WORLD HUMANITARIAN SUMMIT 2016 NRC POSITION PAPER

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The three-year World Humanitarian Summit (WHS) process, called for by the Secretary General of the United Nations at the General Assembly in 2013, is reaching a crucial stage, with the majority of consultations coming to an end on 31 July 2015. A large number of regional and thematic consultations, convening different stakeholders, have taken place over the past 12 months. These consultations have captured different perspectives on what the humanitarian architecture and service delivery ought to look like, and have contributed to prioritization of key recommendations ahead of the Summit to be held in Istanbul in May 2016.

NRC considers that this non-intergovernmental multi-stakeholder process can achieve transformative outcomes in how the international community provides critical and timely assistance and protection to populations affected by crises. NRC, guided by its operational and policy experience, has engaged in a number of regional and thematic consultations and has developed the below five key messages based on areas that NRC considers require further attention. :

- Key Message 1: We must ensure that people internally displaced by conflict, violence and disasters have access to humanitarian assistance and protection.

- Key Message 2: We must redress humanitarian funding and coordination imbalances.

- Key Message 3: We must protect the right to education for children in crises.

- Key Message 4: We must place protection at the centre of humanitarian action.

- Key Message 5: We must strengthen principled humanitarian action.

KEY MESSAGE 1:
WE MUST ENSURE, THAT PEOPLE INTERNALLY DISPLACED BY CONFLICT, VIOLENCE AND DISASTERS HAVE ACCESS TO HUMANITARIAN ASSISTANCE AND PROTECTION

Displacement by conflict and disasters has increased each year over the last decade, leaving more people exposed and vulnerable to multiple drivers of displacement in increasingly complex environments. At the end of 2014, there were 38 million people internally displaced worldwide. Many of them are trapped in protracted situations. The Internal Displacement Monitoring Centre (IDMC)[1] reported incidences of people living in displacement for ten years or more in 90 per cent of the 60 countries and territories it monitored in 2014. In over 9 out of 10 countries suffering from conflict-induced displacement, natural hazard-related disasters also contributed to the displacement of people.[2]

Displacement is also increasingly becoming an urban issue. According to UNHCR, over half of the 16.7 million refugees are now urban residents[3]. Similarly, IDPs living outside of camps are increasingly residing in urban areas. A large majority of these urban displaced live in fragile, low income and conflict-affected countries which already struggle to provide basic services for their own people. [4] In these contexts, markets and private sector actors can play a key role in service delivery and need to be better understood and leveraged by international and local actors.

- **Strengthen legal and normative frameworks on displacement:** Individual States, the UN and regional organisations should continue to strengthen legal/normative frameworks and commitments to prevent and respond to situations of displacement. At the regional levels, consideration should be given to positive models, such as the African Union Convention for the Protection of IDPs in Africa (the "Kampala Convention") and the Cartagena Declaration process.

- **Challenge gender discriminatory laws and practices:** Displaced women face discrimination on very many levels. Nationality laws, laws of inheritance, land and property restrict equal status.[5] Particularly in urban areas, these restrictions consequently lead to high-levels of tenure insecurity, overcrowding and sub-standard housing conditions. This disregard of women and girls' rights essentially undermines the effectiveness of humanitarian action in equally reaching and benefiting affected people. Humanitarian actors must analyse the effects of crises interventions on gender dynamics, roles, risks, and inequalities, and adapt programmes accordingly, in line with an obligation to provide rights-based assistance and to promote non-discrimination. Where humanitarians fail to understand women's specific constraints, they perpetuate gender inequality, for example by allocating assistance to male heads of households without ensuring and monitoring intra-household access. As a consequence, the use of the "head of household" concept, where consultation and allocation of assistance on behalf of women is given by default to male family members, needs to be challenged.

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[1] NRC's Geneva-based Internal Displacement Monitoring Centre (IDMC), which was established in 1998, has evolved into the leading international body monitoring and analyzing the causes, effects and responses to international displacement as a result of conflict and violence in some 50 countries worldwide.
[2] IDMC (2015), Global Overview 2015 – People internally displaced by conflict and violence.
[3] UNHCR (2014), Global Trends 2013 - War's Human Costs.
[4] IDMC (2015), Global Overview 2015 – People internally displaced by conflict and violence.
[5] http://www.unhcr.org/4f5886306.html.

- **Address data and methodological gaps for more coherent responses across all phases of displacement**: Different interpretations of what constitutes displacement are applied in different contexts. Particular challenges also exist in assessing IDPs' specific needs and vulnerabilities in relation to other affected people, particularly in urban contexts. Thus, it is crucial to develop more "shared" methodological frameworks to collect and exchange IDP-related data and analysis in both emergency and long-term development contexts. This data needs to be disaggregated by sex and age in urban and rural areas to identify specific needs and risks, design appropriate responses and improve monitoring of results.[6] Assessments of the longer-term impact of humanitarian interventions on communities' resilience and medium or longer-term self-reliance are also required. There should also be better monitoring mechanisms of repeated and protracted patterns of displacement, and the integration of risk reduction frameworks into humanitarian action. More evidence-based planning will increase donor confidence and accountability to affected populations, which in turn will lead to more effective joint planning of responses. This demands further investment in mechanisms geared towards generating better quality of data.[7]

- **Strengthen self-reliance and locally-driven responses:** National and local actors are often frontline responders in crises, and close to affected people. The international community should support responses based on the principle of subsidiarity, maximise the involvement of local communities and community-based organisations (both displaced and host) in programme design, in order to strengthen analysis, targeting, accountability and information-sharing as well as to build social cohesion amongst people affected by displacement. In urban contexts, more robust analysis is needed to better comprehend where to support local government and community-based institutions, whilst "doing no harm". An analysis should also include considerations of urban planning, service provision, and capacity of the private sector.

- **Strengthen holistic approaches:** Humanitarian organisations must strengthen their engagement with donors, governments and development actors to support a holistic response that ensures that host communities are considered in the short-term response and displaced communities are incorporated into longer-term planning. Humanitarian action should not only aim to save lives, but also alleviate suffering, uphold needs and rights, and assist in achieving durable solutions through recovery and into sustainable development. Donors should address the holistic needs of displaced people through medium term (12-36 month) funding, to ensure a greater alignment of humanitarian and development goals.

- **Adopt Area-Based-Approaches:** Actors need to adopt an Area-Based-Approach, reflecting a geographical area and addressing multi sectorial needs through coordination, and programme design to complement existing governance capacity and systems without creating parallel structures. This is particularly relevant in urban contexts where displaced people are difficult to distinguish from the "urban poor". In order to avoid the creation or reinforcement of parallel systems, it is important that international actors provide support to and coordinate with national and municipal level governments as well as active community based organisations to ensure that they have adequate capacity to support a scale up.

- **Maximise the potential of cash transfers:** Cash transfers are increasingly recognized as an effective means to increase ownership and empowerment of affected populations. Where market conditions permit, the international community should recognise the impact of multi-sectoral cash transfers on programmes that seek to save lives and build resilience.

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[6] Data should be disaggregated. Displaced women, for example, have different experiences because of their gender and face multiple forms of discrimination – as women; as refugees or IDPs; as returnees; as members of economically disadvantaged groups and as members of ethnic and/or religious minorities. These layers of discrimination worsen their experience of displacement and in particular affect their housing land and property (HLP) rights.

[7] Efforts made have included NGO initiatives such as the Assessment Capabilities Project (ACAPS), the REACH Initiative, and the Joint IDP Profiling Services (JIPS).

Cash-transfers can be particularly effective in urban areas, if also accompanied with skills-based interventions.

KEY MESSAGE 2:
WE NEED TO REDRESS HUMANITARIAN FUNDING AND COORDINATION IMBALANCES

There is widespread consensus amongst donors and humanitarian organizations that the international humanitarian funding architecture is no longer fit for purpose. The unprecedented rise in humanitarian funding witnessed over the last two years could not meet the needs of people affected by crisis during the same period. The funding gap between estimated needs and available funds equaled 38% for 2014. UN appeals continue to go underfunded, exemplified by the 2013 appeals for South Sudan, Syria, the Central African Republic, and Yemen that remained more than 50 per cent under-funded six months after they were launched[8]. The international humanitarian system struggles to support national governments to meet needs of people affected by sudden onset emergencies and protracted crises (including multiple Level 3 Emergencies). Funding directly channelled to NGOs continues to remain low, at 19% in 2014, with funding directly to national and local NGOs estimated at 0.2% in 2014. Furthermore, the spectrum of needs that the international humanitarian community seeks to address continues to expand (e.g. from preparedness and contingency measures, to emergency response, resilience-building and durable solutions).

- **Diversify funding approaches:** More diversified funding approaches are needed especially by state donors, including rapid-response mechanisms, multi-year funding and joint approaches with development actors to fund resilience building. Funding decisions should be guided by the principles of subsidiarity, effectiveness, efficiency and humanitarian principles.

- **Reduce transaction costs**: Streamlining regulations and requirements among major donors can reduce administrative costs. Consider replacing burdensome reporting requirements with independent monitoring and verification. Reflecting financial flows into a centralized format could strengthen accountability and identification of funding gaps. Pooled funding mechanisms should include streamlining of application and reporting procedures, more direct NGO access to funding, timeliness, and availability of funds to cover different needs from sudden onset to protracted emergencies. Donor forums, such as the Good Humanitarian Donorship Group, can play a key role in improving donor coordination and information-exchange to enhance division of labor, sharing of needs analysis, coverage of gaps and standardization of donor requirements. The costs and benefits of current prevalence of pass-through funding should be un-packed. NGO-specific funding mechanisms or initiatives that can offer needs-based, timely and flexible funding to frontline responders should be further explored and invested in.

- **Adapt existing coordination systems and seek new models:** The international community needs to be more systematically and consistently accountable to, and encourage the participation of affected communities. Existing coordination structures are criticized for being ineffective and insufficiently inclusive of frontline responders. More must be invested to support cluster/sector working group functions, strengthen the relationship between national and provincial clusters, and increase NGO cluster/ sector co-coordination roles. NGO co-coordination increases NGO participation as well as plurality in views, approaches and solutions[9]. Calls to decentralize the current humanitarian system should be considered and

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[8] Poole, Lydia (2014), NRC Report - Bridging the needs-based funding gap: NGO Field Perspectives.
[9] See the NGO Cluster Coordination Manual (2013) -http://www.nrc.no/arch/_img/9182309.pdf. This manual as well as other more recent reports (i.e. "Independent Whole of System Review of Protection in the Context of Humanitarian Action "p. 46), point to potential improvements in legitimacy and communication by clusters , participatory approaches and solutions and involvement of local partners, when an NGO is a co-lead.

unpacked. Complex bureaucracies and "uniform" approaches hinder the participation of affected communities and NGOs in the international response. A lighter, flexible, more responsive and accountable system which prioritizes the participation of affected communities and facilitates response by front-line responders should be the longer-term aspiration for the humanitarian community.

■ **Improve transparency:** It remains challenging to trace transactions throughout the system from donor, funding mechanisms, recipient organizations, to affected populations. In order to improve transparency, all donors should report their financial flows in a geo-coded, standardized format (e.g. the International Aid Transparency Initiative (IATI) standard). Furthermore, building on ongoing and new initiatives to better assess risks, vulnerabilities and needs, the humanitarian system should put in place a stronger system which enables decision-makers to clearly identify funding overlaps and gaps and make resource allocation decisions based on real identified needs, accordingly.

KEY MESSAGE 3:
WE NEED TO PROTECT THE RIGHT TO EDUCATION FOR CHILDREN IN CRISES

Education contributes to providing safe-areas for children, enables the provision of psychosocial support, and contributes to conflict prevention. In 2013, an estimated 28.5 million children were out of school in fragile and conflict-affected states. Over one third of the world's refugee children are estimated to be missing out on primary education and three out of four do not have access to secondary education. Education consistently receives one of the smallest shares of humanitarian funding, averaging less than two percent of funding received from appeals.[10]

■ **Ensure safe access to schools:** In order for children to benefit from schools, they need safe access to the educational facilities, and the schools themselves must be free from exploitation, abuse, or use by military actors. Governments are encouraged to endorse and implement the "Guidelines for Protecting schools and Universities from Military Use during Armed Conflict", and donors and humanitarians to implement measures to ensure children and youth have access to educational facilities and programmes free from exploitation, abuse, or other threats.

■ **Address education funding gaps:** Donors, governments, and humanitarian actors should prioritize high quality education responses that ensure meaningful learning, support and protection for children from the first phase of an emergency. While recognizing the importance of interventions such as shelter provision, food assistance, and medical care, any delay in the provision of education creates long-term impacts for students who are often not able to catch up with their peers. The availability of funding for education should be increased, and education supported holistically, as a school building has little value without teachers and materials.

■ **Aim higher with educational goals:** Humanitarian actors and donors should aim higher in their education goals. In many humanitarian contexts, primary education receives the majority of the focus, with secondary education being seen as an aspirational wish rather than a concrete possibility. Not only should humanitarians push for increased enrolment of girls in education programs, but they should also start encouraging secondary education options to

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[10] "Of the US$12.9bn requested by humanitarian appeals in 2013, only 3.19% was intended for use in the education sector, and the share of education in actual funds received was even lower at 1.95%. This is well below the target of 4% earmarked humanitarian funds for education that was called for by the UN Secretary-General's Education First Initiative in 2012 and signed up to by 20 stakeholders, including government, UN agencies, CSOs and the private sectors" (UN, 2012)

enable further learning. Support also needs to be placed on educational options for young adults who missed out on former years of schooling. Additional focus should be given to chronic or protracted crises, where education has an important role to play in the achievement of durable solutions.

KEY MESSAGE 4:
WE NEED TO PLACE PROTECTION AT THE CENTRE OF HUMANITARIAN ACTION

States have the primary responsibility to protect civilians. When they are unable or unwilling to do so, the humanitarian community can offer its services. Although international commitments have been made and systems created to strengthen the protection of civilians (including in situations of conflict, violence, civil unrest and natural disasters), the international community is still failing to prevent and foresee crises, and protect affected people. Sri Lanka, Syria and CAR are prominent examples. A more coherent and integrated approach is needed to achieve better protection outcomes.

- **Ensure and strengthen the Centrality of Protection in Humanitarian Action:** The humanitarian community should promote people-centred protection responses that support self-protection strategies (provided that this will not put people at risk) and prioritize needs as set out by affected communities. This approach should be enshrined in guidance, including in that directed towards humanitarian leadership at country level. NRC encourages the implementation of UN/inter-agency recommendations such as those included in the UN's Human Rights Up Front (HRUF) Action Plan. These recommendations should be disseminated widely to partners and donors, and coordination, implementation and accountability mechanisms should be put in place for taking them forward collectively. Priority should also go towards supporting the implementation of the recommendations from the Interagency Standing Committee's (IASC) independently commissioned "Whole of System Review of Protection in Humanitarian Action" including elevating protection within the agenda of humanitarian leadership; recognizing the potential value of institutionalizing the role of a senior protection officer with a holistic perspective across all clusters, agencies and the Humanitarian Country Team (HCT); and supporting NGO co-leadership in the protection cluster as a standard in the field. It also is essential, that protection actors broaden and invest further in partnerships with actors from the Global South.

- **Develop strategic and integrated approaches:** In addition to the protection strategies developed by protection clusters, HCTs should develop their own protection strategies that include a comprehensive contextual analysis and a plan for operational response as recommended in the December 2013 IASC Centrality of Protection statement and subsequent Operational Peer Reviews.

- **Strengthen quality of assessments:** Risk analysis must be conducted at the outset of a crisis to ensure that vulnerabilities are understood and identified, including those related to gender, age and diversity. Quality of collection, management and analysis of information needs to be strengthened to improve early warning, preparedness, response, recovery, and policy efforts.

- **Address protection funding gaps:** Priority during the first phase of an emergency is given to "life-saving services". Measures should be put in place that provide faster and more consistent funding for protection activities in the first phase of emergencies, including funding for prevention of and response to gender-based violence.

- **Address GBV, particularly sexual violence, throughout all stages of crises**: Violence against women and girls is a key obstacle to gender equality. Gender-based violence (GBV) is one of the most widespread but least recognised human rights abuses in the world, and is at the heart of women's and girls' marginalization. GBV, particularly in situations of

conflict, also affects men and boys, and male survivors are often relatively invisible. Survivors of GBV in crises face long-term physical and social problems and more investment and capacity is needed to improve prevention response efforts and rehabilitation and recovery.

- **Address government responsibility and accountability:** Efforts should be strengthened to advocate with governments, on their primary responsibility to protect their populations and implement their International Human Rights Law (IHRL) and International Humanitarian Law (IHL) obligations. A stronger dialogue is also needed between humanitarian and peacekeeping/building sectors to influence governments and intergovernmental organisations in order to improve systematic and lasting protection responses. .

KEY MESSAGE 5:
WE NEED TO STRENGTHEN PRINCIPLED HUMANITARIAN ACTION

The humanitarian principles of humanity, impartiality, neutrality and independence are the basis for humanitarian action. They have legal and moral underpinnings and are reflected in customs, traditions and religions. These principles are also grounded in IHL and reflected in a number of other legal and policy frameworks. The humanitarian principles are essential from an operational perspective in guiding decision-making based on the needs of the affected population, reducing risks of misuse of assistance and its diversion, and promoting acceptance of humanitarian actors and access to services. The principles have become all the more relevant in today's politicized complex environments.

- **De-politicize and separate humanitarian aid from other objectives:** As past and current experiences have shown, lines are sometimes blurred between humanitarian and other actions. The blurring of military and humanitarian roles tends to take place in higher-risk politicized environments and creates challenges for humanitarian actors to offer protection and assistance to affected persons whilst demonstrating their neutrality, independence and impartiality. The international community should seek to prevent or meaningfully reduce the politicization of humanitarian aid. Humanitarian actors need to continue to uphold principled pragmatic approaches, prioritising their ability to alleviate suffering and to deliver aid without discrimination and in proportion to need. States should adopt safeguards to separate humanitarian action as much as possible, from crisis management, stabilisation and counterinsurgency, and other strategies.

- **Strengthen a more consistent application of humanitarian principles:** Humanitarian actors should strive to more consistently apply humanitarian principles and professional standards. The humanitarian principles should be integrated into decision-making frameworks. Risk assessment frameworks (including on perceptions) should be reinforced, practical guidance and capacity strengthened, and collective dialogue and actions (e.g. Codes of Conduct) that support principled approached should reinforced at the country, regional and global levels. Dialogue should also be preserved with all parties to a conflict to ensure protection of rights and access to aid for affected populations.

- **Ensure that donor conditionalities do not impede principled humanitarian action**: Certain donor conditions can impede humanitarian actors' ability to act in a principled manner. Donor States are encouraged to review their donor policies and procedures to ensure there is enough flexibility to allow projects to be driven by need. This should include a regular re-assessment of time restraints, administrative procedures and prioritized sectors and geographic areas in consultation with implementing partners.

- **Better reconcile counter-terrorism measures and principled humanitarian action.** Certain counter-terrorism measures have also negatively impacted principled humanitarian action and the ability of humanitarian organizations to meet the needs of communities affected by terrorism or terrorist groups. Donors should ensure that their donor

conditions facilitate principled humanitarian action. Existing and future counter-terrorism measures should be compatible with IHL, IHRL, and humanitarian principles. States and inter-governmental bodies should also ensure that counter-terrorism measures do not undermine the valuable role played by principled national and local humanitarian actors, minimise the effects of policies that inhibit engagement with armed groups, and consider inclusion of clauses in laws and contracts that exempt humanitarian actors from meeting the specific requirements that impede principled action.