

*Part II: Improving Humanitarian Assistance
through the Implementation of Lessons Learned*

Chapter 3

Improving the Implementation of Lessons Learned: Gender and Local Capacity in EU and U.S. Humanitarian Assistance

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Many of the problems identified of humanitarian action have been identified year after year—in some cases for over 20 years—but have still not been addressed.¹

Recent literature on learning in humanitarian assistance and sector-wide evaluations suggest that the humanitarian community is better at identifying lessons than at putting them into practice.² This chapter therefore addresses the following question: What supports or hinders the implementation of identified lessons for improved humanitarian assistance? The analysis is about implementation, not creation, of lessons.

What hampers the implementation of lessons is a question that the humanitarian community has asked itself many times before. The analysis, however, rarely goes beyond finger pointing. While humanitarian agencies emphasize that they are constrained by donor policies, donors lament the quality of the work of humanitarian agencies.³

By contrast, this chapter does not so much ask about responsibilities, but rather seeks to identify the breaking points of implementation processes in order to identify good practices and to develop recommendations on how to bridge the breaking points and increase the likelihood of effective implementation of lessons. To this end, the chapter traces relevant implementation processes within the Office for Foreign Disaster Assistance (OFDA) and the European Commission Humanitarian Aid Department (DG ECHO), the two principal offices within the U.S. and the EU administrations responsible for humanitarian assistance.

The chapter has an explicit donor focus, but also considers the role of partner organizations, such as the World Food Program, Action Contre la Faim and CARE International.⁴

¹ John Telford, John Cosgrave, and Rachel Houghton, *Joint Evaluation of the International Response to the Indian Ocean Tsunami: Synthesis Report* (London: Tsunami Evaluation Coalition, 2006).

² Paul Clarke and Ben Ramalingam, “Organisational Change in the Humanitarian Sector,” in ALNAP, ed, *ALNAP Review of Humanitarian Action* (London: ODI, 2008), p. 21; ALNAP, “Learning by Field Level Workers,” in ALNAP, ed, *ALNAP Review of Humanitarian Action* (London: ODI, 2003) and Koenraad Van Brabant, *Organisational and Institutional Learning in the Humanitarian Sector. Opening the Dialogue. A Discussion Paper for ALNAP* (London: Overseas Development Institute, 1997).

³ These lines of arguments have come up during interviews with donor and NGO representatives done by the author in the context of this study. See also Clarke and Ramalingam, “Organisational Change in the Humanitarian Sector,” p. 32.

⁴ The author would like to thank the World Food Program, CARE International, and Action Contre la Faim France for opening up their organizations to the case study authors’ enquiries and becoming subject of this study.

This chapter takes a closer look at two specific lessons: the need to mainstream gender into humanitarian programming; and the imperative to include local capacities into international humanitarian response. These two lessons highlight how the humanitarian community struggles with the implementation of lessons. Both lessons are widely accepted within the humanitarian community as the way to advance, but progress in implementing related policies and practices has been relatively minor.⁵ At the same time there is also an important difference between those two lessons. While gender mainstreaming is about *how* humanitarian services are provided, the inclusion of local capacity would significantly alter *who* are the main providers of humanitarian assistance.

This chapter shows that despite the differences of gender and local capacity, there is a common finding: if a lesson is to be successfully put in practice, implementation has to take place at five different levels. These levels are policy-making; operational planning; interaction with implementing partners; training; and evaluation.

While the transatlantic partners have their breaking points for implementation at different levels, the analysis finds that both are particularly weak when it comes to policy development and training on gender and local capacity. Moreover, the analysis highlights that specific policies are necessary to ensure that the implementation of lessons is not subject to the judgment of individual staff. Yet, humanitarian actors, particularly at the operational level, all too often disapprove policy as inefficient or even at odds with the humanitarian principles. They equate precipitately policymaking with politics and are skeptical towards political thinking.

Therefore, the two donors should strengthen their respective policy functions, tap into existing know-how, and contribute to the development of new know-how and coherent approaches for gender and local capacity in humanitarian assistance. They should do so through mutual exchange and by building on existing international initiatives.

The first section briefly explains the methods used. Section two presents the two lessons that the study is focusing on as well as the different levels of implementation within the U.S. and the EU administrations. Sections three and four trace the implementation of the two lessons within the European Commission's Humanitarian Aid Office (ECHO) and the Office for Foreign Disaster Assistance (OFDA) respectively. The concluding section synthesizes the results of the analysis and develops recommendations for the transatlantic partners.

Methods

This chapter proceeds in two analytical steps, each based on a specific mix of methods. First, the chapter identifies relevant processes for implementing lessons within OFDA and DG ECHO both at headquarters and at the country level. The identification of relevant processes is based on interviews conducted in Brussels and Washington D.C.; document review; and working group discussions during the 1st Transatlantic Dialogue on Humanitarian Action.⁶

⁵ Ian Smilie, *Back from the Trees: Capacity Building, Humanitarian Action and the Wider Challenge*, World Conference of Humanitarian Studies (Groningen: 2009); Béatrice Pouligny, *Supporting Local Ownership in Humanitarian Action*, Humanitarian policy paper n°1 (Berlin, Washington D.C.: GPPi, CTR, 2009) and International Federation of Red Cross and Red Crescent Societies, *World Disasters Report 2007—Focus on Discrimination* (Geneva: IFRC, 2007).

⁶ http://www.disastergovernance.net/events/1st_transatlantic_dialogue_on_humanitarian_action (last accessed 07/04/2009).

Insights about the country level were gathered through four case studies. Each case study focuses on a partner organization financed by OFDA and DG ECHO. The case selection is based on two main criteria: the case study authors' country experience and access to a specific humanitarian organization operating in this country; and the coverage of a wide range of humanitarian situations and geographical areas. As a result, the case studies cover the World Food Program and gender in Nepal; Action Contre la Faim France and gender in Darfur; CARE International and local capacity in Nicaragua; and local capacity in the occupied Palestinian territories.⁷ The studies are based on telephone interviews with field staff, document and literature review and the authors' earlier experiences in the respective countries. The Nepal case study also draws on the results of a small field survey. The case studies are available in the following chapters.

Second, this chapter develops recommendations for the transatlantic donors and the wider humanitarian community on how to enhance the effectiveness of the implementation of lessons related to gender and local capacity. This step draws on the results of the analysis as well as on insights gained from working group discussions at the 2nd Transatlantic Dialogue on Humanitarian Action.⁸

The study has a number of methodological limits. First, due to financial constraints, the case studies could not be based on field research. Thus, information given by field staff could not be verified through direct observation. Second, given the relatively large scope of the study and the complex nature of implementation processes, this study only provides an empirically informed overview of possible factors that promote or hinder the implementation of lessons with respect to gender or local capacity. Therefore, the study cannot provide a basis for generalizations, nor for causal inference. Additionally, publicly available information about OFDA's internal decision-making processes is scarce and access to the U.S. Administration proved to be particularly difficult for the case study authors and the study group leader alike. Consequently, the analysis of DG ECHO has greater depth than the analysis of OFDA. Finally, there is only a limited scope for comparison between the European Commission and USAID because one is supra-governmental while the other is a national administration.

Gender and Local Capacity— Two Lessons for the Improvement of Humanitarian Assistance

The following section provides a very brief sketch of gender and local capacity in humanitarian action. The section also describes the most important levels for the implementation of lessons within the two administrations.

⁷ This case study could not focus on an individual partner organization, because all partner organizations that received funding from both donors were heavily involved in relief activities during and after the 2008 Gaza war and did therefore not have the time and capacity to be an object of intense study, see chapter 17 (Case Study on Palestine).

⁸ http://www.disastergovernance.net/events/2nd_transatlantic_dialogue_on_humanitarian_action (last accessed 08/04/2009).

⁹ R. Charli Carpenter, "Women and Children First: Gender, Norms, and Humanitarian Evacuation in the Balkans 1991–95," *International Organizations*, 57, no. 4 (2003).

Gender and Local Capacity in Humanitarian Assistance

The mass killings of civilians during the Balkan Wars in the 1990s were specifically targeted at young and adult men.⁹ In some parts of Sri Lanka and Indonesia about 80 percent of the casualties of the 2004 Indian Ocean Tsunami were women. Today, in Darfur and many other places, girls, boys and women are strongly affected by different forms of sexual violence.¹⁰

In hindsight, humanitarians must admit that male civilians in Bosnia would have been better protected, more women would have survived the Indian Ocean Tsunami and that many victims of sexual violence—whether female or male—could get effective treatment if agencies' preparedness and response mechanisms would have factored in the different needs and capabilities of women, girls, boys and men. It seems the humanitarian community must learn the hard way that mainstreaming gender into humanitarian assistance is a life-saving measure.

As a consequence of these failures, in 2006 the Inter-Agency Standing Committee (IASC) has established a Sub-working Group on "Gender and Humanitarian Action" in order to mainstream gender into the Cluster Approach and other areas of humanitarian reform.¹¹ Additionally, a number of humanitarian agencies, for example the World Food Program, the UN Office for the Coordination of Humanitarian Affairs and Oxfam International, developed policies on gender in humanitarian assistance. These and other efforts show that the humanitarian community has started to implement the lesson on gender in humanitarian assistance, albeit with a varying degree of success.

At first sight, the need to include local actors into international humanitarian assistance appears to be a lesson that the international humanitarian community has learned well—provided one trusts the rhetoric. The issue of "local capacity" is high on the communication agenda of many donors, and the body of literature dedicated to the issue is constantly growing.¹²

However, a closer look reveals a glaring gap between words and deeds.¹³ The current track record of the humanitarian community in including local capacity is so bad that some claim "things will never change."¹⁴ Others call for revolution, emphasizing that the international humanitarian community must "radically transform its operational culture."¹⁵

In brief, the humanitarian community has learned that local actors should be involved in international humanitarian assistance, but it is unclear what this means exactly and how to go about it. For example, it is undecided whether implementing the local capacity lesson means

¹⁰ Interview with IASC GenCap Advisor, March 2009.

¹¹ The Inter-Agency Standing Committee (IASC) is the main tool for inter-agency coordination of humanitarian assistance. The forum involves key UN and non-UN humanitarian agencies and works in close cooperation with the main humanitarian donors. For the Sub-Working Group on gender see: http://www.humanitarianinfo.org/iasc/pagelader.aspx?page=content-subsidi-tf_gender-default (last accessed 07/05/2009).

¹² Smilie, *Back from the Trees: Capacity Building, Humanitarian Action and the Wider Challenge*.

¹³ See for example Forced Migration Review, "Enhancing Southern Capacity: Rhetoric and Reality," *Forced Migration Review*, no. 28 (2007) or Telford, Cosgrave, and Houghton, *Joint Evaluation of the International Response to the Indian Ocean Tsunami: Synthesis Report*.

¹⁴ Smilie, *Back from the Trees: Capacity Building, Humanitarian Action and the Wider Challenge*, p. 12.

¹⁵ Pouligny, *Supporting Local Ownership in Humanitarian Action*, p. 21.

including survivors and unaffected local actors into the design and implementation of projects or whether it means building or strengthening these groups' capacity in the longer term. While the first approach focuses on the inclusion of existing response capacity, the second approach takes a developmental focus. Furthermore, there is no systematic and fact-based reflection of the different approaches in natural disasters and conflict settings. The case studies, however, highlight that there is clearly a difference. In Nicaragua, a natural disaster setting, the challenges to implementing local capacity were mainly of a conceptual and technical nature. In the occupied Palestinian territories, a protracted conflict, the challenging meaningfully engage with locals were mainly political and determined by the donors' policies towards one of the parties to the conflict.

Further, the inclusive approach confronts humanitarians mainly with the operational challenge of how to identify and include existing local capacity in a timely and efficient manner. The capacity-building approach, in turn, confronts humanitarians with conflicts related to their mandate, particularly if it is a narrow one, focusing on immediate lifesaving activities only. Both challenges, however, reflect inherent questions of identity, including the identity of the internationals as doers and the locals as recipients.

How little progress has been achieved is reflected by the lack of any international organization or mechanism—under the Inter-Agency Standing Committee or elsewhere—that addresses strategically the question of local inclusion. Rather, newly established mechanisms, for example the United Nation's Central Emergency Relief Fund, are criticized for systematically excluding local humanitarian organizations.¹⁶

Humanitarian donors are usually not at the forefront of humanitarian action. They are not the ones providing health services to women, girls, boys and men. They are not the ones interacting with local communities. Yet, through their policies, their interaction with humanitarian agencies and their funding decisions they shape humanitarian assistance. Therefore, if gender and local capacity—or any other lesson—are to be put into practice, they have to be integrated into donor agencies' activities.

Levels of Implementation in Donor Agencies

The following section describes how a lesson is generally put into practice within the EU and the American humanitarian donor agencies. Since both USAID and the European Commission's aid apparatus are large and complex institutions the following account is a simplified picture of the most important mechanisms involved in the implementation of the gender and local capacity lessons in those two administrations.¹⁷

The analysis of the institutional setup, mandates, and current policies of OFDA and DG ECHO showed that implementation processes can take place at five different levels:¹⁸

¹⁶ Action Aid International, *The Evolving UN Cluster Approach in the Aftermath of the Pakistan Earthquake: an NGO perspective* (Bangalore, London: Action Aid International, 2006).

¹⁷ For details, see Chapter Framework.

¹⁸ The account is a simplified description of reality and might evoke the concept of policy cycles. However, this description is based on inductive reasoning informed by conversations with policy-makers and experts within and outside of the EU and U.S. administrations. A similar model can be found in Clarke and Ramalingam, "Organisational Change in the Humani-

- A *policy* provides the normative and conceptual framework for an organization's decision-making and activities related to the lesson. Thus, the relevant process for the implementation of a lesson at this level is its transformation into a policy. For that purpose, a lesson lingering in the humanitarian universe has to make it onto the donor's policy-making agenda. That is, there have to be external and internal demands for policy development. Policies related to gender and local capacity need to clearly define the concepts, provide direction and address inherent tensions. For example, there are different concepts of gender in humanitarian action. The traditional approach tries to ensure that the different needs and capabilities of women, girls, boys and men are adequately considered in the design and implementation of humanitarian policies. The rights-based approach, in turn, aims at empowering women, providing them with access to their rights through humanitarian assistance. In order to guide implementation, a donor's gender policy has to spell out clearly which approach the organization takes, considering its mandate, organizational goals and related policies.
- *Operational planning* describes the level at which DG ECHO and OFDA develop their country and sectoral strategies, including resource allocation. Strategies are usually developed on a yearly basis and are influenced by policies and information from the field (e.g. needs assessments, evaluation results, etc.). Issues that are not included in the strategies might be addressed on an *ad hoc* basis, but related lessons are less likely to be implemented. Besides strategies, the development of guidelines is an important implementation tool at the operational planning level. Guidelines help to communicate strategies and related implementation measures to the donors' country offices.
- *Interaction with partner organizations*: Since DG ECHO and OFDA do not directly provide humanitarian services, the relationship with partner organizations is a further important level. Here, the donor agencies aim at communicating their policies, strategies and guidelines to the implementing partners. The relationship between donor and partner is governed by contracts, financial regulations, formal and informal communication, reporting, monitoring, etc. A well governed relationship is indispensable to coordinate donor approaches for implementation with those of the partner organizations.
- *Training*: Failure to implement lessons is not necessarily due to shortcomings at one of the previous three levels. Rather, humanitarian staff and staff within donor administrations might simply not know how to mainstream gender into humanitarian activities or lack the capacity and skills to meaningfully engage with local partners.¹⁹ Consequently, training has an important role to play in the implementation of lessons. Yet, training presupposes clear policies and/or operational strategies in order to contribute to implementation.
- *Evaluation* is important for quality control, for channeling information from the country to the headquarters level and for framing the relationship with the partner organi-

tarian Sector," pp. 9-11. However, Clarke and Ramalingam neglect the importance of financial units and units managing the relationship with partner organizations for the implementation of organizational change. These elements are explicitly included in the present model.

¹⁹ Interview with IASC GenCap Advisors, March 2009.

zation. At the level of evaluation, the administration tries to identify breaking points for the implementation of a lesson and systematically link policy-making and operational planning with the realities in the field. That is, evaluation is not a necessary step for the implementation of a lesson, but increases the likeliness of a systematic approach to implementation, covering the four above mentioned levels.

Implementation processes do not necessarily occur at one level after the other. Rather, these processes could be pictured as a four lane highway (levels one to four) with a garage (level five) on the way. The lesson may enter the highway at any of these four lanes then switch to another one. Whether the lesson travels the highway smoothly depends on many different factors: the nature of the car (the lesson), the current flow of traffic (the importance of the lesson relative to other lessons that are supposed to be implemented), the condition of the road surface of the entire highway or a particular lane (the capacity of the administration and the quality of standard procedures), etc.

The following two sections describe in more detail how the relevant processes on the five different levels are in principle organized and structured within OFDA and DG ECHO and how gender and local capacity travel the American and European highways of implementation. The sections summarize study results from research at the headquarters in Brussels and Washington D.C. as well as from the case studies focusing on the World Food Program in Nepal, Action Contre la Faim France in Darfur, CARE in Nicaragua and humanitarian assistance in the occupied Palestinian territories.

DG ECHO's Road Towards Gender Mainstreaming and the Inclusion of Local Capacity

Policy

At DG ECHO, “a topic has to be hot; you need to know how to promote a topic within the European Union”²⁰ if it is to make it onto the policy agenda. In other words, a lesson has to be advanced by a crucial internal or external actor. The relevant external actors are the European Parliament, the member states—either individually or represented by the Council of the European Union (Council)—and the implementing partners (NGOs, UN agencies, and Red Cross organizations). Internally, the Commissioner, the Director General and the Units DG/01 (policy affairs, relations with donors, evaluation) and DG/02 (operational support policies, disaster risk preparedness) influence the Office's policy.

Within the **European Parliament**, the Committee on Development is responsible for co-deciding, budgeting and supervising humanitarian policies. It has a right of scrutiny of all financing decisions. The Committee has a Standing Rapporteur for Humanitarian Aid.²¹ While individual Members of Parliament have shown strong interest in humanitarian issues in the

²⁰ Interview with representative of ECHO, September 2008.

²¹ The Standing Rapporteur is elected by the members of the Committee on Development for a two-year tenure, see http://www.europarl.europa.eu/comparl/deve/infokit/deve_fiches_en.pdf (last accessed 31/03/2009).

past, the Committee remains rather inactive in this policy area; and has not demanded the development of particular policies,²² particularly regarding gender and local capacity.

EU member states have direct influence on DG ECHO's decision-making through the Humanitarian Aid Committee and through the Council. The Humanitarian Aid Committee, the main mechanism for consulting member states on financing decisions, also provides a forum for policy discussion. Yet, the possibilities for debate are limited by the fact that the Commission cannot ask back to member states and that the committee is concerned mainly with operational questions, which might be related to the fact that many EU member states do not have elaborate humanitarian policies themselves.²³ The newly established Council Working Group on Humanitarian Aid and Food Aid is supposed to strengthen member states' humanitarian policy-making through open debate, knowledge sharing and coordination and to interact closely with DG ECHO.²⁴ While neither the Humanitarian Aid Committee nor the Council have brought up the issue of gender, some member states expressed dissatisfaction with DG ECHO's current approach towards gender in the process of defining the Consensus. They pressed to include a paragraph stressing the EU's commitment to recognize "the different needs, capacities and contributions of women, girls, boys and men" in humanitarian crises and to "highlight the importance of integrating gender considerations into humanitarian aid."²⁵

Regarding local capacity, member states have thus far not pressured DG ECHO to develop a policy promoting greater inclusion. Quite to the contrary, the Humanitarian Aid Regulation considers only NGOs based in the European Union to be eligible for Community financing.²⁶ This limits DG ECHO strongly in directly involving local capacity. On the other hand, the Action Plan for the European Consensus on Humanitarian Aid calls for first steps to better involve "disaster-affected populations in EU Humanitarian Aid programmes,"²⁷ implying that the topic is on the EU's agenda.

The **European NGO community** interacts on a regular basis with DG ECHO in many ways, including through their umbrella organization VOICE. Yet, debates concentrate more on contractual and funding issues or EU institutional policies rather than humanitarian doctrines. Policy input focuses on a few issue areas, including civil-military relations and disaster risk reduction and is reactive rather than proactive in nature.²⁸ Consequently, many other important policy debates, including gender and local capacity,²⁹ remain unaddressed. The humanitar-

²² An exception is the European Parliament's strong commitment to promote International Humanitarian Law, which is reflected in ECHO's Operational Strategy 2009.

²³ Interview with representative of ECHO, September 2008.

²⁴ The Council Working Group on Humanitarian Aid and Food Aid reports to the Permanent Representatives Committee (COREPER) of the Consilium, the policy-making mechanism below the ministerial level.

²⁵ European Commission, *European Consensus on Humanitarian Aid (2008/C 25/01)* (Brussels: European Commission, 2008), p. C 25/3.

²⁶ Article 7.1 (a), Council Regulation (EC) No 1257/96.

²⁷ COMMISSION OF THE EUROPEAN COMMUNITIES Brussels, 29.5.2008, SEC(2008)1991, COMMISSION STAFF WORKING PAPER European Consensus on Humanitarian Aid—Action Plan

²⁸ Cf. VOICE's reaction on the Instrument for Stability: Voluntary Organisations in Cooperation in Emergencies, *The strengthening of EU crisis capabilities. What impact on humanitarian aid?*, VOICE Briefing Papers (Brussels: VOICE, 2006).

²⁹ Some NGOs addressed the issue of local capacity at the 2007 Annual Meeting, but ECHO is not systematically lobbied regarding local capacity.

ian NGO community's relatively low policy development capacity might be related to the widely shared perception that advocacy would compromise the organizations' independence and neutrality.³⁰ This view has begun to change.

Despite the limited pressure to date for policy development from the European Parliament, the Council and implementing partners, ECHO representatives emphasize that "new topics usually come from the outside."³¹ Nonetheless, there are also internal mechanisms that may lead to the recognition of a specific lesson.

The **Commissioner**, responsible for development and humanitarian assistance, is said to be less interested in humanitarian than in development affairs. Consequently, a lot of informal decision-making power lies with the **Director-General**, the policy units (DG/01 and DG/02) and the operational units (Directorate A). This informal power is further strengthened through the so-called "empowerment" rule allowing the Commissioner to make financing decisions on behalf of the College of Commissioners and to delegate the adoption of certain financing decisions to the Director-General.

Policy development only became a major activity of the Office, when ECHO, formerly a purely operative agency, became a Directorate General in 2004. Therefore, compared to the numerous developments and challenges in humanitarian assistance over the past 10-15 years, DG ECHO has a considerable policy gap to bridge. This weakness is partly related to a prevailing belief particularly in the operational units that DG ECHO should be an independent and neutral humanitarian actor not involved in politics. However, senior management recently started to push policy development, realizing that, within a political institution such as the European Commission, the rule is "politics or perish." In other words, in order to gain "political space", DG ECHO has to become active in policy-making and resource allocation.³² Consequently, "[i]n the past few years, DG ECHO has started to develop a certain number of sectoral policies aimed at better defining the context of its interventions and to provide clearer guidance on financing."³³

Once a lesson has landed on the plate of DG ECHO policymakers, the issue is usually followed up with a thematic evaluation that takes stock of what has been done in relation to this topic both within the Commission and by other relevant actors. Based on the results of this assessment, the Policy Unit in cooperation with the Operational Unit and DG ECHO field experts turn the lesson into a policy. The policy can be considered prioritized once it finds its way into the annual operational strategy, either through a country strategy or a horizontal priority/sectoral policy.³⁴

³⁰ Voluntary Organisations in Cooperation in Emergencies, *The strengthening of EU crisis capabilities. What impact on humanitarian aid?*

³¹ Interview with representative of ECHO, September 2008.

³² Ibid.

³³ The areas covered by sectoral policies are thus far protection, children in crises, water and sanitation, health as well as cash interventions. According to ECHO's operational strategy the development of policies is done in close cooperation with other Commission Services (mainly DG Development and DG Relex) and in consultation with implementing partners. In addition, ECHO shares its policies with Member States in as agreed upon in the context of the Consensus on Humanitarian Aid (European Commission, *DG ECHO - Operational Strategy 2009*, vol. SEC(2008) 2899 (Brussels: European Commission, 2008).

³⁴ Interview with representative of ECHO, September 2008.

Since 2008, the steps in policymaking described above can be observed with respect to **gender**. Following member state pressure, and the desire to harmonize policies with other Commission services, DG ECHO started to develop a gender policy. As a first step, the office is currently reviewing gender issues and protection strategies to combat sexual- and gender-based violence.³⁵

However, the development is in very early stages and does not yet inform DG ECHO's activities. The current lack of a clear policy leaves staff unclear about the role of gender in DG ECHO's humanitarian assistance. At headquarters, staff believe that gender-sensitive humanitarianism would entail an empowering element and thus lies outside of the organization's mandate. This is reflected at the field level, where it is reported that DG ECHO country staff are not cooperating on gender, based on the argument that related activities are no lifesaving measures and thus outside of DG ECHO's mission.³⁶

These statements reflect that there is little knowledge within DG ECHO about the concept to design humanitarian services according to the different needs of women, girls, boys and men, without necessarily subscribing to an empowerment agenda. Accordingly, DG ECHO's doctrine of "lifesaving measures only" does not consider the impact of sex and age on the life expectancy of individuals affected by emergencies.

Limited by its mandate and facing little external pressure, DG ECHO lacks a formal policy document clarifying the office's position and approach towards the inclusion of **local capacities** into humanitarian response. Yet, in light of the European Consensus, DG ECHO has taken first steps to address local capacity involvement in the context of disaster preparedness and response. Thus far, however, policy decisions and the responsibility to find ways to engage with local actors remains with DG ECHO's partner organizations. While this is not a problem *per se*, it can create tensions with DG ECHO's mission and undermine the coherence and sustainability of its assistance. For example, CARE Nicaragua has adopted a rights-based approach to local capacity. That is, it focuses more on the ability of the population to claim their rights *vis-à-vis* the state and other authorities than on the involvement of locals in the design and implementation of humanitarian services. Such an approach is at odds with DG ECHO's doctrine of exclusively funding lifesaving activities for a maximum of 15 months. The rights-based approach is clearly a longer-term strategy. As a result, the approaches of DG ECHO and CARE in addressing local capacity in Nicaragua are not coherent, undermining the effectiveness of the intervention.

Operational Planning

At DG ECHO, the responsibility for operational planning mainly lies with Directorate A. On this level policies are transferred into financing decisions and guidelines, prescribing field-level decision-making and action at DG ECHO's 39 country offices.³⁷ DG ECHO's opera-

³⁵ Interview with ECHO representative, September 2008.

³⁶ Conversation of the author with representative of the GenCap Project, April 2009. The Humanitarian Aid Regulation (European Commission, *Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid* (Brussels: European Commission, 1996)) states in Article 2(a) "The principal objectives of the humanitarian aid operations [...] shall be: to save and preserve life during emergencies and their immediate aftermath [...]."

³⁷ Figure as of February 2009.

tional units have a strong standing within the Office and are said to be hesitant towards policy development. First of all, many operationals do not believe in the value of policies for better operations and second, they are defensive of the freedom they enjoy within the organization. The tension between policy and operational units within DG ECHO are a potentially important breaking point in the systematic implementation of lessons.³⁸

Funding is the most important transfer mechanism, since “the ultimate indicator for implementation is an appropriate financial plan backing the policy.”³⁹

DG ECHO financing decisions usually include consultation with other Commission departments, the Humanitarian Aid Committee and the European Parliament. The final decision is adopted by the College of the European Commission. In order to allow for rapid decision-making, the Humanitarian Aid Regulation also allows so-called ‘emergency financing decisions’ that exclude the Humanitarian Aid Committee and the Parliament.⁴⁰ Furthermore, the above described “empowerment” gives financing decision-making power to the Director-General.

DG ECHO’s annual Operational Strategy delineates the Commission’s geographical and horizontal funding priorities. Building on this annual strategy, financing decisions come in the form of global plans, funding schemes for individual countries (Primary Emergency and Emergency Financing Decisions), and thematic funding for horizontal priorities or sectoral policies (Ad hoc Financing Decisions).⁴¹ DG ECHO adopts financing decisions on a rolling basis. They are informed by headquarters policy, but are based on DG ECHO’s annual global needs assessment and the forgotten crisis assessment. Inputs for changes in strategy often come from the field.⁴²

With respect to gender, there are two important observations. First, the indicators for the global needs assessment are not based on sex- and age-disaggregated data and there is thus no specific assessment of the impact of the crises on different sex and age groups. Second, DG ECHO’s Operational Strategy 2008 neither considers gender as a horizontal priority nor gives details on how gender should be addressed practically. The Operational Strategy 2009, on the other hand, addresses gender as a sectoral policy but remains equally mute on operational questions.⁴³ The 2008 and 2009 funding decisions for Nepal and Darfur also fail to address gender issues explicitly.⁴⁴

³⁸ Group discussion with ECHO representatives, June 2008.

³⁹ Interview with representative of ECHO, September 2008.

⁴⁰ This exclusion is only possible for emergency financing decisions which are up to and including EUR 10,000,000 and non-emergency decisions up to and including EUR 2,000,000.

⁴¹ “The type of financing decision to be used in a particular situation is determined by the following criteria: degree of urgency of the humanitarian response, nature of the humanitarian crisis, amount of financing Decision and duration of the humanitarian Action to be implemented under the financing Decision.” ECHO, *Fact Sheet A.1 Types of Financing Decisions and Related Procedures. Applicable to NGO’s, International Organisations, UN, Specialised Agencies of Member States, Version December 2008* (Brussels: ECHO, 2008), p. 2.

⁴² Interview with ECHO representative, September 2008.

⁴³ Cf. European Commission, *DG ECHO - Operational Strategy 2008*, vol. SEC(2007) 1664 (Brussels: European Commission, 2007) and European Commission, *DG ECHO - Operational Strategy 2009*.

⁴⁴ Commission of the European Communities, *Commission Decision of 30-V-2008 on the Financing of a Global Plan for Humanitarian Operations from the Budget of the European Communities in Nepal* (Brussels: European Commission, 2008) and Commission of the European Communities, *Commission Decision of on the Approval and Financing of a Global Plan for Humanitarian Actions from the Budget of the European Communities in Sudan (ECHO/SDN/BUD/2009/01000)* (Brussels: European Commission, 2008).

For Nepal, DG ECHO's activities related to gender focus on health, water and sanitation and protection.⁴⁵ Gender has not been a central issue for DG ECHO to fund the World Food Program's projects in Nepal.⁴⁶ Similarly, funding for Action Contre la Faim France in Darfur is purely sectoral and gender issues are not particularly relevant for funding decisions about individual projects.⁴⁷

Disaster risk reduction and efforts to link relief with rehabilitation and development (LRRD)⁴⁸ are two of DG ECHO's activities where engagement with locals occurs. In its disaster preparedness program (DIPECHO), DG ECHO works with local staff, has a 'community-based approach' and aims to build the preparedness capacities of communities at risk.⁴⁹ That is, DIPECHO intervenes at the community and regional levels, but not at the national level. Additionally, the concentration on transitional and preparedness settings implies that DG ECHO's strategy towards local actors follows the notion of building/strengthening local capacity as opposed to integrating existing local capacities and resources into response activities.

Guidelines are a further means for transfer. However, DG ECHO staff emphasize that guidelines are non-binding and usually broad enough for country experts "to do what they want."⁵⁰ Furthermore, DG ECHO's Technical Issue Papers, produced by policy staff, operational staff and partners together, aim at informing headquarter generalists about technical details of a specific sectoral issue.⁵¹ Since every lesson learned has a conceptual side that has to be addressed by policy and an operational side that has to be addressed by technical guidelines, the Technical Issue Papers are a useful means to back policies with technical guidance.

Currently, there are no guidelines and no Technical Issue Papers that inform DG ECHO desk officers on how to mainstream gender into humanitarian programming or how to integrate local capacity.

Interaction with Partner Organizations

Since DG ECHO implements projects through its partner organizations, policies and strategies must also be communicated to the respective partner organizations. Contractual frameworks, the annual Partners Conference, round tables, and DG ECHO's country representation are the main conduits to interact with implementing partners.

The Framework Partnership Agreement and the Single Form govern the **contractual relationships** between DG ECHO and its NGO partners by defining their respective roles and responsibilities. The Agreement primarily regulates financial issues, including financial reporting requirements, but it also determines to a certain degree how humanitarian aid should be

⁴⁵ Commission of the European Communities, *Commission Decision of 30-V-2008 on the Financing of a Global Plan for Humanitarian Operations from the Budget of the European Communities in Nepal*, p. 3.

⁴⁶ See Chapter 4, Case Study Nepal.

⁴⁷ Cf. Chapter 5, Case Study Darfur.

⁴⁸ To learn more about linking relief with rehabilitation and development please see Chapters 8-12.

⁴⁹ Interview with ECHO Representative, September 2008.

⁵⁰ Ibid.

⁵¹ Ibid.

given. The Single Form provides general information about the applicant organization, the action it plans to carry out (including expected results), the needs assessment on the basis of which the action is planned as well as the organization's overall strategy. The Financial and Administrative Framework Agreement is the equivalent to the Partnership Agreement governing the relationship with United Nations Agencies.

Although the Framework Partnership Agreement entails minimum standards that give priority "to the analysis of the beneficiaries' situation [...], including assessments of the different needs, capacities, and roles that might exist for men and women within the given situation and cultural context,"⁵² the case studies found that the lack of a gender policy at headquarters is "fully felt at the field level."⁵³

Based on the Humanitarian Aid Regulation, DG ECHO believes that its partner organizations are better suited to interact directly with local partners from civil society or communities.

As a result, the Single Form and the Framework Partnership Agreement regulate the relationship between implementing partners and local actors. The Agreement explicitly demands that organizations "shall [...] base humanitarian action on local capacities."⁵⁴ While this implies that partners should include local capacity, the agreement is silent on how to design complementary humanitarian assistance.

At the annual **Partners Conference**, DG ECHO presents its annual strategy to the partners and jointly discusses technical and policy questions. Neither gender nor the inclusion of local capacities have been addressed systematically at the Partner Conferences in past years. Yet, **round table** discussions with partner organizations, organized at irregular intervals, are focused on policy. In January 2009, for example, DG ECHO organized a round table on local capacity, in order to exchange information, perspectives and possible practices with partner organizations.

DG ECHO's **country offices** maintain the relationship with the implementing partner at the country level, monitoring the implementation of projects and involving partners through workshops and other discussion fora. Partners' reports are the main tool for monitoring implementation. Additionally, regular field visits by geographical desk officers and DG ECHO management help to follow up on country level implementation.⁵⁵

Since there are no tools and guidelines how to monitor and evaluate whether gender has been successfully addressed in the partners' projects, it depends on the knowledge, skills and awareness of the individual country and desk officers whether communication with partners, field visits and reports can be used effectively to follow up on gender issues.

For example, the World Food Program Nepal closely interacts with the DG ECHO Country Office. However, the latter has no particular structures for addressing gender issues. While

⁵² ECHO, *Framework Partnership Agreement with Humanitarian Organizations FPA—27/11/2—27/11/2007* (Brussels: European Commission, 2007).

⁵³ Cited in Chapter 5, Darfur Case Study.

⁵⁴ ECHO, *Framework Partnership Agreement with Humanitarian Organizations FPA—27/11/2007*, p. 11.

⁵⁵ ECHO, *DG for Humanitarian Aid - ECHO Financial Report 2007* (Brussels: European Commission, 2007).

DG ECHO's country experts check for gender mainstreaming in World Food Program's project proposals and reports and discuss it during field visits, they do not monitor and evaluate systematically the partner's performance in implementing gender sensitive projects. Likewise, DG ECHO's permanent office in Darfur is the main point of interaction with Action Contre la Faim France. It reports that gender is not seen as a priority for DG ECHO but rather "a paragraph in proposals."⁵⁶

DG ECHO's weak guidance from both headquarters and the country offices suggests that the implementation of gender lessons depend entirely on the partner organizations' approach to gender in humanitarian assistance. However, the degree to which they address gender varies greatly. While the World Food Program has an explicit gender policy which is regularly updated, Action Contre la Faim France lacks an institutional position on gender.⁵⁷

The World Food Program has adopted a twin track approach in its gender policy, i.e. the organization aims at mainstreaming gender into policies and programs as well as to empowering women and girls. This policy is applied systematically at the country level, although shortcomings in implementation can still be observed. The World Food Program's approach is at odds with DG ECHO's "lifesaving only" doctrine.⁵⁸ In the case of Action Contre la Faim France, where a systematic gender policy is altogether absent, the extent to which gender lessons are implemented depends on the skills and preferences of individual staff.

DG ECHO's relative silence on the inclusion of local capacity is mirrored at the country level. In the occupied Palestinian territories, for example, DG ECHO staff have no explicit approach towards supporting local actors. That is, partners are formally free to work with local actors as determined by the Single Form. At the same time, however, all institutions that receive Commission funding have to limit their contacts with Hamas, which makes it practically impossible to work with local actors in Gaza. This implicit guidance of DG ECHO and its sometimes ambiguous practices confuse partner organizations. CARE Nicaragua, for example, stated that it remains unclear whether "local" refers to the level of intervention, the actors they should engage with or the scope of their interventions. In the case of the occupied Palestinian territories, DG ECHO's ambiguity leaves implementing partners to decide whether to adhere to the donor's rule to avoid any interaction with Hamas or to work with local actors.

Training

Training is also important to implementation, provided there are policies, strategies and best practices on which staff could be trained. Generally, DG ECHO provides a number of training opportunities for both its staff and implementing partners. For example, the Operational Strategy 2009 plans for specific staff training programs on sectoral policies.⁵⁹ Furthermore, DG

⁵⁶ Cited in Darfur Case Study, Chapter 8.

⁵⁷ Action Contre la Faim International had a gender policy since 2004, which is, however, not well known in Action Contre la Faim France.

⁵⁸ The twin track approach is also adopted as UN-system wide policy, see United Nations Chief Executives Board for Coordination, *United Nations System-Wide Policy on Gender Equality and the Empowerment of Women: Focusing on Results and Impact* (New York: United Nations, 2006).

⁵⁹ European Commission, *DG ECHO - Operational Strategy 2009*, p. 21.

ECHO holds annual workshops for all country experts in order to synchronize country activities with headquarter policies and to adjust policy development to “field realities.”⁶⁰

Triggered by the European Consensus on Humanitarian Aid, DG ECHO is intensifying its efforts to build the capacity of the humanitarian system in general and its partner organizations in particular. However, the investment in capacity building thus far is largely financial and not linked systematically to the better implementation of lessons.⁶¹ For example, DG ECHO has not trained staff with respect to gender and local capacity in humanitarian assistance.

Evaluation

On the evaluation level, donors can follow up on the implementation of lessons, identify possible bottlenecks and develop strategies for improvement. Over the course of the past years DG ECHO has developed a strong evaluation capacity. The evaluation unit commissions up to 12 external evaluations per year, covering operations, partnerships and sectoral policies.⁶² While evaluations have always been part of the project cycle, appreciation of their value-added developed only recently. Evaluation results are now shared systematically with senior management and implementing partners. The evaluation unit is currently developing a follow-up tool in order to increase the use of evaluation results.⁶³ DG ECHO’s evaluation approach focuses exclusively on learning from its own mistakes and does not incorporate lessons from the larger humanitarian community into the implementation process.

The DG ECHO evaluation office asks external evaluators to address cross-cutting issues, including gender, in all evaluations. However, a sampling of evaluation reports shows that gender questions are not assessed systematically. A good example for this shortcoming is the 2006 evaluation of DG ECHO’s operations in Darfur. The evaluators address gender generically and randomly, without giving any indicators for their judgments. Additionally, they focus exclusively on interventions related to gender-based violence, leaving out the question of gender mainstreaming.⁶⁴ The apparent lack of gender knowledge of the evaluators prevents the creation of specific gender lessons within DG ECHO. The lack of learning possibilities at the headquarters adds to the weakness of monitoring and evaluation by DG ECHO Country Offices.

Evaluations commissioned by Action Contre la Faim France about their activities in the field addressed gender more systematically. The results were sometimes quite critical but there are no formal mechanisms within Action Contre la Faim France to follow up on evaluation results. That is, while the identification of lessons might work, their implementation remains unlikely.

⁶⁰ Interview with ECHO representative, September 2008.

⁶¹ Marie Spaak and Michael Atkinson, *Evaluation of Thematic Funding (and the Grant Facility Approach) for the European Commission Directorate General for Humanitarian Aid (DG ECHO)* (Brussels: European Commission, 2008).

⁶² European Commission, *Annex to the Report from the Commission: DG ECHO Annual Report 2007*, vol. SEC(2008) 2236 (Brussels: European Commission, 2008).

⁶³ Interview with ECHO representative, September 2008.

⁶⁴ Claude de Ville de Goyet, Lezlie Morinière, and Frédéric Deparis, *Evaluation of DG ECHO Financed Operations relating to the Darfur Crisis* (Brussels: European Commission, 2007), p. 6 and 35.

The World Food Program, as a much bigger agency, has a monitoring and evaluation system which includes mechanisms to evaluate gender mainstreaming. With respect to gender, DG ECHO relies almost exclusively on the results of World Food Program's assessments. At the same time, the Office does not follow up on gender-related evaluation results, nor does it systematically link performance with funding.

DG ECHO has no systematic approach to evaluating the inclusion of local capacity by their implementing partners. The only shining light in terms of evaluation and local capacity is the European Consensus on Humanitarian Aid, which made field visits and beneficiary interviews mandatory elements of each evaluation.⁶⁵

Levers and Obstacles

With respect to gender and local capacity, the following promoting and hindering factors for implementation could be observed:

- *DG ECHO has a strengthened institutional setup.* The policy level seems particularly important for the implementation of lessons, since formal policies bind staff and help to clarify concepts and their relation to DG ECHO's mandate. The formal and informal decision-making power of the Director General, the increased policy function within DG ECHO and the establishment of the Council Working Group on Humanitarian Aid and Food Aid strengthen the EU's policy-making with respect to humanitarian assistance. Furthermore, policy-making at DG ECHO is informed by evaluations and feedback from the field, which increases the quality and relevance of policies.
- *DG ECHO has a lack of policy and operational guidance.* Despite these positive findings, activity at the policy level is too low to ensure the implementation of gender and local capacity. The lack of specific policies is an important obstacle to implementation.

Thus, DG ECHO's current attempt to develop a gender policy is a step towards an efficient implementation of the gender lessons, particularly if the policy will embrace the notion that programming of all humanitarian action should recognize the different needs and capabilities of women, girls, boys and men. The nascent policy might also clarify the lifesaving dimensions of gender and how it relates to DG ECHO's mandate. The analysis at the policy level also shows the importance of external actors, in this case individual member states. DG ECHO has also taken some first small steps with respect to local capacity. Yet, there is no clear decision whether the office will continue to walk this path. As to now, there is no legal basis for the direct engagement of local organizations.

The 2009 Operational Strategy includes gender as a sectoral policy, while remaining silent on local capacity. Additionally, DG ECHO guidelines do not detail how to implement gender or local capacity in humanitarian action. Both topics are also not backed by financing decisions and can thus be considered as not sufficiently implemented at the operational level. Furthermore, DG ECHO's global needs assessment is

⁶⁵ Interview with representative of ECHO, September 2008.

not based on sex and age-disaggregated data, making all following decision-making gender blind.

The lack of policy and operational guidance is fully felt at the country level, where the implementation of the gender and local capacity lessons depends on the skills and preferences of country staff and the policies and practices of the implementing partners.

- *DG ECHO risks incoherence.* ECHO's contractual frameworks with partner organizations are too weak to provide guidance for the implementation of gender and local capacity by the implementing partner. Furthermore, neither own staff nor partners are trained with respect to the two lessons. As a result, the lessons are either not implemented at all or only according to the partners' way. This might lead to difficulties if partner's strategies are not in line with DG ECHO's mandate or of low quality. In other words, DG ECHO's current failure to meaningfully implement the gender and local capacity lesson bears the potential to undermine the coherence of its activities.

OFDA's Road Towards Gender Mainstreaming and the Inclusion of Local Capacity

Policy

Looking to the other side of the Atlantic, how are the gender and local capacity lessons implemented on the policy level? In the U.S., as in the European Union, a precondition for the implementation of a lesson at the policy level is that the lesson makes it onto the main humanitarian agency's agenda. The main agency for humanitarian assistance is OFDA/USAID, which is influenced by external and internal actors. However, under the Bush Administration, a shift of responsibilities from USAID to the State Department took place and left OFDA with weakened policymaking power.⁶⁶

Congress is the most important external actor framing OFDA's agenda. The Committees on Foreign Relations (Senate) and on International Relations (House) are responsible for establishing policies and overseeing foreign aid programs.⁶⁷ While Congress can become very active in individual humanitarian issue areas,⁶⁸ it generally does not establish detailed policies. Rather, Congress determines the overall normative framework for humanitarian assistance, clearly placing it within U.S. foreign policy. With respect to gender and local capacity in humanitarian assistance, Congress has never become active and does not pressure the Executive to address these topics.

U.S. humanitarian NGOs, represented by their umbrella organization InterAction, also influence OFDA's agenda. They provide input either directly through engagement with the Office or indirectly through testimony at Congress hearings. Additionally, OFDA regularly

⁶⁶ For more details on the institutional restructuring of USAID, see Chapter 1, for the shared responsibilities with the Food For Peace, see Chapter 8.

⁶⁷ Andrew A. Bealinger, ed., *Foreign Aid: Control, Corrupt, Contain?* (New York: Nova Science Publishers, 2006), p. 35.

⁶⁸ The most prominent example is probably food aid.

consults NGOs to inform its strategy development. While InterAction advocates for gender strongly, it did not become active with respect to local capacity.⁶⁹

Within the executive branch, the **Secretary of State** and the Office of the Director of Foreign Assistance (F-Bureau) influence the Office's agenda. The Secretary of State determines direction and priorities through five year Strategic Plans and the F-Bureau is mandated to "provide leadership, coordination and strategic direction" and to ensure the alignment "of resources with policy priorities."⁷⁰ In practice, however, the F-Bureau provides only limited policy guidance for OFDA due to unclear responsibilities and lines of reporting. Further, the USAID Policy Framework for Bilateral Foreign Aid provides policy guidance concerning strategic budgeting, strategies and programs in humanitarian assistance. Additionally, the Automated Directives System (ADS) consolidates all relevant policies and regulations for USAID. ADS 251 covers international disasters assistance and details policy, principles and procedures for OFDA's disaster response.⁷¹

With the exception of gender-based violence, neither the ADS 251 nor the Strategic Plan 2007–2012 explicitly address gender or local capacity in humanitarian assistance.⁷²

ADS 251 also provides **OFDA** with an instrument to specify policies and procedures through an annually issued "Guidance Cable." Essentially, this "Guidance Cable" is the only formal mechanism for OFDA-internal policy-making. Lacking a specific policy unit and policy-making power, OFDA relies on informal mechanisms for policy development. The Office enjoys relative institutional independence and the main internal agenda-setting power therefore lies with its Director. If necessary, policy development is coordinated with other offices responsible for humanitarian assistance, e.g. the Office of Food for Peace.

OFDA has no stand-alone policies with respect to gender and local capacity. Its approach is instead to address gender at the levels of operational planning, interaction with partners, and trainings. With respect to local capacity, OFDA focuses strongly on capacity building, considering it an important guiding principle for its activities: "Across the globe, regardless of the

⁶⁹ See for example U.S. Committee on Foreign Relations, "Hearing: International Disaster Assistance: Policy Options," available at <http://foreign.senate.gov/hearings/2008/hr080617p.html> (last accessed 07/04/2009) and OFDA, "Message from the Director: OFDA Response to the Global Food Crisis," available at http://www.usaid.gov/our_work/humanitarian_assistance/disaster_assistance/publications/global.html (last accessed 07/04/2009). Information about InterAction's activities can be found at www.interaction.org (last accessed 08/04/2009).

⁷⁰ www.state.gov/f/ (last accessed 07/04/2009).

⁷¹ The Strategic Plan 2007–2012, for example, gives priority to humanitarian policies related to protection, prevention and mitigation of natural disasters and migration management. Department of State/USAID, *Strategic Plan for Fiscal Years 2007–2012* (2007); Francisco Zamora, "Who's on First?," *Foreign Service Journal*, December 2007 (2007); USAID, *Policy Framework for Bilateral Aid: Implementing Transformational Diplomacy through Development* (Washington D.C.: 2006) (The Framework details USAID's policies on the five goals of the agency: promoting transformational development, strengthening fragile states, supporting strategic states, providing humanitarian relief and addressing global issues.); USAID, *Automated Directives Systems, ADS 251 - International Disaster Assistance*, ed. USAID While OFDA is also bound by all other directives, the agency can use the "notwithstanding clause" to deviate from policies conflicting with OFDA's mandate. This clause means that "no statutory or regulatory requirements shall restrict [OFDA's] ability to respond to the needs of disaster victims in a timely fashion", *OFDA Annual Report FY 1995*, p. 9, cited in Richard Stuart Olson, *The Office of U.S. Foreign Disaster Assistance (OFDA) of the United States Agency for International Development (USAID): A Critical Juncture Analysis, 1964–2003* (2005).

⁷² The Strategic Plan 2007–2012 states that USAID will "support programs that deter violence against women and address its consequences for survivors". Department of State/USAID, *Strategic Plan for Fiscal Years 2007–2012*, p. 31.

sector, OFDA programs deliver lifesaving assistance while building local capacity.”⁷³ This strategy, however, is not informed by a clear definition of objectives and means to engage with locals. Instead, the Office takes a pragmatic approach operating “through indigenous NGOs when appropriate.”⁷⁴

Operational Planning

Given the weakness of implementation processes at the policy level, operational planning becomes crucial for the implementation of lessons learned. Important tools for operational planning are the development of operational plans, country strategies, including the appropriation of resources, and the Field Operations Guide.⁷⁵ Operational plans are transferred into country-level activities through a complex institutional structure. This structure includes several divisions with shifting responsibilities depending on the scale and nature of the disaster.⁷⁶

The amount of publicly available information about operational planning is limited. However, it seems that the **Field Operations Guide** is a crucial instrument for operational planning. The guide, a “reference tool for [staff] to undertake initial assessments”⁷⁷ at the disaster site, builds on OFDA’s internal experiences, the Sphere Standards as well as information and knowledge of other U.S. Government departments and UN agencies.⁷⁸

Gender is systematically included into the Field Operations Guide. For example, it includes sector-specific checklists and indicators for a gender analysis. Interestingly, the Guide implicitly pursues a two track approach, addressing the need for gender analysis as a basis for project planning and advocating for participation of women in planning and implementation phases.⁷⁹ This is an important policy choice.

With respect to local capacity, the Guide asks the Disaster Assistance Response Teams, responsible for the implementation of country strategies, to integrate an assessment of local participation and response capacities into their situation analyses.⁸⁰ The case study on Nicaragua found, however, that in practice staffs lack contextual knowledge and understanding of local power structures, which hinders them to effectively recognize local capacities.

OFDA has a headquarter-based **Technical Assistance Group**, which provides scientific and technical assistance to the office. The group plays an important role in updating and

⁷³ USAID, *Annual Report for Fiscal Year 2007 Office of U.S. Foreign Disaster Assistance* (Washington D.C.: USAID, 2008), p. 18.

⁷⁴ USAID, *Automated Directives Systems, ADS 251 - International Disaster Assistance*.

⁷⁵ OFDA’s country strategies are formally linked to USAID’s larger country strategies through the Country Strategic Plans. However, the plans address humanitarian assistance only marginally. Funding appropriation is determined by Congress and the F-Bureau, but is followed by an OFDA-internal process of resource allocation. Due to a lack of information a more detailed analysis of resource allocation and the development of operational plans is not possible.

⁷⁶ USAID, *Annual Report for Fiscal Year 2000 Office of U.S. Foreign Disaster Assistance* (Washington D.C.: USAID, 2001).

⁷⁷ USAID/OFDA, *Field Operations Guide for Disaster Assessment and Response 4.0* (Washington: USAID, 2005).

⁷⁸ OECD, *DAC Peer-Review United States* (Paris: OECD, 2006), pp. 88.

⁷⁹ USAID/OFDA, *Field Operations Guide for Disaster Assessment and Response 4.0*, pp. II-19 and 26, see Chapter 4 Nepal Case Study.

⁸⁰ *Ibid.*, p. 9.

developing the Field Operations Guide based on information provided by country staff and implementing partners.⁸¹

The Technical Assistance Group has a dedicated gender expert, who is supposed to ensure and follow up on the effective integration of gender dimensions into all OFDA preparedness, mitigation, and response activities across all sectors considering the “different capacities, needs and vulnerabilities of women, men, adolescents and children.”⁸² The expert also consults with the humanitarian community, e.g. InterAction, the Inter-Agency Standing Committee and other partners promoting gender in humanitarian assistance. This close cooperation facilitates the inclusion of gender lessons into OFDA’s operations. There is no equivalent post to address the inclusion of local capacity.

In OFDA, as in DG ECHO, **resource allocation** is an important indicator for the implementation of a lesson. However, since OFDA pursues a mainstreaming approach with respect to gender, tracking of financial resources dedicated to gender is impossible.⁸³ Regarding local capacity, OFDA can and does channel money directly to local NGOs (approximately 18% of all funds).⁸⁴ However, as the case study on Nicaragua shows, local NGOs are usually supported only with small grants.

Interaction with Partners

OFDA has three main mechanisms to interact with its partners: funding strategies, guidelines and reporting requirements.

The Disaster Assistance Response Teams set up the **funding agreements** with partner organizations at the country level and are also authorized to make funding decisions.⁸⁵ Country-specific “Funding Guidelines” inform partner organizations about OFDA’s sector-specific funding priorities, while the “Guidelines for Unsolicited Proposals and Reporting” detail funding criteria that are not sector-specific.

The **guidelines** for proposals also specify how projects should be planned and implemented and detail reporting and evaluation obligations. Several offices in OFDA’s Disaster Response and Mitigation Unit, including the Technical Assistance Group, cooperate to update these guidelines on a rolling basis. The updates address latest developments in humanitarian assistance and feedback from the field. OFDA also involves InterAction member organizations in updating the document.

Based on the funding agreements, partners have to provide regular **project reports**. Desk officers at the country and headquarter levels review the reports in order to follow up on the implementation of policies. However, according to OFDA staff, there is only limited capacity

⁸¹ Interview with OFDA representative, March 2009.

⁸² Ibid.

⁸³ OECD, *DAC Peer-Review United States*.

⁸⁴ Joanna Macrae, ed., *The New Humanitarianisms: A Review of Trends in Global Humanitarian Action* (London: ODI, 2002), p. 45.

⁸⁵ Disaster Assistance Response Teams can spend up to \$100,000 dollars without headquarter approval and more in coordination with Washington. OECD, *DAC Peer-Review United States*, p. 87.

for Washington-based units to review all reports. Thus, systematic follow-up on implementation is unlikely. Members of the Technical Assistance Group also follow up on the implementation of policies during occasional field visits and discussions with implementing partners on the ground. In other words, follow-up on specific policies depends a lot on individual staff members.⁸⁶

Coherent **gender** analysis in project proposals is a funding criterion for OFDA. Furthermore, it asks partner organizations to integrate a gender dimension into their needs assessment strategy and the performance indicators they use for reporting. OFDA also requests that all data collected is disaggregated by sex and age.⁸⁷

A gender dimension is also included in the sector-specific funding guidelines, the guidelines for proposals, contracts and partner reporting schemes.⁸⁸ The case study on Darfur shows that gender was mainstreamed into the “Funding Guidance” for the nutrition sector, specifying the different operational priorities with respect to the roles and responsibilities of women and men in nutrition and nutrition education.⁸⁹ However, the case of Nepal highlighted that an equivalent strategy is impossible in the food sector, since this sector falls under the responsibilities of the Office of Food for Peace.⁹⁰

Country officers responsible for reviewing requests and reports have to check whether the partner organizations meet OFDA’s demands for gender mainstreaming. Such a practice requires personnel committed to and skilled in gender mainstreaming. The case study on Darfur shows that Action Contre la Faim France indeed received a number of comments from OFDA officers regarding the agency’s insufficient gender strategy. Reports from field visits provided further input. Yet, since none of the organization’s OFDA-financed projects has been evaluated, there is no systematic follow-up on those comments and inputs. The transfer of the gender lesson from OFDA to Action Contre la Faim France was further complicated by OFDA’s decision to withdraw its field presence in Darfur due to security reasons. Consequently, the lack of follow-up mechanisms could no longer be balanced by direct interaction.⁹¹

As mentioned above, OFDA directly engages with **local** civil society **organizations** and national governments.⁹² Yet, this engagement depends a lot on the crisis context. In the occupied Palestinian territories, for example, OFDA does not work with local authorities, especially in Gaza, since they are dominated by Hamas. Moreover, it also prevents its international partners from doing so. By contrast, in Nicaragua, OFDA shifted its strategy from funding indigenous NGOs to directly working with the government.

⁸⁶ Interview with OFDA representative, March 2009.

⁸⁷ Interview with OFDA representative, March 2009.

⁸⁸ USAID/OFDA, *Guidelines for Unsolicited Proposals and Reporting* (Washington, D.C.: USAID/OFDA, 2008).

⁸⁹ See Chapter 5 (Case Study Darfur).

⁹⁰ See Chapter 8. Since U.S. Food Aid is mainly in-kind, OFDA’s approach of mainstreaming is of limited value for their colleagues at Food For Peace. For details, see Chapter 4 (case study Nepal).

⁹¹ Ibid.

⁹² See Chapter 5 (Case Study Nicaragua).

Generally, OFDA encourages its international partners to work through local organizations.⁹³ It also asks its partners to assess existing local skills and capacities and develop a strategy in their proposals how these could be used for response activities.⁹⁴

If OFDA engages directly with a local organization, it thoroughly assesses the potential partner before funding it. The Office gathers information about the organization through its Country Offices and international NGOs.⁹⁵ In Nicaragua, OFDA funded—in the context of a larger initiative in Central America—a three year project to build local capacities in disaster response. CARE considers the initiative a stepping stone for the establishment of local NGOs. Some of those NGOs have now become OFDA partners. Additionally, the example of Nicaragua shows that less bureaucratic and more flexible funding arrangements facilitate the direct engagement with local actors.

Training

OFDA conducts training for both its staff and partner organizations. New policies are included into the training curricula. However, training is usually carried out only once, i.e. without any possibility for refreshment.⁹⁶ Additionally, the impact of training is limited due to high staff turnover. While high staff turnover is a common phenomenon in humanitarian assistance, it seems to be particularly severe within OFDA, because there are limited career opportunities within the Office and most staff is employed on temporary contracts.⁹⁷

The gender expert trains OFDA staff and partner organizations on gender equality programming in humanitarian assistance. Given the limited sustainability of trainings, the implementation of gender lessons remains dependent on individual commitment as demonstrated vividly by the Darfur case study. On the other hand, OFDA lacks structures to increase the possibility to consistently include local capacity through training.

Evaluation

OFDA has a comprehensive understanding of evaluations with a focus on outcomes and impact⁹⁸, but it lacks the relevant institutions and staff capacity to put its evaluation policy into practice.⁹⁹ A systematic assessment of OFDA activities is therefore limited to After Action Reviews, an instrument for immediate review of a response intervention. As such, the reviews are helpful to collect lessons learned related to management and organizational issues, but are

⁹³ See Chapter 7 (Case Study Palestine).

⁹⁴ USAID/OFDA, *Guidelines for Unsolicited Proposals and Reporting*, p. 23.

⁹⁵ USAID/OFDA, *FY 2008 Guidance Cable: Disaster Planning and Response* (Washington: USAID, 2007), p. 8.

⁹⁶ Interview with OFDA representative, March 2009.

⁹⁷ OECD, *DAC Peer-Review United States*, p. 88.

⁹⁸ The Field Operations Guide defines evaluation as “review of program activity outcome and impact, with an emphasis on lessons learned” and emphasizes that “results are often used when considering programmatic options and to guide future strategic and funding decisions.” USAID/OFDA, *Field Operations Guide for Disaster Assessment and Response 4.0*, p. H-3.

⁹⁹ According to OFDA staff, the position of the evaluation officer is vacant since approximately three years.

less suited for addressing strategic questions.¹⁰⁰ In other words, there are currently no evaluation processes in place that can systematically follow up on the implementation of lessons and related policies. This holds of course also true for gender and local capacity.

Levers and Obstacles

The following factors promote and hinder the implementation of gender and local capacity within OFDA:

- *OFDA implements lessons learned through operational planning and the inter-action with partners.* At OFDA, the most important levels for the implementation of a lesson are the operational level and the level of interaction with partners. OFDA's operational planning is particularly successful because its close interaction with partner organizations helps to bring new lessons to the attention of relevant policy-makers in a timely fashion. Moreover, the Office's comprehensive guidelines and the inclusive processes of updating them allow the Office to include effectively new lessons into existing rules and procedures.

The existence of a dedicated gender expert within the Technical Advisory Group has helped OFDA greatly to develop a comprehensive understanding of gender in humanitarian assistance. Furthermore, the expert is key to skillfully mainstream gender into all OFDA activities.

An essential lever for the implementation of the local capacity lesson is OFDA's strategy to directly engagement with local actors. Additionally, the Nicaragua case study showed that projects dedicated to build local capacity can actually boost it. The integration of local capacity assessment into overall situation analyses further facilitates the implementation of the local capacity lesson. Yet, despite the complexity of the issue, OFDA does not have an expert helping to build and implement a comprehensive strategy towards the engagement of local actors. The rather formalistic understanding of capacity building that prevails within OFDA—and most of the humanitarian community—and the disinterest in the topic by important pressure groups undermines the development of a comprehensive operational strategy.

- *OFDA lacks a strong policy and evaluation function.* OFDA's operational strength is limited by a lack of policy guidance and follow-up mechanisms for implementation. The complex structure of OFDA and its higher-level departments with unclear and continuously shifting responsibilities leaves the office with a weak formal policy development process.¹⁰¹ That is, the Office depends on informal mechanisms for policy-making, putting its Director at center stage of policy development and making the process persona driven. At the same time, the operational focus coupled with a lack of systematic follow-up makes implementation of these informal policies dependent on the skills

¹⁰⁰ OECD, *DAC Peer-Review United States*, p. 88.

¹⁰¹ This problem is currently further enhanced by the fact that five months after President Obama's inauguration, USAID still remains without an Administrator. http://www.interaction.org/files.cgi/6715_USAID_Administrator_Sign-on_Letter.pdf (last accessed 08/04/2009).

and commitment of operational staff. The relatively weak training capacity of OFDA and high staff turnover further undermine the sustainability of OFDA's operational approach.

For example, the current institutional structure and the lack of a binding gender policy compromise the effective implementation of the gender lessons, as has been shown in the Darfur case study.

Likewise, OFDA has no concept to address local capacity beyond its direct engagement for implementation. This under-conceptualization leaves the implementation of the capacity lesson vulnerable to other policies that are deemed more important. As a result, the inclusion of local capacity building may be compromised by other political goals, even in contexts where the engagement of local actors is as crucial as in the case of the occupied Palestinian territories.

In essence, OFDA's rather pragmatic approach has the potential to implement the gender and local capacity lesson. Yet their implementation might be easily undermined by other policy priorities and depends very much on individuals.

Synthesis and Recommendations

The analysis of stumbling blocks and levers for the implementation of the gender and local capacity lessons revealed three important insights.

It's the Policy, Stupid!

The first finding is as simple as it is important: the implementation of gender and local capacity are both particularly weak at the policy level. Both donors have no or only an implicit policy for gender and local capacity in humanitarian assistance, compromising the quality and sustainability of their activities. The policy weakness is related to DG ECHO and OFDA specific issues, but touches upon the self-conception of the humanitarian sector at large. Many humanitarians consider being political to be at odds with the humanitarian principles. This perception is based on the equation of the principles of impartiality and independence with non-political action. As a consequence, everything that is somehow political—including policymaking—is met with skepticism. This skepticism towards policy is reflected in the often bad relationship between policy and operational units. The lack of estimation for policies leads to an underconceptualization of activities, which in turn make attempts to implement gender and local capacity lessons piecemeal at best.

DG ECHO has taken the right direction turning towards more policy-making. It must continue to travel this road. OFDA will need to win back political territory and the new U.S. Administration is well advised to hand back power to OFDA, the formal lead agency for humanitarian assistance, if it is interested in backing up its new Wilsonian spirit with credible action.

However, policy-making is a question of power as much as of expertise. OFDA with its Technical Assistance Group and its inclusive approach in developing its guidelines is well placed to infuse internal and external knowledge into policy-making. DG ECHO needs to fur-

ther expand its pool of policy expertise, either through further enlarging its policy unit or through engaging more systematically with external operational and academic experts.

Beyond strengthening their own policy functions, DG ECHO and OFDA need more input from external actors. Consequently, humanitarian agencies have to engage more strongly with the two offices. To be successful, humanitarian agencies should develop a two-pronged approach of engaging directly with the humanitarian offices and indirectly by engaging with legislators. Furthermore, implementing partners must recognize that their relationship with donors is not exclusively about money, but also about policy.

Think Straight!

The analysis showed that conceptual obscurity and incoherent ideas at the policy level paralyzes action. Most prominently, humanitarian actors frame the debate about rights- vs. needs-based humanitarian assistance as a question of ambitions rather than of operational coherence. Both examples, however, show that leaving the debate between rights-based and needs-based humanitarianism unaddressed creates operational confusion and undermines sustainability. Answering the choice between those two different options with a determined “yes no maybe so” does not do any better. It is important to recognize that, in order to improve assistance, the debate does not have to be solved once and forever. Instead, donors and implementers need to take clear positions. Once a position is taken, they have to explicitly spell it out including a clear formulation of related limits and implications. Furthermore, they have to apply their position to all policies and actions and make the selection of partners according to this position. Ideally, the transatlantic donors would take a complementary approach, since the jury is still out on which approach leads to the most effective humanitarian response.

Go All Out!

While the implementation of lessons at the policy level enhances coherence and ensures continuous implementation, independent from individuals, the other levels and strategic follow-up are also important to ensure implementation. In order to increase the quality of humanitarian assistance, the donors should therefore ensure to implement lessons on all five levels. Yet, successful implementation also means that the lessons of gender and local capacity have to be addressed comprehensively. That is, the donors have to reflect the content of the lesson and how this fits with their own policy framework and institutional mandate. Furthermore, implementation processes should build on and complement existing international efforts in order to ensure coherence and coordination.

With respect to gender a good opportunity to do so would be to support the Inter-Agency Standing Committee’s Gender Standby Capacity (GenCap) Project. The GenCap Project “seeks to build capacity of humanitarian actors at country level to mainstream gender equality programming, including prevention and response to gender-based violence, in all sectors of humanitarian response.”¹⁰² The GenCap Project should be scaled up to include more humani-

¹⁰²<http://www.humanitarianreform.org/Default.aspx?tabid=460> (last accessed 13/04/2009).

tarian NGOs, donor organizations and evaluators into its activities (currently it capacitates mainly UN agencies).

A similar international mechanism does not exist for strengthening local involvement.¹⁰³ The transatlantic donors should therefore get together to establish a similar tool. They could create a pool of local anthropologists, historians, sociologists and cultural scientists from Africa, Asia, Latin America and the Middle East to be deployed within their respective regions to support policy-making and programming of humanitarian donor and implementing agencies at the country level. Such a mechanism cannot be an alternative to the devolution of decision-making power to local actors but it could serve as an important intermediary step by facilitating the systematic integration of local knowledge into the humanitarian system. An important first step could be that the US and the European Union jointly advocate for the establishment of an IASC Sub-Working Group¹⁰⁴ on Local Capacity in Humanitarian Action.

Carpe Diem!

The development of strategies to implement these three recommendations will not happen overnight. Rather, they require longer-term transatlantic engagement. Yet, the transatlantic donors should also take action immediately in order to increase the implementation of lessons also in the short to mid-term.

- **DG ECHO:** With respect to gender, DG ECHO should inform its gender policy through consultation with international partners, particularly with member states, OFDA and the Inter-Agency Standing Committee's Sub-Working Group on Gender.

With respect to local capacity, DG ECHO should make a principled decision whether it wants to include local capacity systematically into its emergency response and if so, in which form. Subsequent to this decision, DG ECHO should initiate a review of existing mechanisms and tools for the inclusion of local capacities in order to start off a policymaking process.

Finally, DG ECHO should further strengthen its training efforts both for staff and partners, including modules on gender mainstreaming and the assessment and inclusion of local capacity.

- **OFDA:** An important short-term measure to improve OFDA's ability to implement lessons systematically would be to employ an evaluation officer and to strengthen the Office's evaluation function. OFDA should also improve its training. Furthermore, it should decrease staff turnover by providing staff with better career opportunities and permanent positions.

¹⁰³ The Norwegian Refugee Council has three standby rosters—NORAFRIC, NORASIA and NORMIDDLE EAST providing local humanitarian staff. Yet, the rosters are way too small to cover the international need for local capacity.

¹⁰⁴ IASC Sub-Working Groups are established for an unlimited duration and are dedicated to long and medium-term policy issues in humanitarian response, see <http://www.humanitarianinfo.org/iasc/pageloader.aspx?page=content-subsidi-default&mainbodyid=2&publish=0> (last accessed 18/05/2009).