MODULE 21

Standards and accountability in humanitarian response

PART 2: TECHNICAL NOTES

The technical notes are the second of four parts contained in this module. They provide an introduction to standards and accountability in emergencies and are intended for people involved in the planning and implementation of nutrition programmes. Words in *italics* are defined in the glossary

The notes begin with an overview of the importance of standards and accountability and how they relate to one another. The notes then address different types of standards and various accountability frameworks and tools in two successive sections, highlighting challenging areas and providing guidance on accepted current practices. These notes are not a comprehensive review of all initiatives and tools related to quality and accountability, but present the key elements that are most likely to be of relevance to nutrition-related responses to humanitarian crises.

Summary

Standards establish the levels of required quality for particular goods or services. Accountability, especially to disaster-affected populations, is about redressing the disparities in power between aid providers and aid recipients, and giving account on whether standards have been achieved. Words in italics are defined in the glossary.

Introduction

Standards and Accountability are inextricably linked. On the one hand, Standards establish the thresholds or levels required to achieve the necessary quality for a particular good or service. Accountability is about explicitly giving account on whether such standards have been achieved. And 'giving account' implies a relationship; one 'gives account' to someone for the responsibilities assumed. In this way, a web of accountability relationships exists for any organisation, or individual. Each relationship has a different power dynamic – in terms of deci-sion-making authority, control over resources, access to infor-mation, contractual obligation and so forth. Accountability can be understood as a way of reducing the power differential in these relationships, so that the potential to abuse that power is reduced. This is most critical in the relationship between aid-provider and aid-recipient. Evidence that aid providers have abused their power over aid recipients has fuelled a drive towards strengthening the accountability of aid agencies to-wards disaster-affected populations. It is this form of account-ability, therefore, that is the focus of this module.

Perhaps the first relevant international standard is the Universal Declaration of Human Rights, adopted by the UN in 1948[1]. This sets "a common standard of achievement for all peoples and all nations"; Article 1 sets the tone:

> "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."

Through the intervening years, additional international legal instruments, including International Humanitarian Law (IHL), have expanded and elaborated the standards expected of States and other specified stakeholders. In recent years, the right to adequate food, specifically, has been emphasised and recognised in several international conventions. State and non-state actors have responsibilities in fulfilling the right to food, but are not always willing or able to do so. It is in these situa-tions that humanitarian actors, and particularly those spec-ialised in food and nutrition, should intervene.

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[1] http://www.un.org/Overview/rights.html

Key messages

- Standards may be: legal, based on principles and/or voluntary.

- Everyone has the right to adequate food and to be free from hunger. Furthermore, the starvation of civilians during war is prohibited.

- Everyone also has the right to receive humanitarian assistance in times of disaster. This is known as the *humanitarian imperative*.

- The humanitarian principles of *humanity*, *impartiality*, *independence* and *neutrality* provide a principle-based foundation for nutrition in emergencies.

- There are a number of inter-agency initiatives to improve accountability, quality and performance in humanitarian action. The three with the most relevant to nutrition in emergencies are the Red Cross/NGO Code of Conduct, The Sphere Project and Humanitarian Accountability Partnership.

- The Code of Conduct sets out ten principles to guide humanitarian action.

- The Sphere project's Humanitarian Charter reaffirms that all people affected by disaster and conflict have a right to life with dignity; the right to receive humanitarian assistance; and the right to protection and security. However, there is currently no incentive, or obligation for humanitarian agencies to be accountable to affected communities, other than a voluntary commitment to do so.

- The Sphere standards specify the minimum acceptable levels to be attained in a humanitarian response. The Food Security and Nutrition standards cover assessment, infant and young child feeding, management of acute malnutrition and food security (food transfers, cash transfers and livelihoods).

- There are 6 Sphere Core Standards that are relevant to all sectors: i. People-centred humanitarian response; ii. Coordination and collaboration; iii. Assessment; iv. Design and response; v. Performance, transparency; vi. Aid worker performance.

- HAP has outlined 7 Principles of Accountability to which over 40 HAP members have subscribed. They focus on accountability to disaster-affected people.

- The GNC's attention to standards and accountability is not strong, though there is general endorsement of the Sphere Standards.

- Nevertheless, the nutrition sector has benefited from a strengthened 'common vocabulary' across diverse agencies, which has contributed to improved peer accountability and learning.

- One of the main unresolved issues in relation to standards and accountability is that there is no body with overall responsibility for technical standards in nutrition in emergency response.

To this legal foundation has been added numerous voluntary standards, based on principles as well as technical measures of quality. It was in this context that efforts were made to strengthen agencies' accountability – primarily to disaster-affected persons, but also to private donors, institutional donors and national governments.

This module outlines some of the initiatives that address standards and accountability in humanitarian response and their relation to nutrition in emergencies specifically. A more comprehensive overview is provided in Annex 1.

One of the fundamental challenges to the delivery of quality humanitarian assistance is effective coordination among the numerous humanitarian actors. This is explored in Module 2. However, to an extent, the creation of standards that agencies have voluntarily committed to has also supported coordination efforts, for such standards have helped introduce a 'common language' and operational framework that cut across organisational boundaries. The Sphere Project is perhaps the best known in this regard. It aims to provide a practical framework for accountability through sector-specific guidance on standards of delivery – including a chapter on food security and nutrition.

Standards

A standard can be understood as a descriptor of the quality of a good or service. Standards tend to be based on technical or experience-based evidence as well as principles, and can be qualitative or quantitative in nature. Standards can be legally binding, voluntary moral claims or entitlements that gain their strength through their wide application. However, there is a great deal of overlap and inconsistency in terminology, which can cause confusion. For example, *The Guiding Principles on Internal Displacement* are standards rather than principles.

In 1999, a study into quality, standards and human rights reviewed a wide range of standards, including some from the private sector. Three key insights emerged, which are worth reflecting upon in the context of standards and accountability a decade on[2]:

1. A quality and standards approach should only be adopted if it is in the interests of poor people:

   "The interests of poor people were the impetus behind many of the standards that have emerged over the last 20 years or so. That does not mean that realising this concern comes easily. Indeed, agencies struggle with basics steps such as meaningful participation of, and two-way dialogue with, communities. Yet, a strong ' people focus' remains a central essence of humanitarian action."

2. The potential proliferation of standards is an inherent risk in any standards system:

   "This 'potential risk' may indeed have become a reality in the last 10-12 years, resulting in some confusion about which standards to use but also, as to whether they are worth using at all. For it is argued that standards encourage 'standardisation' of humanitarian assistance. The Sphere Standards have been prominent targets in this debate, viewed by some NGOs and commentators as a constraint to innovative action."

3. A lot of fundamental standards for good practice in development work are already written down in signed and ratified conventions of human rights law:

   "Although international human rights law provides the basis for guiding good practice in aid work, there remains the practical challenge of implementing it. This is where voluntary standards come in, as a way of implementing statutory regulations, whether international or national."

What is still missing, though, is an understanding of how all the above fit together – the relationship between laws, voluntary norms/codes, management tools and independent evaluation/audits (whether these are imposed on, or undertaken voluntarily by, NGOs).

Legal standards

Human Rights

International Human Rights Law (IHRL) is a body of international law that describe the rights of all persons and the concomitant obligations (or duties) of States. IHRL includes *treaties* which have binding legal effect with respect to parties that have signed them. The main treaties in IHRL relevant to humanitarian contexts are: the UN Convention on the Rights of the Child[3]; the Convention on the Elimination of all Forms of Discrimination Against Women[4]; the International Covenant on Economic, Social and Cultural Rights[5]; and the International Covenant of Civil and Political Rights[6]. Once signed, treaties oblige States to act on the responsibilities and duties included in a treaty, so as to protect and fulfil the human rights in question.

IHRL also includes customary international law, which is derived from custom – the consistent practice of states. An important example of such customary law is the Universal Declaration of Human Rights[7] of 1948. Introduced as a common standard of achievement for all peoples and all nations, Article 25.1 sates that

"…everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age, or other lack of livelihood in circumstances beyond his control."

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[2] Hugo Slim (1999) *Future Imperatives: Quality, Standards and Human Rights*, Report of a Study to Explore Quality Standards for the British Overseas Aid Group, Oxford Brookes University, October.

[3] UNCRC, 1989: http://www.ohchr.org/english/law/pdf/crc.pdf

[4] CEDAW, 1979: http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm

[5] ICESCR ,1966: http://www.ohchr.org/english/law/cescr.htm

[6] ICCPR, 1966: http://www.ohchr.org/english/law/ccpr.htm

[7] http://www.ohchr.org/EN/UDHR/Pages/Introduction.aspx

In some contexts, there is another body of law that outlines State obligations towards certain individuals: International Refugee Law, as articulated in the 1951 Convention Relating to the Status of Refugees[8], and the 1966 Protocol Relating to the Status of Refugees.[9] The rights of refugees are pertinent in times of peace and conflict. The UN High Commissioner for Refugees (UNHCR) is mandated by the 1951 Convention to protect and assist refugees. States parties have an obligation to co-operate with UNHCR.

The Right to Food

All human beings have the right to adequate food and the right to be free from hunger. The right to food is considered in terms of the right to an adequate standard of living, as stated in the Universal Declaration of Human Rights (as quoted above). It is also enshrined in the 1966 International Covenant on Economic, Social and Cultural Rights, and is protected by regional treaties and national constitutions (see Annex 2).

Box 1: The Right to Food

The right to food can be described as follows:

"The right to adequate food is realized when every man, woman and child, alone or in community with others, has physical and economic access at all times to adequate food or means for its procurement."

Committee on Economic, Social and Cultural Rights

"The right to have regular, permanent and free access, either directly or by means of financial purchases, to quantitatively and qualitatively adequate and sufficient food corresponding to the cultural traditions of the people to which the consumer belongs, and which ensures a physical and mental, individual and collective, fulfilling and dignified life free of fear."

United Nations Special Rapporteur on the right to food

The right to food is not a right to be fed, but primarily the right to feed oneself with dignity. The right to food requires States to provide an enabling environment in which people can use their full potential to produce or procure adequate food for themselves and their families… However, when people are not able to feed themselves with their own means, for instance because of an armed conflict, natural disaster or because they are in detention, the State must provide food directly.[10]

Although all human rights are generally understood as relevant and applicable at all times for all people, there can be exceptions to this. In emergencies, if a 'state of emergency' is formally declared, then the State can choose to suspend some human rights (such as those related to freedom of movement and expression). However, there are some rights that cannot be suspended – such as all the rights contained in the UN Convention on the Rights of the Child, and its additional protocols. Thus, emergencies should not be regarded as an excuse by States to suspend their responsibilities; and IHRL can still be of value in advocating for effective assistance and services.

International Humanitarian Law (IHL)

Often referred to as the 'law of war', IHL[11] describes the obligations of all parties to a conflict, with specific concern around the protection of non-combatants (and therefore of ensuring access to people in need of humanitarian assistance).

"If the civilian population is suffering undue hardship owing to a lack of the supplies essential for its survival, such as foodstuffs and medical supplies, relief actions for the civilian population which are of an exclusively humanitarian and impartial nature and which are conducted without any adverse distinction shall be undertaken subject to the consent of the High Contracting Party concerned".[12]

Both in international and non-international armed conflicts, the starvation of civilians as a method of combat is prohibited.[13]

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[8] http://www.unhchr.ch/html/menu3/b/o_c_ref.htm

[9] http://www.unhchr.ch/html/menu3/b/o_p_ref.htm. The Protocol extends the protection afforded by the 1951 Convention to all refugees, not simply those forced to flee before 1951 or those in Europe.

[10] Excerpts from UNHCHR/FAO, 2010. Pages 3-4

[11] IHL is codified in the four Geneva Conventions of 1949 – dealing with four classes of victims: the injured and sick, the shipwrecked, prisoners of war and civilians in enemy hands. In 1977, two Additional Protocols (I and II) to the Geneva Conventions were adopted which update the laws on protection of war victims and on the conduct of hostilities. In addition, there are treaties expressly dealing with illegal weapons (e.g. Conventions prohibiting the use of mines and booby traps).

[12] Additional Protocol II, article 18.2

[13] Additional Protocol 1, article 54.1; and Additional Protocol II, article 14.

The UN General Assembly[14] stated that humanitarian assistance is "of cardinal importance for the victims of natural disasters and other emergencies", and stressed that "Humanitarian assistance must be provided in accordance with the principles of humanity, neutrality and impartiality". These are the fundamental principles that guide much humanitarian work (see below).

An individual's rights derived from IHL arise from the codified duties of the warring parties. This contrasts with an individual's rights in IHRL, where a person's claim for the realisation of their rights imposes duties on others (the State primarily).

National laws

The laws of the country affected by a disaster provide the most immediate, obligatory, standards that humanitarian agencies need to meet. National labour laws, legislation on foods and supplements, laws on the marketing of breastmilk substitutes, are all examples of national legal standards relevant to nutrition in emergencies.

Principles-based, voluntary, standards

Humanitarian Principles

The prime motivation behind humanitarian response to disaster is to alleviate human suffering amongst those least able to withstand the stresses caused by a disaster. This right to offer, and to receive, humanitarian assistance is known as the humanitarian imperative. It is a principle based on humanity and stresses that humanitarian response must be based on need, and no other grounds. This principle is derived from IHL, and forms one of three fundamental principles.

- Humanity: to prevent and alleviate human suffering wherever it may be found. To protect life and health and ensure respect for the human being

- Impartiality: no discrimination on the basis of nationality, race, religious beliefs, class or political opinions; to relieve the suffering of individuals guided solely by their needs; and to give priority to the most urgent cases of distress

- Independence: to maintain autonomy to be able at all times to act in accordance with the principles

In addition, many humanitarian actors, most notably the ICRC (International Committee of the Red Cross) and UN, are guided by

- Neutrality: not taking sides in hostilities (non-allegiance) or engaging at any time in controversies of a political, racial, religious or ideological nature

The humanitarian principle of neutrality can be very problematic to implement and even contentious. It has been described in two ways: The first is military neutrality, denoting non-interference (and perception of such non-interference) in the conduct of hostilities by any of the warring parties. This definition is broadly uncontested. The second is ideological neutrality, denoting non-engagement in controversies of a political, racial, religious or ideological nature. In contrast to military neutrality, ideological neutrality is the source of much debate.

The Red Cross Movement[15], in claiming ideological neutrality, has explicitly determined its priorities in terms of human suffering not the promotion of justice: "one cannot be one and the same time the champion of justice and charity. One must choose, and the ICRC has long since chosen to be a defender of charity". However, many organisations and individuals find such a clear-cut demarcation very problematic, as it requires that organisations remain silent about 'political' atrocities, including serious human rights abuses. But, organisations often see their humanitarian mission in terms of assistance/protection plus advocacy. The balance between these roles can be very difficult to strike and there are certainly no easy rules to apply. However, it is critical that organisations make decisions with full consideration of the various benefits and costs. Morally, organisations may feel compelled to speak out about gross violations of human rights, but operationally, they must be prepared for possible consequences – be it threatened security of staff, reduced ability to access those in greatest need, or even a jeopardised operational presence. The dilemmas posed by neutrality are exemplified by **Case example 1**.

Red Cross/NGO Code of Conduct

Produced in 1994, the Red Cross/NGO Code of Conduct outlines a set of commitments and responsibilities of signatory organisations that guide humanitarian action. The Code incorporates the three fundamental humanitarian principles discussed earlier, plus operational principles that are based on experience (see **Box 2** and **Annex 3**).

The Code of Conduct has sought to make more explicit the nature of agencies' accountabilities. It therefore includes three annexes directed at affected governments, donor governments and intergovernmental organisations (such as the UN).

As of October 2010, 458 humanitarian organisations have become signatories to the Code, registering "their willingness to incorporate its principles into their work". There is no agency or body, however, who can call these signatories to account and little history of peer pressure among signatories to hold each other to honour commitments has been made.

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[14] See the Annex to Resolution 46/182 of 19 December 1991, http://www.reliefweb.int/ocha_ol/about/resol/resol_e.html

[15] The International Committee of the Red Cross (ICRC) and the International Federation of Red Cross and Red Crescent Societies (IFRC) and National Red Cross and Red Crescent Societies are collectively known as The International Red Cross and Red Crescent Movement (or more simply the Red Cross Movement)

Case example 1: Neutrality in Somalia: 2010

An article in the New York Times in March 2010, revealed the findings of a report to the UN Security Council, which called into question the neutrality of an UN agency – the World Food Programme (WFP).

The WFP issued a strong defence of its actions and cooperated fully in all follow-up. Although the conclusions are not known at the time of writing, this case study is presented as an example of how perceptions about neutrality can be as critical as reality – and is true for any humanitarian agency operating in complex and difficult contexts.

The report questioned why WFP would steer 80 percent of its transportation contracts for Somalia, worth about US$200 million, to three Somali businessmen, especially when they are suspected of connections to Islamist insurgents. The report described these businessmen as a cartel, who subsequently sold the food illegally.

The New York Times article quoted the report as follows:
"Some humanitarian resources, notably food aid, have been diverted to military uses," the report said. "A handful of Somali contractors for aid agencies have formed a cartel and become important power brokers – some of whom channel their profits, or the aid itself, directly to armed opposition groups."

The report stated that fraud was pervasive, with about 30% of aid skimmed by local partners and local WFP personnel, 10% by the ground transporters and 5 to 10% by the armed group in control of the area. That means as much as half of the food never made it to the people who desperately needed it.

An independent investigation was called for into the WFP's food distribution system in Somalia, to determine whether any of the allegations were founded and to help determine how best to serve the 2.5 million people who were in need of the food aid.

This case example illustrates the fundamental operational relevance of the humanitarian principles, and highlights the importance of ensuring that their respect is consistently demonstrable. The issue is the extent to which an agency puts in place measures to minimise fraud, corruption and inappropriate use of aid resources – whether that is in the targeting of food aid, choice of partners/contractors or the conduct of staff being paid by agencies. Where such measures are knowingly weak or are being overridden, then an agency can become open to serious criticism.

Source: New York Times http://www.nytimes.com/2010/03/10/world/africa/10somalia.html?_r=2&ref=world and BBC News http://news.bbc.co.uk/1/hi/8560970.stm

Box 2: Principal Commitments of the Code of Conduct

1. The humanitarian imperative comes first;

2. Aid is given regardless of the race, creed or nationality of the recipients and without adverse distinction of any kind. Aid priorities are calculated on the basis of need alone;

3. Aid will not be used to further a particular political or religious standpoint;

4. We shall endeavour not to be used as an instrument of government foreign policy;

5. We shall respect culture and custom;

6. We shall attempt to build disaster response on local capacities;

7. Ways shall be found to involve program beneficiaries in the management of relief aid;

8. Relief aid must strive to reduce vulnerabilities to future disaster as well as meeting basic needs;

9. We hold ourselves accountable to both those we seek to assist and those from whom we accept resources;

10. In our information, publicity and advertising activities, we shall recognize disaster victims as dignified human beings, not hopeless objects.

It continues to be used, however. For example, the UK's Disaster Emergency Committee uses the Code as a tool for evaluating humanitarian action. More specifically, the Code has also helped agencies to make very difficult decisions and choices: In 2009, 13 international NGOs were expelled by the government of Sudan. Shortly after, a few were invited back, as long as they agreed to certain conditions regarding their identity and ways of working. This posed a very difficult dilemma for the agencies concerned. Should they accept the conditions of return in order to help address the continuing humanitarian needs, especially in Darfur? Or should they desist from any attempt at manipulating their humanitarian mission? Some turned to the Code of Conduct and used it as an objective framework within which to help analyse the pros and cons of each option. It was thus possible for each agency to arrive at a decision that, although difficult, was thoroughly explored, clearly justified and as unemotional as possible given that serious compromises would have to be made, either way.

Some regard as a weakness the fact that the Code has no body responsible for protecting its integrity – there is no mechanism to monitor whether signatories abide by their commitments, and there is no recognized obligation on the part of Code signatories to do so, other than their stated willingness. Signatory agencies can be accused of using the Code as a certificate of professionalism. Others would argue that by retaining it as a voluntary standard, the core ethic of humanitarianism is preserved.

Humanitarian agencies recognise that humanitarian assistance requires unimpeded access to affected populations, which is not always possible. Conflict situations, especially, pose serious challenges, and some argue that in such contexts, codes and standards are unworkable (see **Case example 2**).

Humanitarian Charter

The Sphere project's Handbook begins with a Humanitarian Charter, which "provides the ethical and legal backdrop to the Minimum Standards that follow in the Handbook. In part it is a statement of established legal rights and obligations; in part a statement of shared belief".[16] See Box 3.

The Charter builds on the commitments made in the Code of Conduct (discussed above) and aims to provide a bridge between, on the one hand, the legal and ethical principles claimed by humanitarian agencies, and, on the other, the technical provisions of quality responses in key sectors of response.

The extent to which the Charter is used by agencies is little known beyond anecdotal references to its importance as a 'foundation' for humanitarian response. Arguably, it has offered a less operational instrument than the Code of Conduct, but has served as a bridge between international legal instruments (human rights, humanitarian and refugee law) and the technical standards that follow. One of the ambitions behind the 2011 revision of the Charter is that it should become a stronger point of reference for agencies.

Case example 2: The dilemmas of operating in complex emergencies: Somalia 2010

Somalia was experiencing severe drought, crop failures, rising food prices and hyperinflation. Figures estimated that the proportion of malnourished children had risen to 20 per cent. In addition, escalation in the fighting had forced thousands of families to flee their homes. The number of internally displaced people within Somalia had increased by around 40% to over 1.5 million people.

In the face of such humanitarian need, the call for a humanitarian response was strong. Save the Children had been providing some support remotely, through national partner organisations, but wished to respond further by scaling up feeding and livelihood programmes. These would require an operational presence.

In October 2010, a security assessment was undertaken to gauge the feasibility of doing so. It was undertaken by two persons, a Somali and a British national. Both were abducted by armed gunmen from a guesthouse compound in Adado, a Somali town near the Ethiopian border. The Somali aid worker was released on the same day, and his British colleague 6 days later.

Although the situation was successfully resolved for the two staff-members concerned, the humanitarian needs remained unresolved. For an organisation that claims and believes in the humanitarian imperative, this poses a terrible dilemma. On the one hand, the organisation has an obligation to protect and support its staff; on the other, it has a humanitarian mission that requires it to operate in difficult and dangerous contexts. What level of risk is acceptable and manageable for humanitarian organisations to be able to respond?

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[16] *Humanitarian Charter and Minimum Standards in Humanitarian Response*. The Sphere Project , 2011.

Box 3: The Sphere Project: Humanitarian Charter

This Charter expresses our shared conviction as humanitarian agencies that all people affected by disaster and conflict have a right to receive protection and assistance to ensure the basic conditions for life with dignity.

As humanitarian agencies we interpret our role in relation to the needs and capacities of affected populations and the responsibilities of their governments or controlling powers. Our role in providing assistance reflects the reality that those with primary responsibility are not always fully able to perform this role themselves, or may be unwilling to do so…

We offer our services as humanitarian agencies on the basis of the principle of humanity and the humanitarian imperative, recognising the rights of all people affected by disaster and conflict — women and men, boys and girls. These include the rights to protection and assistance reflected in the provisions of international humanitarian law, human rights and refugee law. For the purposes of this Charter, we summarise these rights as follows:

- *The right to life with dignity*
- *The right to receive humanitarian assistance*
- *The right to protection and security*

While these rights are not formulated in such terms in international law, they encapsulate a range of established legal rights and give fuller substance to the humanitarian imperative.

Technical standards

There are several examples of technical standards that are specifically relevant to nutrition responses in emergencies. These cover general programming, nutrition programming, staff and personnel issues and accountability.

Sphere

Sphere is perhaps best-known for establishing quality standards for key areas of humanitarian response. These include Food Security and Nutrition (Annex 4 provides an overview of the issues covered by these minimum standards).

However, in addition, and building on the Humanitarian Charter already discussed, Sphere also emphasises the *process* of engagement through its Minimum Standards in Core Areas. These are "approaches that underpin all the standards in the Handbook. Each chapter, therefore, requires the companion use of the Core Standards to help attain its own standards".

There are six Core Standards:

1. People-Centred Humanitarian Response – which recognises that the participation, capacity and strategies of disaster-affected people to survive with dignity are integral to humanitarian response

2. Coordination and Collaboration – which addresses the need for an effective response to be coordinated and implemented with other agencies and governmental authorities engaged in impartial humanitarian action

3. Assessment – which describes the need for assessments to systematically understand the nature of the disaster, identify who has been affected and how, and to assess people's vulnerability and capacities.

4. Design and Response – which underscores the importance of designing response based on assessment findings, addressing unmet needs in relation to the context and capacity of affected people and states to meet their own needs.

5. Performance, Transparency and Learning – where the effectiveness, quality and appropriateness of a response is continually examined, and agencies adapt their strategies in accordance with monitoring information and feedback from people affected by disaster. Information about the performance of an agency's response needs to be shared.

6. Aid Worker Performance – which recognises that humanitarian agencies have an obligation to people affected by disaster to employ aid workers with the appropriate knowledge, skills, behaviour and attitudes to deliver an effective humanitarian response. Equally, agencies are responsible for enabling aid workers to perform satisfactorily through effective management and support for their emotional and physical well-being.

Experience to date has shown that these core standards (or the Common Standards of the 2004 edition) have not received the operational attention that was originally desired. The 2011 edition seeks to redress this by emphasising their central importance in all areas of programming at the beginning of each of the technical chapters, including Food Security and Nutrition. In many respects, the Core Standards and accompanying indicators are about accountability to disaster-affected persons (discussed further in the Accountability section below), and thus would need to be integrated throughout a response to nutrition in emergencies – through the assessment, priority-setting, partnership-formulation, programme design, monitoring and learning stages.

How Sphere has been used

The Sphere standards and key indicators have been most useful in guiding proposal writing, preparing log frames and improving monitoring systems. The key indicators identified at the programme design stage have contributed to some agencies strengthening their ability to monitor and report, more systematically than before, their progress and shortcomings. Evaluations of emergency responses commonly assess whether Sphere minimum standards were met and, if not, the reasons why.

Sphere has also been used extensively in training staff and partners. Extensive resources are available to download from the Sphere website[17].

The use of the Sphere minimum standards in 'normal' non-emergency contexts also deserves more attention. This is especially true of chronic situations of food insecurity and nutritional vulnerability or cyclical events affecting resource poor countries. **Case example 3** identifies how using Sphere highlighted the need for more coherence and accountability in non-emergency situations to deal with the causes of malnutrition.

Limitations of Sphere

The most serious limitation concerning Sphere is a lack of understanding in how to use it as it was intended. There are several elements to this: a misuse of the terms 'indicators' and 'standards' and that while the standards are universal and rights-based, the indicators need to be appropriate to the context (which might require some amendment to those proposed in the handbook); a lack of appreciation that achieving the standards requires a process that can take a long time – but key is to demonstrate that steps are being taken so as to ensure incremental improvements; that transparency is a critical element – whether indicators are being achieved or not.

There are circumstances where the prevailing humanitarian context and environmental conditions, are simply not conducive to achieving some of the minimum standards. Constraints could typically include: insecurity or denial of access, displacement, lack of staff, cultural factors, bureaucracy, logistical constraints and livelihood patterns. Where key indicators are not met, it is essential to identify and understand the reasons why they have not been met, and to consider the kinds of alternative strategies that would help meet the key indicators (such as advocacy to improve funding or access).

However, the key indicators commonly used for most programming situations have become so well known that it is difficult to apply different indicators that may be more appropriate for a given situation because people are used to comparing with the sample indicators in the handbook.

Case example 3: Evaluation of the nutrition response using Sphere in Bangladesh: 1998

A review of 15 relief agencies, using standards developed by the Sphere Project, found that agencies met between 8 and 83 per cent of the specific Sphere indicators that were assessed. Agencies were generally successful in areas of core humanitarian response, such as targeting the vulnerable (83 per cent) and monitoring and evaluating the process of disaster response (75 per cent). Areas in which performance was poor included:

Preliminary nutritional analysis
Recipient participation and feedback
Disaster preparedness during non-emergency times
Monitoring of local markets and impact assessment

The results point to both strengths and gaps in the quality of humanitarian response in developing nations such as Bangladesh. However, they also raise the question of implementing a rights-based approach to disaster response in nations without a commitment to meeting positive human rights in non-disaster times.

Source: O'Donnell, Max, et al., 'Nutritional Response to the 1998 Bangladesh Flood Disaster: Sphere Minimum Standards in Disaster Response', Disasters, 26(3), September 2002.

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[17] http://www.sphereproject.org/content/view/14/33/lang,English/

Case example 4: Failure to meet nutritional requirements in Tanzanian refugee camps: 2003

A Sphere evaluation in 2003 identified that refugees in Tanzania were particularly concerned with the food ration they were receiving. The general ration had been reduced from the equivalent of 2100 kcals/person/day to 1200 kcals/person/day by the implementing agency on the basis that the refugees had other food sources and that the reduced ration would cover the gap as set out in the food aid Sphere minimum standard 1:

"The food basket and rations are designed to bridge the gap between the affected population's requirements and their own food sources." (Sphere Project 2004, p. 157)

All the refugees interviewed by the Sphere evaluation team explained that they were unable to bridge the gap either by growing food within the camp, or by purchasing or bartering in the surrounding communities. The team concluded that the reason was complicated for why refugees received less food in Tanzania, but was most probably due to the implementing agency having insufficient funds to provide enough food. This is an example of how the minimum standard can be used to advocate for more funds from donors.

Source: Adapted from *The Sphere Project Evaluation Report*, 2004

It is recognised that too great an emphasis on meeting key indicators can have unintended detrimental side effects. For example, humanitarian workers may feel overwhelmed by the needs and the conditions of the response, that achievement of the standards seems impossible and therefore Sphere is dismissed as irrelevant or too time-consuming – that it will be brought in at a later stage. This defeats the very purpose of Sphere.

As mentioned above, lack of funding is often given as a reason why minimum standards are not achieved. The Sphere Project could work with the Good Humanitarian Donorship initiative to consider what options there are to work towards a satisfactory resolution, as **Case example 4** shows.

Some of the stronger critiques against Sphere include the concern that the application of minimum standards can create differences in the standards of living between emergency-affected and surrounding populations. Since this relationship is often a tenuous one, explicit attention needs to be paid to this problem – whether or not Sphere is being used by the agencies concerned. It is not Sphere that is causing the disparity by rather a limited humanitarian response. This has occurred on countless occasions. For example, the Darfur crisis led to provision of assistance to Sudanese refugees who then fled to neighbouring Chad, setting up camps among extremely poor Chadian villages. While the nutritional situation of the Chadians was not as severe as that of the Sudanese refugees, access to water, health services and sustainable livelihoods was equally dire for both populations in 2004.

Also often cited as a concern is that the use of Sphere minimum standards will lead to a one-size-fits-all approach, where the differences in approach between humanitarian actors are levelled off. The addition of 'key actions' in the 2011 edition of the handbook may well reinforce these concerns and even see them played out in practice more.

This could lead to a universal standard of delivery that becomes reduced to the lowest commonly-achievable level. This is not acceptable to agencies that feel they can meet the needs of affected population groups to higher standards or in innovative approaches that do not constitute 'key actions'. The dilemma remains that affected populations are not in a position to choose which agency will provide nutritional support to them in an emergency. This was obvious during the Asian tsunami response in 2005, where the proximity of populations being covered by different agencies allowed recipients of aid to compare agencies and judge which ones they felt best responded to their needs. A different quality of response is unfair and utterly undermines the rights-based foundation of Sphere.

People In Aid

Established in 1995, People In Aid supports over 180 member organisations to improve their effectiveness through better management and support of staff and volunteers. A central feature is the People In Aid Code, which is a standard for human resources management in the aid sector. It reflects the belief that staff are the key to delivering effective programmes – including nutrition in emergencies. The Code is most usefully applied at the organisation level, although it can also offer guidance that can inform country-programme systems and partnerships.

An evaluation of the People In Aid Code

> "…found a consistent conviction that the improvements to [human resource] and management practice which have followed engagement with the Code have resulted in corresponding improvements in organisational effectiveness.[18]"

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[18] Swarbrick A., 2007. *Making a difference? Evaluating the impact of The People In Aid Code*. People In Aid 2007.
http://www.peopleinaid.org/pool/files/code/Code%20Effectiveness%20Report%20Final.pdf

Box 4: People In Aid Code of Good Practice

Guiding Principle: People are central to the achievement of our mission

- Principle 1: Human Resources Strategy
  Human resources are an integral part of our strategic and operational plans

- Principle 2: Staff Policies and Practices
  Our human resources policies aim to be effective, fair and transparent

- Principle 3: Managing People
  Good support, management and leadership of our staff is key to our effectiveness

- Principle 4: Consultation and Communication
  Dialogue with staff on matters likely to affect their employment enhances the quality and effectiveness of our policies and practices

- Principle 5: Recruitment and Selection
  Our policies and practices aim to attract and select a diverse workforce with the skills and capabilities to fulfil our requirements

- Principle 6: Learning, Training and Development
  Learning, training and staff development are promoted throughout the organisation

- Principle 7: Health, Safety and Security
  The security, good health and safety of our staff are a prime responsibility of our organisation

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The relevance of People In Aid goes beyond simply being another example of standards appropriate to the humanitarian sector. For it has been argued that for accountability to affected populations to be realised, it needs first to be modelled internally:

> "Accountability towards affected persons is possible when the organisation is accountable to its own staff and members. Organisational cultures that tolerate abuse of power by management, or that fail to provide a trusted means of bringing grievances to the fore, are likely to undermine and impede efforts to promote accountability to affected communities.[19]"

HAP

The Humanitarian Accountability Partnership (HAP) has developed a standard on accountability. This is discussed in the section that follows.

Accountability

If standards are understood as the levels of desired quality, then accountability is the means by which to verify where the standards have been achieved. But which standards, and achieved by whom?

Accountability also includes standards – the levels of desired quality in the accountability process, such as those that inform audit procedures, or financial accounting.

Accountable for What to Whom?

Accountability has many dimensions and many definitions. The SCHR[20] peer review coined the term 'accountability web' to describe the multi-stakeholder and multi-directional accountabilities. So humanitarian organisations, for example, are accountable to their board of trustees as well as to their donors, charity law, their partners and the people on whom their work is focused – disaster-affected persons. Organisations are accountable to their board for fulfilling their mission and using their resources to best effect; they are accountable to donors for carrying out the work for which funding was granted; they are accountable to partners for working in a supportive relationship of mutual respect; and they are accountable to people affected by crisis for doing the right thing and doing it well.

But this doesn't seem to be the perception held by those very people in whose name humanitarian action is undertaken – see Figure 1 overleaf.

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[19] SCHR 2010. *SCHR Peer Review on Accountability to Disaster-Affected Populations. An Overview of Lessons Learned.* January 2010.
http://www.reliefweb.int/rw/lib.nsf/db900sid/JBRN-82WEFF/$file/schr_jan2010.pdf?openelement

[20] The Steering Committee for Humanitarian Response was created in 1972 and is an alliance of 8 major international humanitarian organisations and networks.

This diagram should send a shocking reminder to humanitarian organisations about the continuing inadequacy of accountability efforts directed at disaster affected persons – people in need perceive that no actor is accountable to them. It is for this reason that much of the discussion that follows is centred on accountability to people of concern.

Accountability to affected persons

Agencies have recognised the need to be accountable to their donors and to their agency mission statement or principles, and have put in place systems to do so. These accountabilities continue to dominate agency practices. In contrast, there is currently no incentive, or obligation, to be accountable to affected communities, other than a voluntary commitment to do so.

Figure 1: Perceptions of Accountability Relationships Held by Affected Communities[21]

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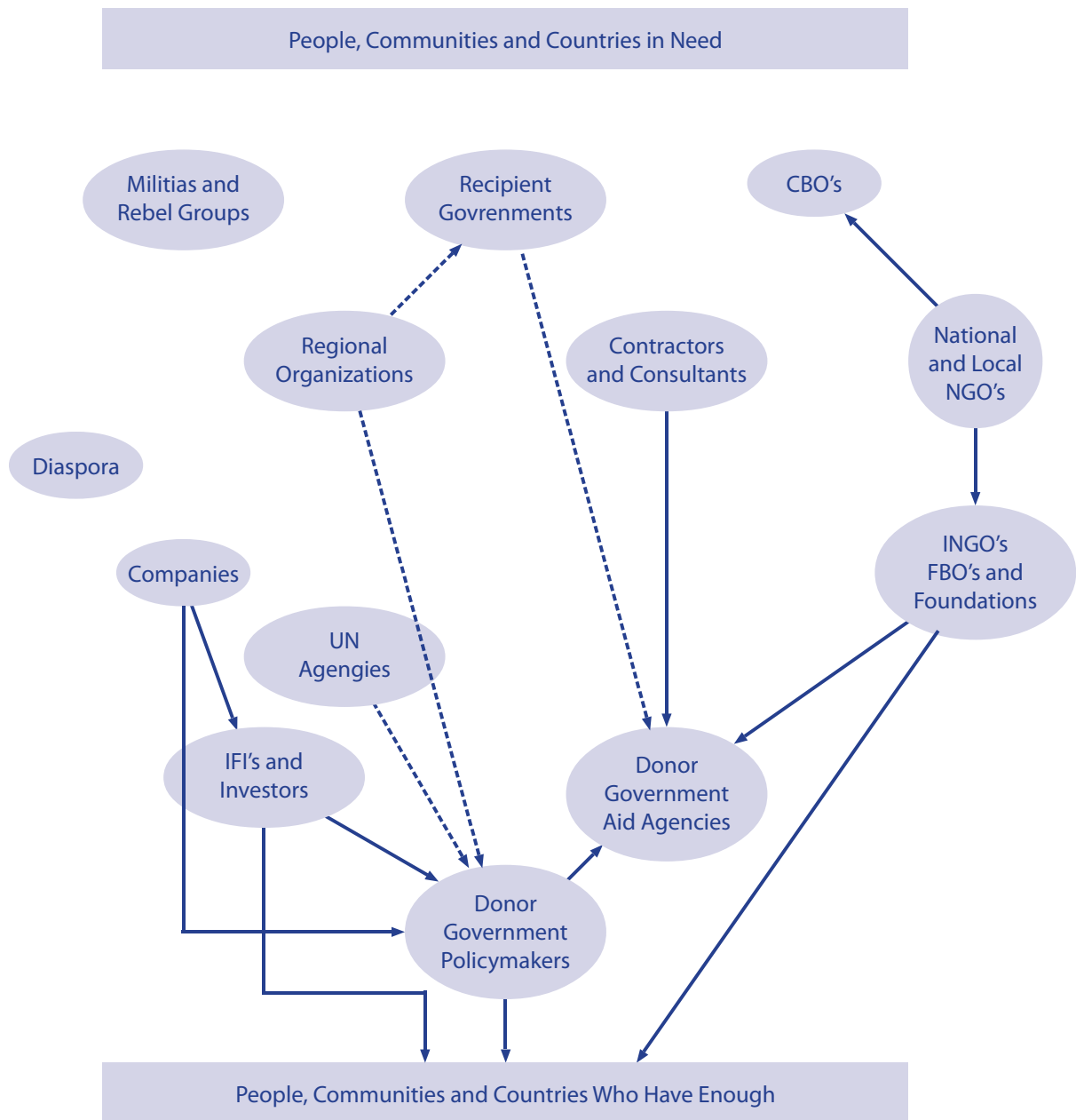
[21] The Listening Project Issue Paper: *Structural Relationships in the Aid System.* March 2010.
http://www.cdainc.com/cdawww/pdf/issue/lp_issue_paper_relationships_in_the_aid_system_mar2010_Pdf.pdf

Box 5: HAP Principles of Accountability, 2010

HAP
Humanitatrian Accountability Partnership

"making humanitatrian action accountable to beneficiaries"

Principles of Accountability

1) Commitment to humanitarian standards and rights
   Members state their commitment to respect and foster humanitarian standards and the rights of beneficiaries.

2) Setting standards and building capacity
   Members set a framework of accountability* to their stakeholders.
   Members set and periodically review their standards and performance indicators, and revise them if necessary.
   Members provide appropriate training in the use and implementation of standards.

3) Communication
   Members inform, and consult with, stakeholders, particularly beneficiaries and staff, about the standards adopted, programmes to be undertaken and mechanisms available for addressing concerns.

4) Participation in programmes
   Members involve beneficiaries in the planning, implementation, monitoring and evaluation of programmes and report to them on progress, subject only to serious operational constraints.

5) Monitoring and reporting on compliance
   Members involve beneficiaries and staff when they monitor and revise standards.
   Members regularly monitor and evaluate compliance with standards, using robust processes.
   Members report at least annually to stakeholders, including beneficiaries, on compliance with standards. Reporting may take a variety of forms.

6) Addressing complaints
   Members enable beneficiaries and staff to report complaints and seek redress safely.

7) Implementing partners
   Members are committed to the implementation of these principles if and when working through implementation partners.

* Framework of accountability includes standards, quality standards, principles, policies, guidelines, training and other capacity-building work. The framework must include measurable performance indicators. Standards may be internal to the organisation or they may be collective, e.g. Sphere or People in Aid.

Box 6: Basic Elements of Accountability

At a minimum, humanitarian project staff should:

1. Provide public information to beneficiaries and other stakeholders on their organisation, its plans, and relief assistance entitlements.

2. Conduct ongoing consultation with those assisted.
    This should occur as soon as possible at the beginning of a humanitarian relief operation, and continue regularly throughout it. 'Consultation' means exchange of information and views between the agency and the beneficiaries of its work. The exchange will be about:

    *   The needs and aspirations of beneficiaries
    *   The project plans of the agency
    *   The entitlements of beneficiaries
    *   Feedback and reactions from beneficiaries to the agency on its plans and expected results

3. Establish systematic feedback mechanisms that enable:

    *   Agencies to report to beneficiaries on project progress and evolution
    *   Beneficiaries to explain to agencies whether projects are meeting their needs
    *   Beneficiaries to explain to agencies the difference the project has made to their lives

4. Respond, adapt, and evolve in response to feedback received, and explain to all stakeholders the changes made and/or why change was not possible.

The solid lines and arrows represent the accountability relationships between one actor and another. The dotted lines show the flows that occur in some situations, and are often part of the environment in which international assistance efforts take place.

The Humanitarian Accountability Partnership (HAP) is focused precisely on filling this gap. It offers guidance, technical support, advice and inspection services so as to strengthen organisations' accountability to affected persons. HAP has thereby created a critical focus on this area and developed many practical resources for its members and others to use. One primary resource is the Principles of Partnership (Box 5).

In terms of implementing these principles, a useful starting point, perhaps, are the four basic elements of accountability identified by the **ECB**[22] (Box 6).

One example of how the fourth HAP principle of accountability – on participation – and the third ECB element of accountability – on feedback mechanisms – have been realised in programming comes from Myanmar. As part of its evaluation of the cyclone Nargis response in 2008, Save the Children consulted with children and produced a booklet to inform children and adults about the evaluation results (Case example 5).

It can, however, be extremely difficult for humanitarian agencies to meet the goals they have set themselves, due to a combination of internal and external factors. There is a recognition that much more progress needs to be made to improve the quality of response and to be accountable to beneficiaries, as **Case example 6** shows.

In terms of accountability generally, not related to any one initiative specifically, lessons from the SCHR Peer Review may offer useful insights[23].

*   The term 'accountability' is not well-understood amongst staff of participating organisations, particularly at the level of country programmes. Moreover, the term itself can frequently block individuals' understanding, so that accountability is kept at a distance, as policy-level rhetoric rather than a responsibility that needs to be acted upon.

*   Partnership and membership relations pose specific challenges to promoting and ensuring accountability to disaster-affected persons. There is an inherent tension between on the one hand, working in a relationship based on trust and mutual respect, and on the other, working to ensure that the relationship results in a quality (accountable) response. Control and trust are often approached as competing concerns, yet trust can be built through a process of shared control.

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[22] Emergency Capacity Building Project. *Impact Measurement and Accountability in Emergencies: The Good Enough Guide*, 2007.

[23] http://www.reliefweb.int/rw/lib.nsf/db900sid/JBRN-82WEFF/$file/schr_jan2010.pdf?openelement

Case example 5: Giving Feedback Following Evaluations.[24]

What children say about Nutrition & Health

Children said they were worried about babies whose mothers were away working, as they did not breastfeed their children. They also worried about babies who lost their mothers during Nargis. Similar to mothers and caretakers, children were aware and had knowledge about nutrition – especially on the best way to feed babies and young children. Some suggested that there should be a scale to regularly weigh babies in the village.

Nevertheless, there were still some malnourished pregnant women and mothers. However support and referrals were not always in place.

Children discussed Infant Feeding in Emergency at a children workshop.
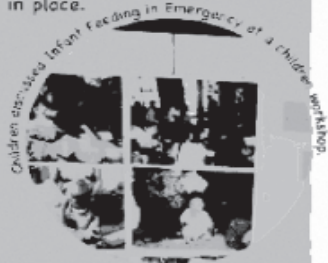
> I like mothers who breastfeed their babies. I don't like to see mothers who go away and do not stay with their children and breastfeed them. Babies must be breastfed to be healthy.

What children say about Food & Livelihoods

> We were very happy to receive food when there was nothing for us to eat. We were able to replace our work tools such as boats and fishing nets. Therefore, we could start working again. Some of us are raising animals that we received from Save the Children and hope to sell them to earn some money.

In some poor villages, children said their families used cash grants to get food and work tools (e.g. fishing nets) while in better-off villages, children said their families invested into small businesses such as grocery stores or boat rental. In general, children were happy with the livelihood support to their families.

Yet, some working children whose houses were seriously damaged said they needed to work harder to save money to repair their houses before the rainy season. Many of them still used tarpaulin sheets to cover the damaged parts of the houses.

Children said there were a few agencies distributing food after the cyclone, including Save the Children staff. There was enough food for everyone.

Save the Children consulted with the children before stopping food distribution.

A girl shows her new boat bought after Nargis.

[24] Excerpts from: *Young Voices, Big Impressions: Children's feedback on out post-Nargis response.* Save the Children 2009.

Case example 6: Accountability to recipients in the north Caucasus: 2005

The Danish Refugees Council (DRC) provided food aid to over 200,000 mainly displaced people in Ingushetia, Chechnya and Dagestan in 2005. Responding to a growing number of queries from recipients, the DRC developed a formal mechanism for receiving and processing complaints, queries and feedback so that concerns could be dealt with efficiently and effectively. It set up nine information centres, and assigned a team of 25 staff in its regional office to hear, document, process and investigate complaints.

Ensuring that food was distributed to the intended recipients in a timely and efficient manner was the greatest challenge, as people's location and family status changed and donor criteria shifted for their selection. *"Managing the complex logistics for such a large and mobile population requires a good information flow to identify the right people to receive the right aid in the right way"* observed the HAP accountability advisor who reviewed the project at the DRC's request.

HAP found the DRC dealt with between 5000 and 10,000 individual queries and complaints each month. Because most queries were about food aid entitlement, the system helped to ensure that aid reached the intended recipients. *"The mechanism increased the DRC's transparency and significantly improved its level of accountability to the recipients and the overall quality of programme,"* concluded HAP.

HAP also identified numerous additional benefits of the system: it increased a sense of recipient dignity, maintained a trusting and transparent relationship between agency and the population, and offered a structure that could be modified to provide a more comprehensive range of information to recipients, and solicit complaints about matters other than food aid. The system succeeded in improving food distribution, increasing dignity, trust and security.

Source: Humanitarian Accountability Partnership, *The Humanitarian Accountability Report*, HAP, 2005.

- Individual staff make it possible for organisations to realise their responsibility and commitment to accountability towards affected populations. It is perhaps due to their personal commitment and drive that accountability to disaster-affected persons rests most securely.

- Accountability to disaster-affected populations is not only an important principle, but it also has important implications: accountability requires organisations to change the way they work, by creating a different relationship with persons of concern where the aim is to diminish the power disparity between them. Learning from the peer review points to the need for attention to both policies/systems and attitudes/behaviours.

Standards and Accountability Promoted by the Nutrition Cluster

This remains 'work in progress' for the Global Nutrition Cluster (GNC). Of the various quality and accountability initiatives discussed in this module, Sphere is the main one specifically cited by the cluster, largely because of its nutrition-specific content As Lead Agency, UNICEF's own policies may well influence the workings of the GNC. Specifically, the Core Commitments for Children in Humanitarian Action[25] state that UNICEF holds itself accountable to, amongst others, the humanitarian principles, human rights based approaches, and the Sphere Standards. The evaluation of the overall Cluster Approach[26] has several general findings relevant to standards and account-

ability: At the country level, cluster members have adopted common positions concerning specific operational issues and supported the development and dissemination of local standards (page 9). For example, Clusters agreed on common cash for work or food for work rates and strategies in Uganda, Haiti and Myanmar; clusters agreed on a common composition of food parcels in Uganda (page 51); the nutrition cluster in Haiti worked closely with government to develop appropriate nutrition standards. Nevertheless the evaluation found no evidence that clusters had developed mechanisms for monitoring adherence and compliance to relevant standards (page 52) and pointed to the need for greater effort to strengthen the role of clusters in defining, adapting, using and promoting relevant standards (page 13).

The evaluation points out that:

"An effective accountability relationship requires standards against which to assess behavior, information about relevant actions and the possibility to reward or sanction them. The cluster approach conceptualizes accountability predominantly as hierarchical accountability between cluster lead organizations and the Humanitarian Coordinator. Beyond this, clusters can also offer valuable opportunities to strengthen peer accountability and to enhance accountability to affected populations. In all case study countries bar one, accountability to the Humanitarian Coordinator is minimal. Instead, clusters have started to make valuable contributions to strengthening peer accountability (page 44)."

[25] Available in English, French and Spanish: http://www.unicef.org/publications/index_21835.html

[26] IASC Cluster Approach Evaluation, 2nd Phase. Synthesis Report, April 2010.

Case example 8: Using 3 Quality and Accountability Initiatives in Emergency Response[27]

In August 2007, an earthquake struck the coast of Peru, killing over 500 people and leaving 75,000 families homeless. CARE Peru recruited a dedicated team to ensure that the organisation's commitment to be accountable to disaster-affected communities was realised in its response efforts.

International standards and guidelines were reviewed and a simple accountability framework was then developed. This formed the basis for a set of accountability mechanisms that were built in to projects:

1. Public information to the affected populations;

2. Mechanisms for participation of affected people in CARE's decision making

3. Feedback from affected communities, and adapting the response accordingly

4. Application of Sphere standards in the response

A checklist of Sphere standards was distributed to all staff. It was used with suppliers to monitor the quality of goods; and with donors/funders to advocate for a shelter design that was Sphere-compliant.

To help field staff communicate key information in a clear and consistent manner, a generic information sheet on CARE was created using ECB's Good Enough Guide *Tool 1: How to present your agency, a need to know check list*. Project managers adapted this by adding more specific project information and identified opportunities for information sharing during continuous project monitoring.

In accordance with CARE's commitment to the HAP Standard, a complaints and response mechanism was launched after two months. Public meetings, workshops, radio, leaflets and posters communicated to communities and government what the complaints mechanism was for and how it worked. Complaints could be made through a new free telephone line, CARE's web page, CARE offices and field staff.

Over four months, 300 complaints were received and responded to. Few calls came in from the highland areas, so focus group sessions and individual interviews were undertaken there. The results of feedback included both compliments and complaints, such as:

> *Families who have received tents from CARE* are on my land – after verifying that the land was indeed private, CARE helped negotiate a resolution.

> *We have been poorly treated by CARE staff* – managers spoke to the staff member concerned.

Field staff recognised that they had not always acted respectfully towards community members. Managers learned they needed to provide support to staff to ensure their wellbeing in such contexts.

> *I am grateful to CARE as they visited me and attended to my problem* – the complaints mechanism improved relationships with communities. CARE's follow-up and communication on decisions made, even that no further action was taken following investigations, was greatly appreciated.

Overall, accountability made a difference. Strengthened accountability enabled CARE to reach vulnerable populations that may not have otherwise been reached, to resolve problems that may otherwise have remained unknown, and to uphold the dignity of the affected population.

Organisational commitment to accountability is essential. Obstacles encountered required top-level commitment from CARE Peru to be overcome. Key lessons:

> *Early efforts must be made to embed accountability into project processes* Accountability must be seen as part of the core work of project teams, and not as something carried out in parallel by dedicated accountability staff.

> *A complaints mechanism risks being seen as a threat to staff* Fear that complaints would threaten the jobs of staff needed to be overcome – through learning by doing, reassurance and a gradual acceptance that the complaints mechanism improved the quality of work.

> *Trust in the complaints mechanism helps build relationships* Critical was how complainants were treated: with respect, calm (often in the face of initial anger/frustration) and kindness.

> *Accountability is not just about having a complaints mechanism* A complaints mechanism should not divert attention from other efforts to involve women, men, girls and boys from day one of an emergency response.

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[27] Based on a case study written by Clare Smith of CARE International, cited in: *Taking the initiative. Exploring quality and accountability in the humanitarian sector: an introduction to eight initiatives.* July 2009. The Sphere Project

Regarding accountability[28] to affected populations, no evidence was found of clusters actively promoting participatory approaches by their members. Moreover, most clusters failed to communicate their work effectively (p.59). One of the few exceptions was the Food Security and Agricultural Livelihoods Cluster in Uganda, which used community consultations to validate its action plan and produced a video to help communicate their plans and activities.

All in all, these findings suggest the need for more active and proactive efforts by the Clusters, including the GNC, to ensure that aspirations of quality and accountability are consistently realised in practice.

Conclusion: Standards and Accountability

One is accountable to someone for something. For humanitarian agencies, the organisational priority, systems and procedures tend to be skewed towards accountability to donors for financial probity and operational performance. There is far less of an imperative for agencies to be accountable to people affected by emergencies. After all, the viability of an organisation doesn't depend on it whereas an organisation does depend on financial backing and on retaining its legal status.

The food security and nutrition chapter of the Sphere Handbook is the most concrete example of the concerted efforts taken by the nutrition community in order to arrive at operational standards that provide greater transparency and accountability in humanitarian response. We have seen that inter-agency initiatives that seek to improve quality of programme delivery and accountability towards the beneficiaries of humanitarian aid are not embraced by all humanitarian actors. The main criticism is that these initiatives remain statements of intent and that no single humanitarian agency can hope to comply with Sphere standards. They only serve, they say, to gauge the accountability of all actors responsible for delivering humanitarian assistance to the population.

Nevertheless the expression on food security and nutrition standards has led to the recognition by the nutrition community of how a common vocabulary can help agencies measure their progress in assessment and programme delivery. The nutrition sector is well placed to support local capacity and improve programming by applying and reporting upon technical advances in the nutrition sector. It is also well placed to draw out some of the similarities between humanitarian and non-disaster situations in terms of the right to food, and freedom from hunger. Initiatives such as the Sphere Project and the Code of Conduct aim to address some of the shortfalls in intent. However, there is a challenge that remains for the nutrition community, namely, how to ensure that the attention given to technical advances is put into a broader context of what a quality response encompasses. For that is the essence of accountability which places affected communities, donors and implementing actors in a more balanced relationship.

The last case example provides a fitting note to end on, since it underscores the practical feasibility of much of what has been discussed in this module. But this takes committed individuals to drive practice forward.

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[28] The Inter-Agency Steering Committee (IASC) is developing an "accountability framework" to explain the overall humanitarian architecture, including the links between clusters, Humanitarian Coordinators and Humanitarian Country Teams.

Annex 1: Inter-agency accountability initiatives

A fuller explanation of eight major initiatives, and how they complement each other in the effort to improve the quality and accountability of humanitarian response, is given in "Taking the initiative. Exploring quality and accountability in the humanitarian sector: an introduction to eight initiatives"[29].

1. Active Learning Network for Accountability and Performance in humanitarian action (ALNAP)

ALNAP is an international network that aims to promote a culture of learning across the humanitarian sector in order to improve performance. ALNAP was established in 1997 and is involved in the production of an annual *Review of Humanitarian Action*, which monitors the performance of humanitarian action though a synthesis of evaluative reports provided by members; monitors the quality of the evaluations themselves, using an *ALNAP quality proforma;* works with agencies to improve their evaluation skills; maintains a database of evaluation reports; and produces practical tools, such as guidance booklets and training modules. ALNAP has over 50 full members and nearly 400 observer members, and has a secretariat based at the Overseas Development Institute in London. Retrieved 16 July 2009 from www.alnap.org.

2. Humanitarian Accountability Partnership – International (HAP-I)

HAP-I was founded in 2003 by a group of humanitarian agencies committed to making humanitarian work more accountable to its intended beneficiaries. HAP-I is building a system of voluntary self-regulation, and is currently developing self-evaluation and peer review techniques for accreditation and certification of compliance with the HAP-I Accountability Principles. HAP-I is registered as a Swiss NGO, with a Secretariat based in Geneva, and has a vision of an international humanitarian system that is accountable. Retrieved 16 July 2009 from www.hapinternational.org.

3. People In Aid

Formally established in 1995, People In Aid's first output was the People In Aid Code of Best Practice in the management and support of aid personnel. The Code, now revised as the Code of Good Practice, comprises seven principles defined by indicators and which are monitored and assessed by agencies, using the social audit process. People In Aid's mandate as a central resource to the sector, supporting agencies in improving the quality of their human resources management, is further carried out through workshops, published guidelines, research and exchange of information between the 70+ members around the world. Retrieved 16 July 2009 from www.peopleinaid.org.

4. Coordination SUD – Synergie Qualité

Coordination SUD is the national coordination committee of French international solidarity NGOs. It produced the Synergie Qualité methodology in 2003. The conviction behind this approach is that the quality of international solidarity actions must be grasped in a multi-dimensional way. Quality includes ethical principles, organizational factors at NGO headquarters, technical know-how, and relationships between members of the NGO and the local actors (beneficiary populations and southern partners). This conviction led to the formulation of a coherent set of principles and methods based on five themes: humanitarian ethics, governance within the agency, human resources management, project cycle and the role of the affected populations. Retrieved 16 July 2009 from www.coordinationsud.org.

5. Quality COMPAS (Criteria and Tools for the Management and Piloting of Humanitarian Assistance)

Produced by the Groupe U.R.D. (Urgence. Rehabilitation. Development) sur la qualité dans l'action humanitaire, Quality COMPAS undertakes research, evaluation and training in humanitarian action. It has its roots in operational research carried out from 1999 to 2004 in different contexts and different types of humanitarian projects, alongside operational aid workers. It is the first method of quality assurance produced specifically for humanitarian projects, based on a series of questions and centred on affected populations. It enables steering and evaluation of projects, with the aim of improving the quality of service provided to these populations.

Today, it is complemented by an information handling system (Dynamic COMPAS), which makes it possible to record keys data about the project. Groupe U.R.D. is now supporting leading humanitarian organizations as they adopt this method and its tools. Retrieved 16 July 2009 from www.compasqualite.org/en/index/index.php.

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[29] The Sphere Project, July 2009 http://www.sphereproject.org/content/view/481/228/lang,english/.

6. The Emergency Capacity Building Project's Accountability and Impact Measurement Initiative:

The Emergency Capacity Building (ECB) Project is a collaborative effort of the seven agencies of the Inter-Agency Working Group on Emergency Capacity.[30] These agencies and their partners address issues of staff capacity, accountability, impact measurement, risk reduction, and the use of information and communication technologies (ICTs) in emergencies, with the objective of improving the speed, quality and effectiveness of emergency response. ECB's work focuses on impact measurement and accountability. It strives to recognize the important humanitarian standards developed by ALNAP, HAP-International and Sphere and, by working with them, helps to bring together practices in the field that will improve accountability to people affected by disasters. It has also provided impact measurement of the work undertaken by publishing, in early 2007, a brief guide entitled 'Impact Measurement and Accountability in Emergencies: The Good Enough Guide'. The Guide was developed by the ECB and offers a set of basic guidelines on how to be accountable to local people and measure programme impact in emergency situations. It also contains a variety of tools on needs assessment and profiling. It is aimed at humanitarian practitioners, project officers and managers with some experience in the field, and draws on the work of field staff, NGOs, and inter-agency initiatives, including Sphere, ALNAP, HAP International, and People In Aid. Retrieved 16 July 2009 from www.ecbproject.org.

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[30] CARE International, Catholic Relief Services, the International Rescue Committee, Mercy Corps, Oxfam GB, Save the Children US, and World Vision International.

Annex 2: Recognition of the right to food[31]

The right to adequate food is recognized in several agreements under international law, including the Universal Declaration of Human Rights, adopted in December 1948 (article 25), and the International Covenant on Economic, Social and Cultural Rights, adopted by the General Assembly in December 1966 and entered into force in January 1976.

"Everyone has a right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control."

(Article 25 in the Universal Declaration of Human Rights).

"The States Parties…recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement in living conditions. The States Parties will take adequate steps to ensure the realization of this right, recognizing to this effect the essential importance of international cooperation." "The States Parties…recognize the fundamental right of everyone to be free from hunger, shall take, individually and through international cooperation, the measures, including specific programmes, which are needed."

(Article 11 in the International Covenant on Economic, Social and Cultural Rights).

Obligations of States and warring parties to provide humanitarian assistance

Human rights law and humanitarian law define the legal responsibilities of states or warring parties to provide assistance or to allow it to provided, and refrain from behaviour that violates fundamental human rights.

International Covenant on Economic, Social and Cultural Rights:

"Each party to the present covenant undertakes to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of its available resources, with a view to progressively achieving the full realization of the rights recognized in the present covenant by all appropriate means, including particularly the adoption of legislative measures." (Article 2). Many states have adopted such legislation; however this is not consistent between states.

4th Geneva Convention part 3:

"To the fullest extent of the means available to it, the Occupying Power has the duty of ensuring food and medical supplies of the population; it should in particular, bring in the necessary foodstuffs, medical stores and other articles if the resources of the occupied territories are inadequate" (Article 55).

"If the whole or part of the population of an occupied territory is inadequately supplied, the Occupying Power shall agree to relief schemes on behalf of the said population, and shall facilitate them by all the means at its disposal. Such schemes, which may be undertaken either by States or by impartial humanitarian organizations such as the ICRC, shall consist in particular of the provision of consignments of foodstuffs, medical supplies and clothing." (Article 59).

"The Occupying Power shall in no way whatsoever divert relief consignments from the purpose for which they were intended, except in cases of urgent necessity, in the interests of the population of the occupied territory and with the consent of the Protecting Power." (Article 60).

Additional Protocols:

"If the civilian population is suffering undue hardship owing to a lack of supplies essential for its survival, such as foodstuffs and medical supplies, relief actions for the civilian population which are of an exclusively humanitarian and impartial nature in character and conducted without any adverse distinction shall be undertaken subject to the consent of the High Contracting Party concerned." (Additional Protocol 2; Article 18 – referring to non-international armed conflict).

Convention of the Rights of the Child 1990

"'State Parties' shall take appropriate measures to 'combat disease and malnutrition …through the provision of adequate nutritious foods, clean drinking water and health care' and 'ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition [and] the advantages of breastfeeding.'"

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[31] Source: The Sphere Project, Nutrition Module, Session 1, Handout 1, 2004.

Annex 3: The Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief

Key Excerpts: [32]

Purpose

This Code of Conduct seeks to guard our standards of behaviour. It seeks to maintain the high standards of independence, effectiveness and impact to which disaster response agencies aspire. It is a voluntary code, outlining 10 principles of conduct. Three annexes describe the working environment that we would like to see created by Host Governments, Donors and Inter-Governmental Organisations.

The Code of Conduct

1. The humanitarian imperative comes first

    The right to receive humanitarian assistance, and to offer it, is a fundamental humanitarian principle which should be enjoyed by all citizens of all countries. As members of the international community, we recognise our obligation to provide humanitarian assistance wherever it is needed. Hence the need for unimpeded access to affected populations is of fundamental importance in exercising that responsibility. The prime motivation of our response to disaster is to alleviate human suffering.

2. Aid is given regardless of the race, creed or nationality of the recipients and without adverse distinction of any kind. Aid priorities are calculated on the basis of need alone.

3. Aid will not be used to further a particular political or religious standpoint

    Humanitarian aid will be given according to the need of individuals, families and communities.

4. We shall endeavour not to act as instruments of government foreign policy

    Non-governmental humanitarian agencies act independently from governments. We therefore formulate our own policies and implementation strategies. We will never knowingly – or through negligence – allow ourselves, or our employees, to be used to gather information of a political, military or economically sensitive nature for governments or other bodies that may serve purposes other than those which are strictly humanitarian, nor will we act as instruments of foreign policy of donor governments.

5. We shall respect culture and custom

6. We shall attempt to build disaster response on local capacities

    Where possible, we will strengthen these capacities by employing local staff, purchasing local materials and trading with local companies.

7. Ways shall be found to involve programme beneficiaries in the management of relief aid

    Effective relief and lasting rehabilitation can best be achieved where the intended beneficiaries are involved in the design, management and implementation of the assistance programme.

8. Relief aid must strive to reduce future vulnerabilities to disaster as well as meeting basic needs

    We will strive to implement relief programmes which actively reduce the beneficiaries' vulnerability to future disasters and help create sustainable lifestyles.

9. We hold ourselves accountable to both those we seek to assist and those from whom we accept resources

    We often act as an institutional link in the partnership between those who wish to assist and those who need assistance during disasters. We therefore hold ourselves accountable to both constituencies.

10. In our information, publicity and advertising activities, we shall recognise disaster victims as dignified humans, not hopeless objects

    Respect for the disaster victim as an equal partner in action should never be lost. In our public information we shall portray an objective image of the disaster situation where the capacities and aspirations of disaster victims are highlighted, and not just their vulnerabilities and fears.

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[32] The full text can be found at http://www.ifrc.org/publicat/conduct/ in English, French and Spanish

Annex 4: Overview of the Sphere Standards on Food Security and Nutrition

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                            Humanitarian
                              charter
                                 │
                              Common
                             standards
                                 │
                              Minimum
                            standards in
                           Food Security
                            and Nutrition
                                 │
    ┌──────────────┬──────────────┼──────────────────────────────┐
Food security    Infant and     Management of                  Food
and nutrition    young child    acute malnutrition             security
assessment       feeding                                          │
    │                │              │              General food
Food security   Policy guidance  Standard          security
assessment      and basic        Management of        │
    │           interventions    moderate acute    ┌──────────────┬──────────────┐
Nutrition           │            malnutrition   Food security,  Food security,  Food security,
assessment      Skilled              │          Food transfers  Cash transfers  livelihoods
                support          Standard            │               │               │
                                 Management of   General          Cash and       Primary
                                 Severe acute    nutrition        vouchers       production
                                 malnutrition    support                            │
                                     │               │                           Income and
                                 Standard        Appropriateness                 employment
                                 Management of   and acceptability                  │
                                 micronutrient       │                           Access
                                 deficiencies    Food quality                    to markets
                                                 and safety
                                                     │
                                                 Supply chain
                                                 management
                                                     │
                                                 Distribution
                                                     │
                                                 Food use


                            Appendices
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