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Good Humanitarian Donorship Principles in Practice

Assessing humanitarian assistance to internally displaced persons in Sudan and Sri Lanka

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Chapter 1
Introduction

The Good Humanitarian Donorship (GHD) initiative, widely embraced by Development Assistance Committee (DAC) donor governments in 2003, sought to reaffirm the centrality of the core humanitarian principles of humanity, impartiality, neutrality and independence in the financing of humanitarian assistance. It reinforced the importance of saving lives and alleviating suffering wherever it is found, delivering relief according to need and without discrimination among recipients, refraining from taking sides and conserving the autonomy of humanitarian action from political, economic, military and other interests. In order to put this initiative into practice, a set of 23 principles was formulated that emphasised general principles of good practice, particularly in terms of financing, promoting standards and enhancing implementation, learning and accountability.[1]

Since initiating the GHD project, DAC donor governments have made various attempts to establish pilot projects and examine the extent to which GHD is being rolled out at the country level. As part of this process, this study was commissioned by OFDA in 2008 to explore how GHD and its implementation by donors was affecting humanitarian responses to the needs of internally displaced persons (IDPs) and communities affected by displacement. Sri Lanka and Sudan were chosen as case studies as both countries suffer from extensive internal displacement, and very significant donor resources have been invested to mitigate the consequences of human suffering. Populations in both countries have suffered multiple and inter-linked phases of displacement, and both countries rely heavily on international assistance to respond to humanitarian needs (emergency relief, longer-term care and maintenance and return and reintegration). The severity of these humanitarian and displacement crises reinforce the need for appropriate and principled donor approaches that are able to tackle the consequent complexity of supporting and assisting those in need.

The research for this study was carried out in two phases. Phase one consisted of an initial desk review of the literature and some telephone consultations with key stakeholders[2] in mid-2008. These helped establish some of the main issues and questions to be explored during the second phase of field research, carried out in October 2008. In Sri Lanka, interviews were conducted in the capital Colombo and in the districts of Trincomalee, Batticaloa, Puttalam and (by telephone) Vavuniya.

In Sudan, the two main areas of focus were Darfur and Abyei, although the broader dynamics of humanitarian financing for IDPs in both the north and south of Sudan have informed the findings of the study.

The key research questions were:

- Was donor funding flexible and timely? (Principle 5)
- Was funding for this particular beneficiary group (IDPs) proportional to needs and sufficiently linked to needs assessments? (Principle 6)
- Did donor funding and actions sufficiently urge adequate involvement of beneficiaries (in this case IDPs) in the humanitarian response? (Principle 7)
- Did donor funding strengthen the capacity of affected countries and local officials? (Principle 8)
- Did donor funding address the range of humanitarian response phases? (Principle 9)
- Did donor funding and activities sufficiently support and promote the coordination role of UN agencies and the work of the International Committee of the Red Cross (ICRC)? (Principle 10)
- Did new conflict and displacement detract from donor funding to humanitarian programmes for other phases or response or elsewhere in the country? (Principle 11)

This initial review was followed by extensive interview-based research in each country. This research, structured around the questions above, sought to determine (a) the extent to which GHD principles have been respected in the field and the tangible impact of their implementation or non-implementation; (b) how GHD principles are interpreted at the field level by different donors; (c) how various streams of donor funding affected IDPs as well as the host community over different phases of displacement; (d) how funding allocations were distributed across different phases of IDP assistance in the study's focus countries, including the initial emergency response phase, the care and maintenance phase and the return and reintegration phase; (e) what if any impact GHD principles had on the quality and effectiveness of humanitarian response in the study's focus countries; (f) how donor funding impacted the spectrum of needs, challenges and opportunities affecting IDPs as a specific target population; and (g) questions around the relationships in practice between GHD principles and other principles guiding donor policies, such as the DAC Principles for Good International Engagement in Fragile States ('DAC fragile states principles') and the Guiding Principles on Internal Displacement.

This was a qualitative study and did not aim to provide an evaluation of the effectiveness of humanitarian assistance and protection efforts on behalf of IDPs. The focus was on the

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1 The GHD principles and good practice can be accessed at www.goodhumanitariandonorship.org.
2 Key stakeholders included senior country-level representatives of donor agencies, UN agencies, intergovernmental organisations, government and state institutions (national, provincial and district levels) in Sri Lanka and Sudan, the World Bank, international NGOs, the ICRC, journalists, academics and independent commentators, national and local CSOs and CBOs, beneficiaries and members of affected communities.

implementation of GHD principles, both the processes relating to donor funding (for example, in terms of more flexible, timely, predictable, needs-based and proportionate funding allocations), and the broader engagement of humanitarian donors to achieve GHD objectives (such as promoting the implementation of international humanitarian law and human rights).

This report is a summary synthesis of the findings of the two case studies.[3] The delay in publishing has been due to

3 The full case studies are available from HPG on request.

political sensitivities associated with a number of issues explored in the report. Subsequent events and crises that have unfolded in Sri Lanka and Sudan since 2008 have posed many new challenges and have demanded new and changing responses from humanitarian donors, and have further highlighted the problems and challenges connected with donors' implementation of GHD principles that are discussed and analysed in this report. We are confident that the analysis and recommendations relating to the GHD principles and their application remain as timely and important as they were in 2008 when this study was conducted.

Chapter 2
Synthesis

2.1 Conflict and internal displacement in Sri Lanka and Sudan

2.1.1 Sri Lanka

Violent conflict between the Sri Lankan state, dominated by the Sinhalese ethnic majority, and Tamil separatists, the Liberation Tigers of Tamil Eelam (LTTE), dates back to the early 1980s. The conflict is focused in the (predominantly Tamil) north and the (multi-ethnic) eastern areas of the country that, until recently, were largely under LTTE control. The roots of the conflict lie in the long-term marginalisation and associated grievances of the largest minority, the Tamils, which successive Sinhalese-dominated governments have failed to address. It has become a deeply-entrenched feature of the Sri Lankan political economy and has led to a widespread and institutionalised culture of extreme violence and militarisation, poor respect for human rights and the rule of law, frequent and serious violations of international humanitarian law, a growing culture of impunity and deep ethnic and political divisions within civil society.

Following the collapse of peace negotiations, the government of Sri Lanka (GoSL) initiated military operations to seize territory in the east in April 2006, and by summer 2006 outright military conflict between GoSL and LTTE had resumed. By August 2007, GoSL declared the east to be entirely 'cleared' of the LTTE and back in government hands. In late 2007, the Sri Lanka Army (SLA) launched a new offensive to defeat the LTTE in the north, with the formal withdrawal of GoSL from the ceasefire agreement in January 2008 signalling the government's resolve to achieve a military defeat of the LTTE.

The brutality of the conflict has had a devastating impact on civilians. By 2008, the war had claimed at least 75,000 lives and displaced hundreds of thousands. While some uprooted by the conflict fled abroad (including 100,000 to Tamil Nadu in India), most have been displaced as IDPs within Sri Lanka (over 800,000 since 1983). In 2008, Sri Lanka had a caseload of around 600,000 IDPs, including the following:

- Between 200,000 and 300,000 'new caseload' IDPs uprooted after April 2006 by conflict in the east and north – including tens of thousands of people displaced before 2006.
- About 273,000 'old caseload' IDPs in protracted displacement following previous phases of the conflict.
- Roughly 26,000 'tsunami' IDPs (as at June 2007).

In addition, at least 170,000 recently displaced in the east had returned to their homes or places of origin or had been relocated since 2007.

The conflict had been most acute in three areas of the country:

- the east (Trincomalee, Batticaloa and Ampara Districts);
- the Vanni in the north (partially covering Mannar, Vavuniya, Kilinochchi and Mullaitivu Districts); and
- the Jaffna Peninsula.

2.1.2 Sudan

Sudan has experienced civil war in at least some part of the country for much of the time since independence in 1956. The north–south civil war has been the most protracted. A Comprehensive Peace Agreement (CPA) was signed in January 2005, at which time Sudan hosted one of the largest IDP populations in the world – around 4 million people. Since the signing of the CPA, around 2 million IDPs have returned home or relocated elsewhere.

Abyei

Since the signing of the CPA, the failure to resolve the Abyei Protocol has been one of the greatest threats to its successful and continued implementation. This threat almost became a reality in May 2008 when an incident involving the shooting of a man led to an outbreak of fighting in the town of Abyei between the SAF (Sudanese Air Force) and the SPLM (Sudan People's Liberation Army). The fighting lasted five days and displaced over 50,000 people. The majority went southwards towards the north–south border areas, but around 1,000 fled north towards Muglad. Those that went south mainly belong to the Dinka ethnic group, while those that fled north are from the Misseriya tribe. Tensions between these two groups are significant, often exacerbated by the northern and southern governments and related to use of natural resources such as land and water. The violence broke out due to unresolved tensions stemming from the CPA: since the signing of the agreement, the north–south border has not been demarcated and a local administration has not been established This has led to continued discontent among the population, particularly the Misseriya, who feel that the peace agreement fails to take into account their interests.

Darfur

Just as the south was preparing for peace, widespread and violent conflict broke out in Darfur in 2003. The roots of the conflict are widely understood to be the long-term marginalisation of Darfur; underdevelopment; pressure on natural resources such as cultivable land, grazing and water; the influence of regional relations (for example with Chad and Libya) and the associated arming of different groups. The rebellion was met with a government counter-insurgency response, mobilising heavily armed militias – known as the janjaweed – from particular ethnic groups, most notably

from camel-herding nomadic tribes. This counter-insurgency strategy was associated with brutal attacks on villages across all three Darfur states in the first years of the conflict, triggering large waves of displacement. By October 2008 an estimated 2.7 million people had been displaced, more than 40% of Darfur's total population.

Most IDPs are still living in camps inside Darfur, the largest of which house close to 100,000 people. In addition, many IDPs live outside the camps with relatives and host families in both urban and rural areas. Waves of displacement have continued, albeit on a smaller scale, since 2004. Very few IDPs have been able to return home since the conflict began, although some try to access their farms during the agricultural season while continuing to live in the greater safety of the camps.

2.2 GHD principles and donor engagement with the humanitarian crisis affecting IDPs

Relations between the government and Western donors are strained in both countries, despite the fact that they rely heavily on international assistance for supplies and delivery of food and non-food humanitarian relief and to support return, relocation and recovery projects among conflict-affected communities. In Sudan, tensions have revolved around the role of humanitarian agencies, the mandate and origins of peacekeeping forces and the indictment of the President of Sudan by the International Criminal Court on charges of genocide and crimes against humanity. In Sri Lanka, relations have been strained particularly by the role that Western donors have played in the failed peace process, and by widespread perceptions that the international relief effort has strengthened the LTTE. As a result, humanitarian action is politically very delicate and donors face considerable challenges in applying GHD principles in practice.

In terms of understanding GHD, there is reasonable awareness amongst the donor community in their offices in Khartoum. However, the extent to which donor officers are familiar with the details of the initiative varies considerably. The GHD principles themselves are reportedly rarely referred to explicitly or directly by in-country donor staff or agency staff. This is perhaps due to lack of dedicated humanitarian personnel at country level, and to the fact that many officials working at country level are not very fully briefed by their colleagues at headquarters as to the precise commitments associated with GHD. Nevertheless, many of the GHD principles reflect broader principles of humanitarian action – including humanity, impartiality, neutrality and independence – and align with good practices in donor funding generally. As such, the principles may implicitly apply to much donor decision-making, alongside other humanitarian and related principles and policies that donor governments have signed up to, such as IASC guidelines and the Guiding Principles on Internal Displacement. Donor representatives in Sri Lanka were more directly focused on the application of a set of ten

principles negotiated at national level in 2007, the Guiding Principles for Humanitarian and Development Assistance in Sri Lanka. Beyond their explicit application, a key question, then, is whether donor approaches and practices are *de facto* aligned with the GHD principles and GHD objectives.

2.2.1 Donor engagement at country level and donor conflict sensitivity
Overall, operational agency representatives expressed dissatisfaction with donors' capacity or willingness to engage at field level. A number of interviewees questioned whether bilateral humanitarian donors who disburse assistance directly from headquarters based in their governments' capitals, or whose staff rarely leave Khartoum or Colombo, rely too much on the political knowledge, understanding and analysis of their main implementing partners without sufficiently funding, supporting or directly requiring this analysis or appropriate information-sharing among agencies.

The closer engagement of ECHO and OFDA staff in field realities was noted with appreciation by many operational agency representatives interviewed. This has reportedly translated into more flexibility in grant-making, more informed debates around key problems and challenges, better communication with the agencies they are funding and greater capacity to identify or recognise assistance gaps and to challenge operational agencies. In the words of one UN official in Nyala (Darfur), 'They are our best advocates, which is entirely to do with the fact that they've got a presence on the ground.' ECHO is seen to have played a key role at state level in terms of opening up humanitarian space for international NGOs, and providing a buffer between international NGOs and state government.

Although GHD member representatives recognise that donor engagement requires a high level of conflict sensitivity, efforts to 'do no harm' remain essentially *ad hoc* with, as yet, no coherent set of principles, standards or guidelines to inform policy-making and decision-making in practice. Requiring conflict sensitivity depends, in turn, on a level of donor presence and engagement at both national and field levels to support appropriate political analysis and communication among implementing partners, government and other political actors. Interviewees questioned whether donors make sufficient demands of implementing partners on conflict sensitivity. A number of operational stakeholders appealed for GHD to consider the question of conflict-sensitive humanitarian engagement and how this might be better supported and informed by clearer principles and guidelines, such as through supplementary guidelines to GHD Principle 15 committing donors to request implementing organisations to 'fully adhere to good practice'.

2.2.2 Donor advocacy
In these challenging and highly politicised environments where humanitarian action faces multiple obstacles and challenges, donors are central interlocutors with national governments and other key power-holders. The majority of interviewees, on

both the donor and agency sides, emphasised the important role of bilateral donors as humanitarian advocates, particularly around issues of humanitarian access, security and respect for international humanitarian law (IHL) and human rights. In both Sudan and Sri Lanka, donor advocacy has been seen as all the more important due to operational agencies' lack of room for political manoeuvre. In both countries, however, the influence of Western donors over national government policies has been limited in recent years. This reflects the primacy of domestic political and military agendas in government decision-making, combined with strained international relations and the weakening impact of Western donor conditionality with the growing influence of 'non-DAC' or 'emerging' donors, such as China, India and Iran, whose funding tends to be more directly supportive of the recipient governments. In Sri Lanka, the incentive for field staff to support donor advocacy – such as by reporting violations of IHL or human rights – has also been limited by the low visibility of this advocacy and its limited tangible impacts, particularly where this has been felt to carry operational risks. The consequent lack of reporting data has further impeded donor advocacy.

2.3 GHD and humanitarian donor funding for IDP assistance

Partly reflecting their constrained capacity to directly support humanitarian funding in-country, the majority of humanitarian donors – particularly those disbursing funds directly from headquarter capitals – have tended to fund substantially through UN mechanisms: the Consolidated Appeals Process and Common Humanitarian Action Plan (CAP/CHAP) in Sri Lanka, the Work Plan and Common Humanitarian Fund (CHF) in Sudan and the UN's expanded Central Emergency Response Fund (CERF). This, in turn, relies on the UN system to use, allocate and disburse assistance funds between different sectors and areas, and among NGOs and other implementing partners. ECHO and OFDA represent exceptions to this trend, reflecting their preference for setting their own strategic priorities and maintaining direct contracting and accountability relationships with implementing partners. In Sri Lanka, ECHO was providing funds outside of the CAP/CHAP, and in Sudan neither ECHO nor OFDA were channelling funds through the CHF.

Nevertheless, NGOs have been relatively reliant on direct bilateral funding, much of it tied to specific programmes or projects (particularly so with ECHO and OFDA) or to multi-year flexible bilateral funding based on long-standing relationships or partnership agreements with particular donor organisations. The majority of NGOs' operations were not funded through the CAP/CHAP in Sri Lanka except where they were directly sub-contracted by the UN agencies; the largest share of CHF resources flowed through UN agencies at sector level in Sudan; and CERF funding also flowed through UN agencies. UN agencies have also relied considerably upon direct global thematic or partnership funding, subsequently allocated down to country level by their agency headquarters, and on direct funding earmarked at country level

from bilateral donors, such as funding to support UNHCR's Annual and Supplementary Budgets.

Humanitarian donors appear committed to providing direct funding to the ICRC, which operates outside the CHAP/Work Plan in the interests of protecting its independence. The relative importance of donor funding to the ICRC increased particularly in Sri Lanka after September 2008, following the withdrawal of all UN and NGO staff from the conflict zone in the Vanni in the north of the country: at that time, the ICRC was the only humanitarian agency with any significant capacity still present and working in the area independently of government and LTTE institutions and structures.

2.3.1 Are humanitarian donors striving to ensure timely and flexible funding to meet humanitarian needs (GHD Principle 5 and Principle 12)?
Flexibility
Precisely how donors have sought to apply flexibility in their funding varies considerably, and reflects the different modes of their engagement at country level. Varying funding modalities have also had differing implications for flexibility at different levels.

NGO representatives reported that CAP/CHAP and CHF funding has been relatively flexible for the UN, but less so for NGOs since, in sub-contracting to implementing partners, UN agencies tend to earmark this funding closely at project level. The overall flexibility of CAP/CHAP funding has also been limited in Sri Lanka by donors earmarking their funding for particular sectors or projects, leaving little scope for shifting funds from a well-funded to an under-funded sector.

In Sudan, the CHF mechanism was designed to overcome this problem by providing a pooled fund that the UN's Humanitarian Coordinator can allocate according to strategic priorities identified in the Work Plan. Consequently, the CHF has allowed the UN to divert funds to geographical areas that have traditionally been under-funded relative to higher-profile cases, such as Darfur. But while it may have contributed to flexibility in making allocations within the Work Plan, the CHF has created new problems, particularly additional transaction costs at field level associated with the frequency and density of sector- or cluster-level coordination and allocation meetings involved in disbursement. It has also created new tensions between UN agencies and implementing NGOs around issues of power and control over allocation decisions.

The CERF is explicitly designed to provide the UN system with funds that it can allocate flexibly among UN agencies at the global level. Although CERF funding is heavily earmarked, the actual allocation of CERF funds has typically followed a process of close discussion of allocation priorities between UNHCR, OCHA and the CERF secretariat. This means that, in practice, CERF has represented quite a flexible source of funding for UN agencies at country level. Thus, like CAP/CHAP funding, it has tended to provide flexible funding for the UN agencies.

In the case of bilateral funding tied to specific projects or programmes, and particularly ECHO and OFDA funding, flexibility has reportedly been built in to the contracts themselves, supported by close and informed dialogue between donor staff at country level and the implementing partners. In the case of ECHO, flexibility has been facilitated by the use of reporting log-frames focused on results and impacts, rather than inputs. OFDA allows agencies to change or extend the time-frame of projects in response to the situation on the ground. AusAID has also been willing to allow changes to proposals as conditions have changed in the field.

The flexibility of this kind of funding has limits, however. In Sri Lanka, agencies were not able to use a number of funding programmes originally established for tsunami-affected IDPs and communities for conflict-affected IDPs and other groups. In the case of ECHO, the focus on short-term emergency relief has occasionally had anachronistic implications, such as its willingness to fund only temporary shelters in Sri Lanka even though more permanent 'core' shelters could have been provided for the same cost. OFDA is restricted by US legislation prohibiting any funding of material relief in LTTE-controlled areas. Regarding food or NFRI (non-food relief items) currently entering the Vanni, donors have applied conditionalities, asserting 'no access, no food', or refusing to fund any relief that is not accompanied and monitored by international staff.

Direct multi-year funding arrangements between particular donors and international NGOs or UN agencies tend to be very flexible for the (often multi-mandate) agencies concerned, and so allow a significant contingent of international NGOs 'to remain nimble', as one interviewee put it, and responsive to their own assessment of needs and priorities on the ground. As a result, they are able to implement projects in areas or sectors such as livelihoods and early recovery that tend to be neglected by or are problematic for other types of funding. Donors' direct global contributions to the ICRC allow similar independence of strategy and action in its programming.

Timeliness
Timeliness is reportedly a problem with all main types of funding, except for the CERF and flexible multi-year, partnership or thematic funding.

For the CHF to perform as intended, donors have needed to commit early, disburse funds during the first quarter and ensure that funds are transferred rapidly once allocation decisions have been made. Yet CHF funding dispersals often occurred halfway through the year, despite the fact that projects were planned to start in January. As a result, some UN agencies had to resort to borrowing funds from the CERF to cover the costs of initiating projects until CHF allocations were made. This was not an option for NGOs, however, and many had to use limited reserves or were unable to start their projects until funding arrived.

The Emergency Response Fund (ERF), which accounted for about 10% of the CHF in Sudan, should theoretically represent a key funding mechanism to ensure rapid responses to new crises. In practice, however, many agencies found it difficult to access ERF funds, often due to lack of information and feedback relating to the application process. In Sri Lanka, the CHAP was barely one-third covered by mid-year in 2008, and some sectors or projects had still received little or no funding at that point. CERF funding through the rapid-response window, while useful, proved problematic in the Sri Lankan context because of the short three-month time-frame that applied: where access had been extremely restricted and the delivery of relief subject to numerous obstacles and delays, this time restriction created significant difficulties for implementing agencies, even in rapid response situations.

Timeliness also remains a significant challenge where direct bilateral funding is tied at project level. For both OFDA and ECHO, staff contracting capacity has proved a significant problem. In addition, the timeliness of OFDA funding has sometimes been constrained by lack of available funds. Contracting bottlenecks and unavailability of funds are likely to prove most problematic when numerous crises are ongoing or new crises arise in different countries in the same region.

2.3.2 Are donors allocating funding in proportion to needs and on the basis of needs assessments (GHD Principle 6)? Are donors striving to ensure that funding of humanitarian action in new crises does not adversely affect the meeting of needs in ongoing crises (Principle 11)?
Insecurity and lack of access have been among the most serious challenges to implementing a truly needs-based approach to assisting IDPs and affected communities in both countries. For example, in Darfur, the UN estimated that it had access to only about 65% of the conflict-affected population in early October 2008. International agencies in Sri Lanka had almost no effective humanitarian access in the north following the withdrawal of international agencies from the Vanni in September 2008, yet it was here that the majority of Sri Lanka's IDPs and the most seriously conflict-affected communities were concentrated. Little other than (grossly insufficient) food and the most basic NFRI (besides shelter materials and medicine) were allowed onto convoys negotiated with GoSL/SLA, with little likelihood of monitoring delivery or assessing needs on the ground. According to one agency representative, there was 'no way of knowing how beneficiaries are being selected or prioritised'.

At the time of writing, agencies in Sri Lanka's Vavuniya district were scaling up for the possible arrival of large numbers of IDPs from the Vanni. Uncertainty among donors and agencies about whether strictly needs-based material assistance was appropriate for military-run IDP/detention/screening camps where people's fundamental rights are not respected was a major constraint on the planned delivery of impartial assistance.

Other problems with the impartiality of assistance were more directly related to failings within the humanitarian community itself. In Sri Lanka, both donors and implementing partners paid scant attention to the grave and worsening crisis in Jaffna or to the protracted humanitarian needs of 'old caseload' IDPs in Puttalam district. This raised questions about the extent to which donor and partners' responses were based on balanced, coordinated and good-quality needs assessment as opposed to existing (and potentially arbitrary) agency priorities.

Funding through the CAP/CHAP in Sri Lanka, the CHA and Work Plan in Sudan, or on the basis of flexible multi-year or programme or thematic funding agreements with particular agencies, has implied donor reliance on the needs assessment capacities of implementing partners. Yet, humanitarian donors rarely fund partners' needs assessment capacities directly, nor do they actively support or demand coordination among partners or support the development of suitable common standards for needs assessment. For smaller agencies, finding adequate resources to support good-quality needs assessment can be a challenge, and many will not invest significantly in this area unless required to do so by donors. If donors do not require agencies to report on the basis of results rather than outputs, pressure on operational agencies to assess needs and programmatic impacts against identified needs is reduced. For larger agencies able to devote more to needs assessment, coordination and common standards are key issues.

The impartiality of assistance is further undermined by the ambiguity that surrounds the definitions and objectives of humanitarian funding, particularly as regards financing assistance to address short-term and emergency needs versus assistance to address protracted (but possibly acute) humanitarian needs. GHD Principle 11 states that donors should strive to ensure that 'funding of humanitarian action in new crises does not adversely affect the meeting of needs in ongoing crises'. But this begs the question of when a 'crisis' stops being a 'crisis'. It is not clear, on the basis of the GHD principles, when the lack of access to safe drinking water, adequate food and shelter or the total absence of livelihood opportunities ceases to be a 'humanitarian' concern and therefore ceases to concern humanitarian donors. Among long-term displaced Muslim IDPs and affected communities in Puttalam district in Sri Lanka, these basic material needs were neglected by humanitarian actors for nearly two decades.

Stark inequities in coverage and provision for different groups of returnees and IDPs in different districts of Sri Lanka have reflected a broader problem of poor operational and donor coordination in the areas of livelihoods and early recovery. This has potentially negative repercussions for vulnerability dynamics among IDP, returnee and affected communities that humanitarian donors need to address if they are to strive 'to ensure support ... to the maintenance and return of sustainable livelihoods and transitions from humanitarian relief to recovery and development initiatives' (GHD Principle 9).

Impartiality of assistance has also been negatively affected by political pressures affecting donor allocations. OFDA, for example, has sometimes received a supplementary budget from the US Congress, earmarked mostly for Darfur; the decision to allocate the funds to Darfur has not been based on needs assessment on the ground but on political priorities stemming from Washington. Similarly, donor assistance for return and recovery activities in Abyei was linked with the political imperative to support the Abyei Road Map Agreement and the wider CPA, as opposed to the assessment of needs on the ground.

The influence of political and foreign policy priorities is also evident at the global level: in 2007, Sudan (with 18% of the global share of reported humanitarian assistance) received disproportionately more humanitarian funding than countries with lower profile and less geopolitical importance for the main donor governments, such as DRC (with 4%).

2.3.3 Are donors providing humanitarian assistance in ways that support recovery and long-term development, and are they striving to support sustainable livelihoods and transitions from relief to recovery and development (Principle 9)?

In both countries, areas broadly deemed to have entered an 'early recovery' phase, such as eastern Sri Lanka, Abyei and parts of Darfur, the situation on the ground often remains highly tenuous and volatile, with most people facing a variety of direct and indirect threats to their lives and livelihoods. People's multifaceted survival and recovery needs in these situations are often urgent and most of their needs may be considered 'humanitarian' to a greater or lesser extent.

If the return and recovery of these IDPs and affected communities is to succeed and new cycles of violence and displacement are to be avoided in these contexts, humanitarian, development, human rights and peace-building actors need to take swift, comprehensive and coordinated action to reduce communities' vulnerability and provide sustainable access to food, water, shelter and livelihoods. At the time of writing, however, this was not happening. Donors often diverged in their assessments of conditions on the ground, and even where their assessments converged views differed as to the appropriate strategies to adopt. Where humanitarian actors were scaling down their activities, key development actors were still holding off, with many NGOs relying on limited flexible multi-year bilateral donor funds to do what they could to support people's livelihoods and coping capacities in a largely piecemeal way. Donors in Khartoum were seeking to transition from humanitarian assistance to recovery in their funding policies and decisions in the hope or expectation that the conflict was stabilising and the overall humanitarian situation was improving. There was little evidence that these decisions were guided by GHD or other humanitarian principles or by a good understanding of humanitarian conditions on the ground. Instead, they appeared to reflect donors' primary preoccupation with political agendas focused on pushing for peace. Ironically, early recovery in Darfur was being discussed in earnest within the donor community at the same time that the

UN declared the security level to be Phase IV, which required the evacuation of all non-essential staff and a re-focusing on life-saving activities.

The 'no war, no peace' situation that often prevails after years of protracted conflict carries a number of significant implications for continuing humanitarian donor engagement that are distinct from priorities that are typically seen as defining early recovery agendas in 'post-conflict' situations following a peace settlement. In light of this, humanitarian donors should seek to clarify the practical meaning and implications of GHD Principle 9, which commits them to ensuring support to the maintenance and return of sustainable livelihoods and transitions from humanitarian relief to recovery and development initiatives.

Perhaps most importantly, humanitarian donors should recognise early recovery, particularly in a volatile 'post-conflict' situation, as a phase of usually mixed, uncertain and changing survival and recovery needs, creating diverse and simultaneous demands on different humanitarian, development, human rights and peace-building actors working within and across the different policy communities. The continuing presence and engagement of humanitarian donors and operational actors, and continuing humanitarian needs assessment, are therefore likely to remain critically important.

Indeed, whereas early recovery is usually conceived as a transitional situation in which new government structures are expected to take increasing control of policy and its implementation, in many situations donors may do better to approach it on a basis more akin to humanitarian engagement, with reservations maintained as regards underlying conflict dynamics and the role of the state (as a belligerent), and a recognition that relationships between many operational agencies and the national government may remain sensitive and difficult. In some situations, for instance, it may be most appropriate for donors to focus on supporting early recovery activities at the household and community levels with the objective of building community resilience and reducing people's vulnerability, as opposed to prioritising macro-level recovery support intended as a stepping-stone to state-led recovery and development. This may include attention to local infrastructure for delivery of and access to essential services, such as sustainable water supplies, which, in turn, will require a strategic approach to working with technical ministries. So far, humanitarian donors have not encouraged or supported swift and comprehensive engagement in community-level livelihoods support, and coordination among development partners in this area has reportedly been very weak. According to one interviewee, 'There is no coordination [on early recovery] whatsoever: no-one knows who is doing what, so there is duplication of effort and wasting of resources'.

A poor human rights environment, weak rule of law and targeted threats to people's lives and livelihoods also means that the interface between humanitarian assistance and action on human rights, justice, peace and protection is likely to be as important as the linkage recognised in GHD Principle 9 between humanitarian assistance and long-term development.

2.4 Humanitarian donors' support for the involvement and roles of other actors: government, civil society, beneficiaries and operational agencies

Humanitarian donors have signed up to a number of principles that affirm or encourage their support for the role of other key actors in humanitarian action:

- Principle 5 on flexible and timely funding reaffirms 'the primary responsibility of states for the victims of humanitarian emergencies within their own borders'.
- Principle 8 states donors' commitment to 'strengthen the capacity of affected countries and local communities to prevent, prepare for, mitigate and respond to humanitarian crises, with the goal of ensuring that governments and local communities are better able to meet their responsibilities and co-ordinate effectively with humanitarian partners'.
- Principle 7 states that donors should 'request implementing humanitarian organisations to ensure, to the greatest extent, adequate involvement of beneficiaries in the design, implementation, monitoring and evaluation of humanitarian response'.
- Principle 10 specifies that donors will 'support and promote the central and unique role of the United Nations in providing leadership and co-ordination of international humanitarian action, the special role of the International Committee of the Red Cross, and the vital role of the United Nations, the International Red Cross and Red Crescent Movement and non-governmental organisations in implementing humanitarian action'.

In practice, these four principles are not always entirely consistent with one another at the level of implementation. The Sri Lankan and Sudanese governments' heavy and increasingly institutionalised reliance on international agencies and international NGOs to implement humanitarian action, for example, is arguably entrenched further by humanitarian donors' support for the 'vital role' of UN and Red Cross agencies and (predominantly international) NGOs, which effectively weakens implementation of Principles 5 and 8 on reaffirming the primary role of states and strengthening national capacities. The previous coordination role of the national Consortium of Humanitarian Agencies in Sri Lanka, for example, was reportedly undermined by the arrival of OCHA. And, where policy- and decision-making processes are already overly centralised in national governance structures, strengthening the role and capacities of central government (in accordance with Principle 8) may not serve well the implementation of Principle 7 (encouraging the involvement of beneficiaries).

2.4.1 Affirming the central role of the state and strengthening government and state (GHD Principle 5 and Principle 8)
Affirming and supporting the central role of the state in

protecting and assisting IDPs and other affected communities is inevitably problematic in the midst of a civil war in which the government and state institutions (including the military) are central and active protagonists in the violence and upheaval that is causing displacement, threatening citizens' safety and well-being and obstructing solutions. The challenge and complexity of promoting the role of the government and state in responding to IDP needs in Sudan and Sri Lanka is all the greater for government hostility or ambivalence towards international humanitarian actors and the international relief effort, and for the fact that the central problem is as much one of government or state *willingness* as it is *capacity*.

In Sri Lanka, problems around state capacity and willingness have been exacerbated by (the highly centralised) governance structures and relationships, and the multiplicity of government and state actors involved in different aspects of humanitarian action at different levels. Government responses have reportedly been hampered by confused, overlapping and broadly dispersed mandates, ambiguous accountability, piecemeal and often *ad hoc* policies, inconsistent and opaque decision-making processes, marginalisation of local civilian authorities and affected communities, and poor communication of information or data relating to humanitarian needs or funding. Frequent changes in procedures and restrictions, including emergency regulations, have added to the opacity and confusion in state policies and capacities.

In both countries, the government's humanitarian policies are highly politicised and militarised, both at national and state or district levels. According to GHD Principle 8, donors and other humanitarian actors should be seeking greater government investment of political, institutional and financial capital to strengthen its own capacities and reduce its reliance on international actors. Yet, in both countries, it is on the issue of government *will* as much as capacity that humanitarian donors face a challenge: lack of *capacity* to provide humanitarian assistance and protection, and its associated reliance on international humanitarian assistance, stems to a large extent from a lack of political will to develop and implement the government's own capacities to protect and assist its own citizens. In Sri Lanka, this has been most evident in the government and army's lack of preparedness for humanitarian crises as a consequence of planned military operations and campaigns.

There is an implicit contradiction highlighted by Principle 8: while humanitarian donors have a long-term interest in strengthening government's humanitarian capacities and reducing its reliance on international relief, donors' lack of trust in these governments' commitment to international humanitarian law, human rights and basic principles of humanitarian assistance means that, in practice, the principles of humanity and impartiality may best be served in the short term by the *status quo*. Despite considerable government obstructions, international agencies and NGOs have been able to maintain capacities in both countries.

The only way to overcome this contradiction is to seek to address problems of will and capacity in tandem, with a strong focus on strengthening commitment among national government and state actors to international humanitarian law, human rights and basic principles of humanitarian action. Effective capacity-building of this kind depends on detailed knowledge and analysis of the varied and complex political and administrative structures, and strengths and weaknesses evident at different levels. Indeed, analysing the politics and political economy of the national institutional context is an essential prerequisite to effective and sensitive implementation of Principle 8. We would encourage the GHD initiative to develop supplementary guidelines on engagement with and capacity-building among government and state actors.

2.4.2 Humanitarian donors' efforts to strengthen the role of civil society actors (GHD Principle 8)

Some donors have focused more than others on encouraging implementing partners to work with local partners. In both countries, there are legitimate concerns about the partiality of many civil society organisations. In Sri Lanka, civil society is very weak and deeply divided along ethnic and linguistic lines. Many organisations are severely constrained or undermined by the power of the state and political parties and by a highly partisan media. Support for any national or local organisation, whether from donors or their implementing partners, in such a situation demands a high degree of political and conflict sensitivity.

The dominant mode for international NGOs and UN agencies working with local organisations to assist IDPs and affected communities is through sub-contracting service delivery. But this tends to have a very limited impact on capacity, and local organisations are rarely supported beyond the service delivery for which they are contracted. Yet the importance of strengthening civil society is paramount, not least because international agencies lack both the political legitimacy and political space to engage on issues of protection of IDP and affected communities. Where humanitarian access is restricted, local organisations may be the only ones able to provide assistance or protection.

In this context, donors cannot strengthen civil society capacities, particularly for humanitarian *protection*, without engaging in governance and civil society issues, including building the capacities of local CBOs and NGOs involved in peace, reconciliation and human rights-related activities. This may be on the basis of peace-building or conflict prevention funding for specific programmes, projects and organisations (both local and national). Although a number of donors have been actively engaged in supporting peace and post-conflict recovery initiatives, it is not at all clear how actively *humanitarian* donors have sought or encouraged international implementing partners to build national, regional or local civil society capacities.

2.4.3 Ensuring the involvement of beneficiaries (GHD Principle 7)
The majority of humanitarian donors require implementing partners to engage and consult with beneficiaries and communities, and most operational agencies seek to involve beneficiaries as standard procedure.

However, there are a number of serious constraints to involving beneficiaries effectively in the design, implementation, monitoring and evaluation of humanitarian responses. The most important of these have been lack of access, insecurity and militarised government or insurgent responses. Where humanitarian agencies lack access, little or no opportunity exists for any significant beneficiary involvement in responses other than ad hoc efforts among local actors. In the early stages of mass returns and relocations of IDPs in eastern Sri Lanka in 2006/07, for example, communities were being moved by the military, often forcibly, without any consultation as to their needs or intentions, and without any opportunity to influence decisions or priorities affecting their return, settlement or resettlement.

The consultation of IDPs and affected communities by humanitarian actors is particularly important where government or state actors have very weak capacity or commitment to involve beneficiaries. However, how consistent or systematic donor requirements or expectations are in this area is unclear, perhaps particularly where NGO action is supported by donors on the basis of flexible bilateral funding rather than funding earmarked at project level. There is a risk that implementing partners may overlook important aspects of beneficiary consultation and involvement – particularly relating to protection needs and responses – unless donors insist that they pay close attention to them. For example, agencies reportedly find it challenging to systematically incorporate protection considerations into livelihoods programming. Generally, donor requirements on conflict sensitivity and conflict- and protection-sensitive engagement with beneficiary and affected communities appear relatively weak.

2.4.4 Donor support for leadership, coordination and imple-mentation roles among the UN agencies, ICRC and other Red Cross organisations, and non-governmental organisations (GHD Principle 10)
In both countries, humanitarian donors – particularly those most present at country level – have played an important role in seeking to support the efforts of the UN agencies and NGOs to coordinate and pursue coherent approaches on key issues. This has been particularly important in the Sri Lankan context where government policy has reportedly been calculated to undermine cohesion, cooperation and mutual support among UN agencies and NGOs.

At the operational sector or cluster level, donor support for the role of the UN agencies is reflected in the willingness of most humanitarian donors to fund through the CAP/CHAP or Work Plan and CHA. The level of coordination achieved within the various sectors or clusters included in the CHAP or Work Plan has reportedly been relatively good where the UN focal point has led and coordinated effectively *and* where activities in the sector have been well-supported by donors. A number of interviewees also stressed, however, that coordination at sector or cluster level is extremely demanding and time-consuming, and that donors should be doing more to ensure that coordination roles are supported appropriately and sufficiently, if necessary on the basis of dedicated funding.

Placing too much emphasis on supporting UN-led coordination mechanisms, however, has carried the risk of aggravating tensions between the UN agencies and NGOs, with the latter often expressing dissatisfaction over the dominance of UN mechanisms. Striking the right balance between supporting the independent action of NGOs to the possible detriment of inter-agency coordination mechanisms, or vice versa, remains a challenge for donors. OCHA and the HC have a key role in helping to resolve this dilemma.

In Sri Lanka, many felt that for all the sectoral and inter-sectoral coordination forums and meetings, the right kind of coordination and leadership was missing. Leadership was needed to address unresolved differences and dilemmas among humanitarian actors over crucial challenges faced in relation to IDP protection, human rights and principled operational responses which might be informed by, among other things, the Guiding Principles on Internal Displacement and the Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief (Red Cross/NGO Code of Conduct). Many people interviewed for this study called for more explicit donor support, particularly from those bilateral humanitarian donors who are present at country level, to coordinate and lead on these kinds of issues. Arguably, however, the key challenges here are equally the responsibility of the UN's Resident Coordinator or Humanitarian Coordinator (RC/HC). The quality and strength of humanitarian donors' coordination and engagement with the RC/HC, therefore, is crucial.

2.5 Donors as humanitarian *and* political actors

The fact that donors play a dual role – as humanitarian and political actors – represents one of the greatest challenges to fully implementing GHD principles. In Sudan, the conflicting agendas and priorities that this dual role creates was acknowledged by a number of interviewees, both within donor organisations and within the UN. When such tensions arise, which agenda takes priority? In the words of one donor representative, 'Do we see our objectives as conflict resolution and peace-building? If the answer is yes, how can we follow the principles of humanitarian action? Should we be following a conflict-sensitive approach rather than a principled approach?'. There may not be a *necessary* tension here, but the dilemmas are often real and the current formulation of GHD principles does not help much in resolving them. The

tension has been very strong in the Darfur crisis, where many donor governments are playing an active and inevitably political role in trying to find an end to the conflict.

Arguably, donors cannot promote human rights (GHD Principle 4) *unless* they engage in governance and civil society issues: the humanitarian crises and associated challenges to human rights and respect for international law are intimately linked to the state of governance, democracy and dynamics of conflict in both countries. In Sri Lanka, achieving GHD and wider humanitarian objectives will depend on strengthening civil society, democratic governance, peace and reconciliation and respect for human rights. Little can be achieved to improve the physical security and protect the most fundamental rights of IDPs and affected communities, for example, without addressing the cultures of extreme violence and impunity that have become pervasive across military, paramilitary and other key institutions in Sri Lankan society. As argued by one international NGO country director, 'Adhering to principles requires good political understanding, and requires donors to coordinate politically'. According to a senior advisor on humanitarian and development issues in Sri Lanka, a major constraint to successful donor coordination in Colombo has been the absence of principles to link the political, security, development and humanitarian dimensions of their engagement; this, it was remarked, 'is the real elephant in the room'.

While the problem of the so-called 'relief-to-development gap' is openly acknowledged in the GHD principles (Principle 9), the problem of the humanitarian–political interface is not. This is problematic, not only in view of the political realities of humanitarian donorship and associated demands of humanitarian advocacy in a context such as Sri Lanka and Sudan, but also because a number of donors are shifting to 'whole of government' approaches in which the humanitarian, political, development and security policy spheres are intentionally linked.

These considerations demand that the humanitarian–political interface and its implications for GHD be given close attention. There is a need to clarify what other sets of guiding principles mean for humanitarian donors' engagement; for example, the relationship between GHD and key human rights-based and other principles to which donors are also committed, such as the Guiding Principles on Internal Displacement; and between GHD and DAC Principles for Good International Engagement in Fragile States, given that bilateral donors might be *simultaneously* seeking to apply both. If these diverse sets of principles are to be implemented in practice within a framework of engagement based on GHD, work needs to be done to clarify how these various sets of principles inter-relate.

At the policy level, humanitarian donors also need to clarify what their commitment to GHD and other principles means in practice for institutional relationships, policy priorities and processes, funding mechanisms and coordination among different agencies and ministries (MoFA, MoD, etc.) of donor governments, including at country level. This, in turn, demands attention to donors' in-country or country-focused capacities and presence, and to relationships between those responsible for humanitarian funding and colleagues engaged on the political side. It also requires attention to coordination among donors, including those within country-level delegations (for example, between ECHO and the EC delegation, or between USAID Sri Lanka's Democracy and Governance Office and OFDA), and between humanitarian donor staff based in donor capital cities and political attachés in the embassies. Coordination *among donors* on human rights, peace, conflict and governance issues is significant here, as are donor relationships with the UN and partner NGOs, since those donors less directly engaged at country level may rely to a greater or lesser extent on the UN and NGOs to handle or negotiate the humanitarian–political interface. Clarification of the policy implications of humanitarian donors' political engagement also requires close attention to the possible or inherent risks or trade-offs involved, such as the risk of jeopardising the (real or perceived) impartiality and neutrality of humanitarian aid through parallel engagement in peace processes (as resulted from bilateral donors' previous engagement in the failed peace process in Sri Lanka) or any application of political conditionalities to humanitarian assistance.

2.5.1 The challenge of 'independent' humanitarian assistance

A close reading of the GHD principles raises questions about mutual complementarities and limitations of the principles in practice. These are evident in the implicit tensions between donors' commitment to (essentially) political engagement in Principle 4 (to promote IHL, refugee law and human rights) and the commitment in Principle 2 to guide humanitarian action by the principle of independence, meaning 'the autonomy [emphasis added] of humanitarian objectives from the political, economic, military or other objectives that any actor may hold with regard to areas where humanitarian action is being implemented'. A key problem here lies in the ambiguity of what 'political' means in this context and, indeed, of the term 'autonomy'. It is not clear if 'autonomy' implies freedom of decision-making in the humanitarian realm or separation of policy agendas.

In practice, donors' promotion of the implementation of international humanitarian law, refugee law and human rights in a civil war is unlikely to be entirely separate from or 'autonomous' of their wider political engagement, particularly if donor governments are also engaged in peace-building, governance, human rights and related initiatives (as they have been in Sri Lanka through the activities of the Donor Peace Support Group). Moreover, promoting IHL and respect for human rights in this context could arguably indicate inherently 'political' objectives; certainly that is how it is perceived by GoSL.

To advocate complete separation of humanitarian action from political objectives and positions in the sense suggested by GHD Principle 2 could be interpreted as encouraging a 'conflict

blind' model of humanitarian engagement that could, in fact, play into the political, economic and military strategies of belligerents. In reality, the central challenge for donors in difficult political contexts such as Sri Lanka and Sudan is not perhaps so much maintaining the 'autonomy' of humanitarian assistance from political agendas, but rather ensuring that humanitarian assistance is supported by political objectives and political engagement that clearly promote respect for international humanitarian law, refugee law and human rights. The realities of decision-making among humanitarian actors in a civil war situation demand that this be made explicit and unambiguous if donors' positions and decisions are to reflect the broader principles contained within GHD and other normative frameworks guiding humanitarian action.

In the Sri Lankan context, application of Principle 9, which commits humanitarian donors to provide humanitarian assistance in ways that support recovery and long-term development has posed particular challenges to the independence and neutrality of humanitarian assistance. There is little question that there has been an urgent need for humanitarian donors to provide assistance for early recovery; at the time of writing, needs among returned IDPs in the east were acute and overwhelming. The issue is more precisely how to engage in supporting

recovery in a conflict-sensitive way. This remains a vexed issue for donors, and one which cannot be addressed effectively if humanitarian assistance is considered entirely autonomous of political objectives. Any engagement in recovery and development depends on donors either purposefully avoiding government structures, or lending tacit, if not direct, support to the leadership and roles of different government and state actors (at central, provincial and district levels). To avoid government and state in this context is as political as to engage, and engagement of any kind is likely to have political repercussions at one level or another.

In sum, evidence from both Sudan and Sri Lanka indicates that more concerted action from both headquarters and country-level staff is necessary to effectively use GHD as a framework for improving humanitarian action in Sudan. The GHD principles provide little explicit help in managing conflicting humanitarian and political interests that ultimately affect donors' ability to effectively respond to the needs of IDPs and support government and local community response capacity. That said, the core principle of humanity, reiterated in GHD, stresses the centrality of saving life and alleviating suffering. This surely provides the necessary starting point for managing such tensions when they arise.

Chapter 3
Recommendations

Donor engagement with humanitarian crises affecting IDPs

1. GHD members should explore how to strengthen and deepen appreciation and understanding of their GHD commitments and implications for humanitarian donorship among donor staff at country level, including within donor coordination forums where donors might be simultaneously seeking to apply other (sometimes competing or conflicting) principles of engagement (for example, the Paris Declaration). Through in-country donor coordination forums, donor staff could, for example, attempt to 'ground' the principles in the country context, to make them more specific and address their implications in different contexts.

2. As the GHD principles are intended to strengthen the accountability of humanitarian donors to implementing organisations and other stakeholders, GHD members should implement initiatives to widen and strengthen awareness of the GHD principles among stakeholders.

3. So-called 'emerging' or 'non-DAC' donors, such as China, India, Iran and Saudi Arabia, play a significant and potentially growing role as (primarily development) donors in Sri Lanka, Sudan and many other countries affected by conflict, displacement and humanitarian crises. The engagement of these donors has important implications for donor coordination, for GHD members' relationships with affected governments and, potentially, for humanitarian space and the effectiveness of humanitarian advocacy by GHD members and humanitarian agencies. GHD members should prioritise strengthening communication with non-DAC donors with the objective of broadening donor coordination beyond existing GHD and DAC members to align with and be supportive of GHD principles.

Politically informed donorship

4. GHD members should seek to ensure an adequate level and quality of humanitarian donor staff presence and engagement at country and field levels to enable politically informed humanitarian donorship, appropriate engagement in humanitarian advocacy at country level, and effective scrutiny and support of implementing partners' identification of humanitarian needs and delivery of responses in accordance with GHD principles.

5. Where humanitarian donors' country-level presence is limited, they should: (a) strengthen communication channels with implementing organisations to keep abreast of realities on the ground; (b) require and directly fund appropriate political and conflict analysis and information-sharing among implementing organisations at country and field levels; (c) establish appropriate mechanisms to communicate analysis within donor organisations (field, country and headquarters levels); and (d) seek effective coordination among donors, for example through joint donor offices. Regular visits by donor staff to crisis-affected areas are a *sine que non* for understanding the realities and complexities on the ground.

6. GHD members should seek to develop a coherent set of standards or guidelines to establish greater consensus and consistency around expectations and requirements on conflict sensitivity or 'do no harm' principles, relating to the policies and practices of both donors and implementing organisations. These could be developed as supplementary 'good practice' guidelines to support implementation of GHD Principle 15 (requesting implementing organisations to adhere to good practice and promote accountability, efficiency and effectiveness in implementing humanitarian action).

Humanitarian advocacy

7. Humanitarian advocacy is essential to the effective implementation of GHD principles at country level. GHD members should make humanitarian advocacy a core donor responsibility and resource it appropriately, particularly in contexts where humanitarian access, security and respect for international humanitarian law (IHL) and human rights are in jeopardy. This means investing in sound and insightful political analysis, and coherent and coordinated advocacy strategies among donors at both national and sub-national levels.

8. GHD members should seek to strengthen and inform humanitarian advocacy, focusing on national or sub-national capitals through effective monitoring and analysis involving implementing organisations' field staff. This may require a higher level of donor staff presence and engagement at field level than is currently the norm and more rigorous and confidential data collection mechanisms.

Humanitarian donor funding for IDP assistance

9. Given that different types of donor funding are associated with different forms of flexibility, timeliness and effectiveness at different levels, and each has specific and significant drawbacks, GHD members should (collectively and individually) resist over-concentration of humanitarian funding within any one particular type. Overall diversity and flexibility of humanitarian funding is most likely to support appropriately varied, flexible and timely responses by operational agencies to address complex and dynamic humanitarian needs among IDP and other affected communities. To this end, maintaining

some bilateral funding channels as well as pooled funding mechanisms is valuable.

10. While maintaining diversity in funding streams, GHD members should seek to address or ameliorate the most serious shortcomings of particular funding modalities. These include marginalisation of national NGOs, an over-concentration on UN agencies, an escalation of transaction costs at field level within pooled funding mechanisms, and poor timeliness in disbursing funds.

Flexibility of humanitarian donor funding

11. GHD members should allow appropriate flexibility to be built into bilateral funding contracts to enable implementing organisations to respond effectively to mixed, changing and unpredictable needs and conditions on the ground and to address both short- and urgent longer-term needs simultaneously where this is appropriate (for example, in early recovery contexts).

12. GHD members should seek to improve the flexibility and impacts of bilateral funding by requiring implementing organisations to report on the basis of impacts and results as well as outputs and activities. This, in turn, will require donors to lengthen time-frames for reporting. A stronger focus by donors on results and impacts should encourage funding contracts to allow for a more flexible and responsive mix of operations required to achieve positive humanitarian outcomes on the ground.

Timeliness of funding

13. Timeliness remains a problem for most types of humanitarian funding, including funding to address early recovery needs, which often require an urgent response. Timeliness also remains a problem with funding to address chronic or protracted humanitarian needs where donors' humanitarian assistance is discontinued despite persisting needs. As resolution of this long-standing problem remains elusive, GHD members should consider establishing a task force to explore workable options and innovations to address key obstacles to timely disbursement of humanitarian funds.

Humanitarian funding in proportion to needs

14. In situations of significant displacement, restricted humanitarian access often poses the most serious impediment to donors and other humanitarian actors responding according to needs. Humanitarian advocacy conducted or supported by donors is essential to improve humanitarian access in situations where it is jeopardised. GHD members, who are often the main interlocutors with parties to the conflict, should prioritise humanitarian advocacy on this issue alongside humanitarian funding.

15. GHD members should seek to improve and strengthen implementing organisations' needs-assessment capacities, including by directly funding assessment activities and staff (particularly among smaller NGOs), and by demanding and supporting improved coordination of and standard-setting for needs assessment among implementing organisations. This is particularly important where humanitarian donors rely on implementing agencies' joint plans (e.g. a CHAP or Work Plan) as the key strategic instrument to guide funding at country and sector levels. The case studies demonstrate that, in practice, these joint plans are rarely strategic and usually do not include an analytical overview.

16. To improve the impartiality of humanitarian donor funding, GHD members should clarify the distinction between, on the one hand, short-term or emergency needs and, on the other hand, chronic or protracted humanitarian needs (and the associated implications for humanitarian donorship in practice). On the basis of appropriate engagement at country level, GHD members should actively seek to avoid marginalising the displaced and other groups with chronic or protracted humanitarian needs.

17. To improve the impartiality of humanitarian donor funding in situations of transition or early recovery, GHD members need to strengthen coordination between donors and implementing organisations at field level, including coordination with development organisations engaged in livelihoods and other early recovery programmes.

18. To reduce the distortions in humanitarian donor funding resulting from foreign policy and other political pressures, GHD members should support or establish appropriate mechanisms and forums to encourage inter-donor discussion and reflection on sensitive issues of impartiality and neutrality in donor funding at country and global levels. This is an area where in-country donor staff may require more support and guidance from senior staff at headquarters level to ensure protection of the humanitarian agenda.

Humanitarian assistance to support recovery and long-term development

19. Many 'post-conflict', 'early recovery' or 'transition' contexts remain highly volatile and insecure. Hopes that conditions on the ground will progressively improve are often disappointed. GHD members should ensure that their assessment of transition contexts, particularly peace and conflict dynamics and the prospects for sustained recovery, is based on rigorous context analysis.

20. In transition contexts, GHD members should support programmes that seek to address IDP, returnee and other affected communities' diverse short- and longer-term humanitarian and early recovery needs sensitively, effectively and in tandem (including protection needs). This includes situations where prospects for a sustained peace and recovery are in doubt. Successful transition will depend on whether GHD members strengthen joined-up responses involving national and international humanitarian, development, human rights and peacebuilding actors at country, region, district and local levels. Coordination in early recovery and transition contexts should be based on a shared recognition of the probable sustainability and safety of IDP and refugee returnees and the persistence

of humanitarian needs. Responders should recognise as urgent the need to reduce vulnerability and should seek to build resilience, improve protection and provide access to basic services and livelihoods.

21. The important linkage between humanitarian assistance and action on human rights, justice, peace, protection and reconciliation in early recovery and transition contexts needs to be acknowledged openly by humanitarian donors. Attention should be given to the tensions and dilemmas that these linkages might pose for humanitarian funding and engagement. Ways of providing greater guidance to donor staff on the ground should be sought from headquarters level.

Affirming the central role of the state and strengthening government and state capacities

22. Strengthening national government and state responses to humanitarian needs is important but is also complex and requires sensitivity, particularly in conflict situations. It demands that GHD members seek to address problems of *will* and *capacity* in tandem, with a strong focus on strengthening the commitment of national government and state actors to international humanitarian law, human rights and basic principles of humanitarian action. This, again, demands investment in sound and insightful political analysis, and coherent and coordinated advocacy strategies among donors.

Strengthening the role of civil society actors

23. GHD members should commit more attention and resources to strengthening national civil society capacities. To be effective, this must extend beyond encouraging sub-contracting to national humanitarian NGOs by international implementing organisations. GHD members should explore how to encourage, support and demand effective and conflict-sensitive capacity-building by implementing organisations. They should also support broader donor engagement that focuses on building protection capacities and strengthening CBOs, NGOs and other national, sub-national or local institutions (for example, churches) engaged in peace, reconciliation and human rights-related activities.

Ensuring involvement of beneficiaries

24. GHD members should ensure that their requirements regarding beneficiary involvement by implementing organisations are clear and consistent, and that important aspects of beneficiary consultation and involvement relating to protection needs and responses are not overlooked.

Supporting leadership, coordination and implementation roles among implementing organisations

25. In difficult political contexts, the effectiveness of the RC/HC (UN Resident Coordinator/Humanitarian Coordinator, or chief of the UN mission) role depends crucially on the quality and strength of donor governments' support and advocacy at country level. GHD members should complement their support for sectoral and inter-sectoral operational coordination with concerted support for coordination and leadership forums and mechanisms to address problems associated with protection and human rights priorities and dilemmas relating to principled operational responses. This will require closer attention to donors' support for and engagement with the RC/HC at country level.

Donors as humanitarian *and* political actors

26. The political realities of humanitarian donorship, the associated demands of humanitarian advocacy, and the shift among a number of donor governments to integrated or 'whole of government' approaches,[4] mean that GHD members should give close and explicit attention to the interface between the humanitarian and political agendas ('humanitarian–political interface') and its implications for the implementation of GHD principles. This requires consideration at the normative level of the relationship between GHD and key human rights-based and other principles to which donors are also committed (Guiding Principles on Internal Displacement, DAC Principles for Good International Engagement in Fragile States, etc.). It also requires attention at the policy level to relevant institutional relationships, policy priorities and processes, funding mechanisms and coordination among different agencies and ministries across and among donor governments.

27. GHD members should seek a clearer and shared understanding of the intended meaning and implications of 'independent' and 'autonomous' humanitarian assistance as described within GHD Principle 2, particularly in relation to humanitarian donors' commitment to promote international humanitarian law, refugee law and human rights (Principle 4). It is not clear if 'autonomy' implies freedom of decision-making in the humanitarian realm, or separation of policy agendas. GHD members should promote the respect for international humanitarian law, refugee law and human rights within donor governments' broader political engagement in countries affected by humanitarian crises and displacement.

4 This entails the explicit merging of disparate policy spheres. The focus has most commonly been on the development, diplomatic and defence spheres – what has become known as the '3-Ds' – but there are also attempts to expand policy integration and coherence to include other departments and policy areas, such as humanitarian action, justice, policing, trade and commerce.