed by a local NGO)
- NFIs (Range of organisations in the camp and ICRC to host families)
- Firewood (1 INGO)

Camp leaders identified the different forms of assistance that camp residents were receiving and these are summarised in the box above. Through the participatory exercise, a group of women identified what they need to have in place to enable them to cope with the current crisis. They then explained the extent to which these needs had been addressed. The needs identified were as follows:

1. Food: Although there is a monthly food distribution in the camp, participants said that this need was only partially met because they were not receiving much smaller rations that they had been told to expect, particularly if they had large families. Also, each month, some families do not receive food because the distribution lists are checked at each distribution and they are told that their names are not on the list or that they are marked as having received food already. However, they are found to be on the list the following month and other families do not receive food. The IDPs were upset that some families are denied food even though the trucks return to Goma with food still on them.
2. Plastic sheeting: This was shown to be at a low level because the sheeting had been distributed over a year ago so it was old and leaking.
3. Non-Food Items (NFIs): The IDPs had received saucepans so they showed this need as over half-met. However, the saucepans needed to be replaced because they had worn out and were leaking (the women are forced to cook on rocks). They expressed a need for jerry cans, which was shown at a low level because UNHCR had distributed weak

plastic buckets instead. They also needed soap as they had only received some in August, i.e., 5 months before.

4. Peace: This was a key priority because, as the women pointed out, it would mean that they could return home and be able to feed themselves through agriculture and raising animals instead of relying on food aid. As one woman put it, 'we can do something for ourselves instead of begging'.

Third camp

Camp 3: Assistance received:

- Food (from WFP but distributed by a local NGO)
- School being built in camp (1 INGO)
- Programme for children under 5 (1 INGO)
- Family reunification service (ICRC)
- Water supply, latrines, hygiene programme (1 INGO and 1 local NGO)

A group of camp leaders identified the assistance that the IDPs had received and this is summarised in the box above. In the participatory exercise, a group of women identified what they need in order to cope with the crisis. They also indicated the extent to which these needs had been fulfilled.

The needs identified were as follows:

1. Food: Although there are monthly food distributions in the camp, the women said this need was not being met very much because they are not receiving the rations that they were told to expect (e.g., receiving a small cup of oil instead of a whole litre). The camp leaders added that the food trucks return to Goma with food remaining on them even though camp residents are not receiving sufficient food.
2. Non-Food Items (NFIs): The women focused mainly on cooking utensils, arguing that the first to arrive in the camp had received some but most had not. The IDPs had been in the camp for around six weeks. The camp leaders also pointed to the need for blankets, bowls, spoons etc.
3. Mattresses: The IDPs identified this as a need because they were sleeping on rocky ground and dried leaves.
4. Shelter: This was indicated at the half-way mark because the IDPs had received help with shelter. However, the women pointed out that the small huts in the camp were inadequate for families that are often large so they needed plastic sheets to expand the huts.
5. Clothes: The women identified this as a need that was completely unmet.
6. Peace: This was obviously a requirement before the IDPs could return home. It was indicated at a low level because they IDPs were uncertain about whether President Kabila could deliver peace. In the meantime, the women felt safe in the camp because there were regular patrols.
7. Livestock: This was a future need, when the IDPs could return home.

The findings presented in this section show that the IDPs in all three camps acknowledged and appreciated the work of the international community in assisting them. But they were also clearly frustrated about the way in which the aid was provided and their inability to get a meaningful response to the problems they raised.

Recommendations:

- Although aid agencies have committed to making themselves accountable to beneficiaries, the study findings demonstrate that this remains a challenge. Therefore, UN agencies and NGOs alike need to:

- Ensure that they communicate targeting criteria and exactly what aid beneficiaries can expect to receive. This is crucial to avoid misunderstandings and accusations of theft.
- Find ways to introduce systematic monitoring procedures that would identify and deal with problems with aid distributions.
- Review their complaints mechanisms to ensure that they are effective.
- Many consortium members are members of the Humanitarian Accountability Project - International (HAP-I) so, even if they are not certified, they could consider applying the HAP-I benchmarks to their activities.
- The findings from the participatory technique demonstrate that IDPs have a range of needs that are not met through the distribution of food and non-food items. This suggests that it would be more appropriate to provide cash or vouchers that enable the displaced to decide whether they spend money on their children's education or clothes and mattresses. A small number of INGOs are undertaking such programmes and have evidence that the IDPs make good spending decisions and that such programmes boost the local economy. Therefore, aid agencies should consider scaling up these activities.

7. EFFECT OF REFORMS ON HUMANITARIAN RESPONSE

From the viewpoint of crisis-affected populations, the provision of humanitarian aid in IDP camps near Goma seems to be more systematic and better coordinated, when compared with the findings of a study of humanitarian response in the DRC in 2007¹⁵. It is not possible to attribute this directly to humanitarian reforms because the scope and objectives of the two studies were different. However, one interviewee suggested that improvements in camp management are likely to be due to the establishment of the camp coordination and camp management working group in late 2007.

The interviews with INGOs suggest that the clusters have contributed to coordinating humanitarian aid but there is also a risk of 'silo thinking'. As noted in section 6.2, in camp 1, the elderly receive firewood but young women have to leave their camp to collect it. This puts them at risk of attack by the Congolese army and creates a protection problem. But, because the responsibility for protection is in a separate cluster, it seems to have been overlooked by the organisations providing aid in the camps.

The IDPs expressed mixed views about the extent to which humanitarian assistance was coordinated. Some felt that it was coordinated because there was no overlap in assistance and different organisations provided different types of aid. However, some argued that the aid agencies were not coordinated because they seemed to use different distribution lists. However, this is probably because the aid agencies are using different targeting criteria, which are not made explicit to the IDPs.

Recommendations:

- It has not been possible to make explicit links between humanitarian reforms and improved humanitarian response in the DRC. To do this, performance assessments need to go beyond individual projects or elements of the reform such as the cluster approach and try to examine how the pillars of reform interact to support international response to a humanitarian crisis situation in the DRC. As the individual responsible for overseeing the overall international humanitarian response, the HC may want to consider undertaking an assessment of the system as a whole.

¹⁵ See T. Mowjee (2007) *Humanitarian Agenda 2015 – Democratic Republic of Congo Case Study*. Feinstein International Center, Tufts University. Available from: <https://wikis.uit.tufts.edu/confluence/display/FIC/Humanitarian+Agenda+2015--Democratic+Republic+of+Congo+Case+Study>

8. SUMMARY OF CONCLUSIONS

Since each of the previous sections has highlighted specific recommendations, this section covers issues that cut across the themes covered by the study and also provides a brief summary of the conclusions and recommendations.

The DRC has been a pilot country for reform mechanisms as well as the Good Humanitarian Donorship initiative. This means that the cluster approach and the Pooled Fund both began operating in 2006. This has allowed aid agencies time to adapt to these mechanisms and new ways of working. When combined with strong leadership from the HC, this has meant that the reform process is more embedded in the DRC than in other countries. The three pillars of the reform are also closely entwined because the Pooled Fund uses the cluster system to allocate money, funding provides an incentive for participating in coordination and the HC is strongly engaged with both coordination and financing issues.

One of the key challenges with using the cluster system to identify needs and priorities for Pooled Fund allocations is that humanitarian actors still operate according to the traditional system of putting forward projects to a donor for funding. They are unable to step back from the organisational need to obtain funding and a focus on what each organisation can provide in order to focus on the needs of the affected population. One of the reasons for this may be that there is no agreed, credible system for assessing needs though there is growing pressure for this, as was demonstrated at the Montreux IX meeting on 5th-6th March 2009. Donors' concern that appeals under the Consolidated Appeals Process (CAP) tend to be an amalgamation of funding requests instead of providing an overview of humanitarian need, has also led to a lot of variations in financing CAPs. This is why the DRC Humanitarian Action Plan has explicitly tried to move away from this project approach. But due the rapidly changing humanitarian situation in Eastern DRC, Pooled Fund allocations need up-to-date and prioritised lists of needs. To address this lack of objective data on humanitarian needs, it would help if consortium members regularly undertook joint, multi-sectoral needs assessments. They could then feed these into the CPIA as the main forum for inter-sectoral coordination, and perhaps contribute to a more objective prioritisation system.

As described in section 4, some UN agencies have submitted applications to the Pooled Fund to cover cluster coordination costs but the Board has been firm in rejecting them. This is because the HC and donors have taken the view that UN agencies have committed to implementing the cluster approach at the highest level so it is their responsibility to ensure adequate funding for this work. However, UNICEF is the only UN agency that appears to have sufficient funding for its cluster lead role. As a result, it has adopted a policy of not financing cluster coordination through the CERF or the Pooled Fund in the DRC. However, as coordination demands have grown, for example, with the expansion of humanitarian activities to respond to the crisis in Haut Uélé, UNICEF was considering financing additional coordination activities with CERF funding.

The appointment of NGOs as cluster co-facilitators is important for recognising their role in coordination and the added value that they can provide. However, the problem of financing coordination is even more acute for co-facilitators than for cluster leads. The co-facilitators interviewed for this study have found themselves shouldering much of the burden of coordination when cluster leads are overwhelmed by the combination of work pressures and cluster responsibilities. This is particularly so around the time of Pooled Fund allocations or the preparation of the HAP. Developing clear Terms of Reference for co-facilitators may address the problem to some extent but INGOs still need to increase their capacity to execute co-facilitator responsibilities. However, INGOs have to cover their administrative costs through programme funding and un-earmarked funds raised from the general public. There have been concerns that, with the introduction of funding mechanisms where money flows through UN agencies to NGOs, NGO overheads have been squeezed. This is because

UN agencies are allowing them to claim only low administrative costs or, sometimes, none at all. Since UN agencies negotiate project funding with NGOs on a case-by-case basis, it is difficult to assess this systematically but there is some evidence that this has happened¹⁶. If NGOs are indeed receiving less funding for overheads, this is going to further constrain their ability to take on additional coordination responsibilities and to find extra staff members to engage with humanitarian reform mechanisms. Therefore, this is an area where the project can add value by providing objective evidence from the experience of consortium members.

While INGO co-facilitators can support cluster leads in their coordination and even leadership functions, they cannot replace the other functions of cluster leads. This was clear from one national cluster in which an INGO found the co-facilitator role impossible without the lead agency's cooperation. The HC's options for addressing poor cluster leadership are also limited but NGOs may be able to help improve poorer-performing clusters if they can develop a shared message around specific cluster-related problems and use these to engage constructively with global clusters.

More effective clusters should encourage greater participation by Congolese NGOs though this study has highlighted some of the perceptions that prevent them from engaging more actively. Cluster leads and co-facilitators need to communicate the purpose and functioning of clusters much more clearly to Congolese NGOs and actively reach out to them. If INGOs want to establish genuine partnerships with Congolese NGOs, it is clear that this will require intensive engagement. Consortium members could start by drawing together their lessons and experiences of working with Congolese NGOs and use this as a base for developing more effective partnerships. They can also ensure that Congolese NGOs benefit from any briefings or reviews that the next Humanitarian Reform Officer undertakes.

One of the study's key findings is that even though NGOs say that they are accountable to beneficiaries, this is not the experience of the IDPs interviewed. In fact, the lack of consultation and information sharing has led to perceptions that aid agencies are guilty of theft. Currently, accountability pressures are almost entirely towards donors and pressure from donors to develop project proposals quickly also militates against consultation with crisis-affected populations. The balance of power is not going to shift towards beneficiaries so there will only be real change in accountability to aid recipients if donors consider this in their performance assessments and funding decisions and if aid agencies make more of an effort to communicate with those they are trying to help. The Pooled Fund is a country-level mechanism so this should make it easier to consult crisis-affected populations and assess their views of the projects that it is funding. The Pooled Fund Board is keen to put in place a monitoring and evaluation capacity so it should be straightforward to ensure that this does not focus on outputs alone and to build accountability to beneficiaries into the system. Consortium members can also exert peer pressure to encourage INGOs to apply the benchmarks developed and tested by the Humanitarian Accountability Project.

¹⁶ See T. Mowjee (11 July 2008) *Good Humanitarian Donorship Indirect Support Cost Study: Final Report*. For a copy, email tasneem.mowjee@lineone.net

ANNEX 1: 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 process⁵, 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

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