EMERGENCY GAP

Case Studies by HERE-Geneva and MSF OCBA/MSF Spain

16/10/2017

During this informal meeting on the 'Emergency Gap in Armed Conflict, Ed Schenkenberg (HERE-Geneva) en Velina Stoianova (MSF OCBA/MSF Spain) held presentations on their organization's recent publications. The meeting was coordinated by KUNO and took place at the office of Oxfam Novib in The Hague. After both presentations an open discussion was held with all the attendees. This report summarizes both presentations and the key points of the discussion.

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Ed Schenkenberg – HERE

During his presentation, Ed Schenkenberg discussed the preliminary findings from a report on principled humanitarian assistance of ECHO partners in Iraq. In Iraq, HERE looked at how humanitarian organisations, in particular those who receive ECHO funding (UN, ICRC, and NGOs), apply the humanitarian principles in their work. Earlier reports that looked at the work of humanitarian organisations already raised questions about ability, capacity and willingness to work in armed conflict, especially in places that are war zones and where insecurity may be very high, but where humanitarian aid may be needed most. The report captures the essence of the humanitarian principles in the following four principles:

- Humanity: this principle includes aspects such as the do no harm principle, needs based assistance and protection. The tension between assistance and protection is relevant in relation to several IDP camps, which are, in fact, detention centres as people fleeing besieged areas are screened and being held for their possible affiliation with ISIL. One should not only provide assistance to these people, but also have an eye for their rights.

- Neutrality: this principle includes aspects such as whether or not organisations engage in politics and whether or not they make an effort to understand how they are perceived by local stakeholders;

- Impartiality: this principle looks at the aspects of "most in need" and non-discrimination.

- Independence: This principle has institutional, operational, financial aspects

Findings:
- All the organisations interviewed in Iraq refer to the principles, but there is a difference in how they use them. Principles have been used to make a case to intervene or to not intervene.

- There is also a difference in terms of understanding and awareness about the tensions that may arise between some of the (aspects of the) principles. Impartiality, for example, is well-known for the element of non-discrimination, while the element of most in need is much less understood and put into practice.

- There are problems arising concerning areas that are labelled 'hard to reach', as it is unclear why these areas are labelled as such. The terms is for areas that are held by ISIL as well as for areas where access is difficult due to bureaucratic impediments. The term 'hard to reach' has become a self-fulfilling prophecy, as organisations do not even try to go to these areas anymore. NGO presence in these areas is very thin. On top of this, many NGOs have outsourced their negotiations to enter certain areas to OCHA. To complicate matters: the UN has a different UN security system, which implies that UN

international staff do not have access to many areas. Also, staff in NGOs who are responsible for security have become reluctant to take risks. While many NGOs have security managers, they do not have access managers, which means that the balance between looking for access which needs to be weighed against security risks is often absent (and thus tilts to prioritising security). As a result, NGOs tend to be risk adverse.

- In engaging with war-affected communities, few organisations in the field are talking about themselves and their motives to provide aid in Iraq. Where are they coming from; what are their objectives? HERE sees this as a missed opportunity and believes more communication could enhance acceptance among local actors.

- Often there is no explanation from humanitarian organisations on how they have taken the principles into account in their decision-making. It is important to see evidence on why and how organisations make certain decisions.

Recommendations:
- *More dialogue on the principles within and among organizations will help in developing a better understanding how principles are taken into account in decision-making;*
- *Risk management should include humanitarian principles;*
- *The humanitarian imperative cannot be a justification for doing anything in terms of saving lives. Organization should consider the four humanitarian principles when making decision about their involvement in the field. For example: WHO asked organizations to carry out war trauma surgery in Mosul, but organizations were expected to associate themselves with the Iraqi army. In this case, the principle of humanity must be weight with neutrality.*

Velina Stoianova, MSF Operational Centre Barcelona – Athens (OCBA)/ MSF Spain

MSF works increasingly in emergency aid, in which conflict settings and acute emergencies are the focus. MSF believes that conflict remains the predominant humanitarian operational reality, but current thinking in the humanitarian arena (such as the WHS) include too little of these operational challenges. Also, the focus on the SDGs as a shared objective for all forms of action, including emergency response, and integrated response of development and humanitarian work will make good emergency response more difficult. This has an influence on the work in the field. The Emergency Gap work that is being presented arises from observed operational realities by MSF OCBA in the field. When a major conflict erupts or when there is an escalation of violence in a protracted crisis, humanitarian actors are struggling to remain on the ground and deliver meaningful emergency response particularly in hard-to-reach places. This is what has been called the emergency gap. The project is aimed at presenting an alternative narrative to the mainstream approach in humanitarian policy; identifying enablers and disablers for effective emergency response in acute conflict; contrasting the Emergency Gap analysis and exploring how key humanitarian stakeholders are tackling emergency response capacity; and informing MSF OCBA's strategic choices for the coming years.

The Emergency Gap project has identified that there are three internal factors of the humanitarian system that have created a vicious circle leading to the emergency gap:

"The concept of humanitarian action has progressively become overstretched both in terms of the nature and the scope of response. Critical reeds have become relativized and thus opens the door for the instrumentalization of humanitarian action for long-term gains"

Conceptual:

The concept of humanitarian action has progressively become overstretched both in term of the nature and the scope of response. Critical needs have become relativized and this opens the door for the instrumentalization of humanitarian action for long-term gains. It is important that we keep acting out of humanitarian principles and addressing critical needs, responding where it is needed, delivering actions that are timely, quality and to scale. MSF is concerned with the broadening of the principle of humanitarian action (including DRR, capacity building, addressing chronic needs and providing basic services for example). Organisations can pick anything they want to when they want to provide humanitarian aid, and they often go for the easier options. This mixing of approaches is refraining the sector

from having meaningful discussions on humanitarian practice where the different stages of response and the different emergency contexts all have their specificities.

Also, by mixing conflict with other types of crises, and acute with protracted emergencies, lessons learnt and good practices become applied across the board. For example, localisation. While local communities are always the first responders in any emergencies; and local authorities, organisations, grassroots groups, and other religious and social structures have been critical in addressing humanitarian needs in many stable or largely-stabilised contexts. However, the current localisation of aid agenda ignores that the local power dynamics in conflicts are very different and that we need external actors in many cases to ensure principled action and to bear witness. We have worked to stem the instrumentalization of humanitarian action by international actors for a long time, but this aspect appears to have been dropped from the table when it comes to local actors Instead, the sector should consider creating specific safeguards in order to ensure that humanitarian assistance in acute conflict is delivered in a neutral, impartial and independent manner by all actors, including by those who are part of the local power dynamics, and particularly in contexts of remote management where international actors lack access.

Mindset:

Working in conflict is dangerous, uncertain, messy and expensive. Yet the sector has become more risk-averse, conservative and cost-obsessed. Saving lives has become an operational choice and not a moral imperative and thus can be swapped for more strategic gains. With the disengagement by some humanitarian and mufti-mandate organisations from the acute phase of a conflict, has come a loss of core technical, operational and organisational capacities and know-how that are crucial for ensuring access and the ability to stay and deliver in difficult places. Organisations that have opted for working in the "grey areas" of the now extended notion of humanitarian response, choose to work in the early recovery and protracted stages of an emergencies, thus removing the criticality of needs, urgency of response, and the specific operational challenges that come with that from its organisational reality. And when organisations and staff are placed away from the height of the conflict, fundamental elements of humanitarian action such as timely, life-saving, and principled action lose its central role and can be replaces by other transformational pulls such as solidarity, fight against poverty, rights-based approaches and resilience building. However, when responding to human suffering in conflict it is important that we act out of principles and this needs to be visible in what we do: it is not sufficient to talk principles, we must walk the talk. However, as a mindset, we need a humanitarian spirit. There will always be seemingly unsurmountable obstacles in emergency response particularly in dangerous and highly-contested settings. How can we overcome obstacles? Organisations have to stay connected to realities in the field and challenge the mainstream discourse, especially in the current situation when conflict and violence are on the rise again.

Structural:

The humanitarian sector is structurally flowed when it comes to providing effective emergency response. The sector is not sufficiently capitalising on its variety of actors and approaches, and instead continues to be pushed towards a monolithic, "one size fits all" set up whith common goals, objectives and operational models (e.g. around the SDGs as a common target). Moreover, there is a mismatch between the core recipients of funding – UN Agencies – and the frontline deliverers of aid, mainly NGOs and Red Cross/Red Crescent organisations. Over half of all official humanitarian assistance goes to six UN agencies that subcontract to others. This generates problems not only with efficiency but most critically with the effectiveness of aid. Donors do not want to spend effort and money on parallel systems (coordination, procurement, logistics, security management), even when they are needed and the monolithic humanitarian sector has demonstrated again and again that it is challenged in its ability to respond timely and effectively to acute emergencies. This set-up of the system is stimulating risk aversion and reputational concerns. The sector needs to invest in the right skills and approaches that have proved to facilitate access and coverage, and to ensure quality aid in acute conflict (i.e. organisational and operational lessons learnt from MSF and ICRC; research finding s from SAVE). This includes donors providing sufficient volumes of flexible/unearmarked funding to humanitarian actors that are committed to providing principled, life-saving assistance in acute emergencies; and addressing the full spectrum of human aspirations and needs by reinstating the full range of actors and forms of action in contexts affects by humanitarian crises.

"Conclusion: humanitarian action is failing at its core, resulting in an emergency gap. We have the obligation to invest in a system that is able to save the lives of people living in conflicts today."

Discussion

The main points of the discussion were:

- Are the gaps that we see in emergency response in situations of armed conflict due to donor behaviour, or do they derive from the (in)action(s) of operational organisations?

- There are also issues at stake concerning reach. Dilemmas arise if you can reach 200 people in hard-to-reach areas, but you can reach 2000 people in other areas with the same budget.

- ISS conducted a study on localisation, which will be send to all attendees.

- NGOs active in humanitarian response depend on, and look for, project funding. As they seem to be risk averse, they do not go to all areas anymore. Issues arise when policy-makers have to rely on incomplete numbers when they have to make decisions on funding NGOs.

- Localisation and. remote planning/operations: these concepts are increasingly mixed while they are entirely different. The localisation of humanitarian response aims to recognise the increasing importance of local actors, while remote operations have become a modus operandi as international staff and organisations have become risk averse in entering insecure areas and have delegated this risk to local organisations.