



The Powers That Be...

Cooperation between Dutch Humanitarian NGOs and local government structures

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Let's work together?

The collaboration of humanitarian NGOs and INGOs with governments is an important aspect of aid, even though it is not often fully discussed. It could be said that the position of local governments is the crucial starting point for any relief operation. It is primarily the responsibility of governments to ease the suffering of its own citizens, so if governments were willing to do this and capable of it, there would be no need for international humanitarian aid. Hence, the very presence of international humanitarian aid agencies denotes that local governments lack the capacity or the political will to meet this responsibility.

The relationship between NGOs, INGOs and local governments is multi-faceted. In situations with a functioning government, organizations have to work within its structures and operate within the boundaries of legal systems, rules and regulations. Furthermore, interaction occurs around the coordination of aid. When crises occur, many different organizations with varying backgrounds enter a crisis area, with overlapping mandates and often shared priorities. In principle, the host government should be the first to take the coordinating role, even though in practice this is often done by the UN, or an INGO. Furthermore, NGOs, INGOs and governments can relate to each other as partners complementing the delivery of aid, or government bodies can become the target of NGOs' capacity building programmes which are intended to enhance the capacities of local governments in a sustainable manner.

International and local humanitarian agencies therefore deal with local governments and their structures on different levels and with different aims:

- Depending on governments to create humanitarian space, i.e. to get access to a region where assistance is needed; local legislation, permits and security are the issues.
- Targeting governments to address their responsibilities by advocating policy change in the fields of human rights, governmental service institutions and disaster preparedness or conflict mitigation.
- Strengthening or enhancing the capacities of government organizations, as facilitators or even implementing partners.
- Sharing in coordination and cooperation structures with INGOs, local NGOs, local CBOs, government representatives, IGOs, and donor governments or multilateral organizations such as the EU.

In this paper these four kinds of relationships with local governments and their surrounding structures will be examined, and the dilemmas, advantages and problems discussed. The paper deals primarily with the relationship between INGOs and their local partner NGOs, with local governments. United Nations organizations and donor governments often play a role in the issues discussed, but this will only be referred to in passing. The paper thus presents the practices and experience of Dutch humanitarian agencies and their partners in cooperating with local governments. The paper was

prepared by Disaster Studies, partly on the basis of interviews with representatives of 12 Dutch humanitarian NGOs. In some cases, due to the sensitive nature of the information provided, the names of the interviewees and organizations have not been included. The paper forms part of a series of three, the other two discuss the relationship between INGOs and their local partners, and the relationship between NGOs and their target groups. This paper formed the input for a PSO seminar on 5 February on "Cooperation with local governments in Humanitarian Assistance".

Parameters of NGO-GO relations

This section discusses four parameters that determine the relationships between NGOs and governments in crisis situations.

Type of disaster and NGO-GO relations

In discussing NGO-GO relations many people make an intuitive distinction between working in conflict situations and working in disaster situations caused by natural hazards. This is to some extent a valid distinction. In conflict situations International Humanitarian Law prevails endowing humanitarian workers, with the discretion to by-pass local sovereignty if necessary. In natural disaster situations, aid takes place in the framework of national law. In the case of the Red Cross, this distinction is institutionalized with the ICRC working in conflict areas and IFRC, in principle, taking care of disasters in non-conflict areas. Viewed in the local context, however, the distinction is not so clear cut. Disaster response – whether in response to natural hazards or conflict – always depends on the local circumstances, context, and local power structures. In cases of conflict, it is more likely that failing governments and biased or corrupt power structures have contributed to the crisis.

However, many of the so-called natural disasters have structural origins as well, and responses to disasters reveal the lack of capacity and/or political will in many non-conflict countries.

‘The current food crisis [in North Korea] has structural causes, including economic mismanagement made worse by a decline in subsidized trade with erstwhile political friends in China, the old Soviet Union and elsewhere. The natural disasters of 1995 and 1996, though severe, merely highlighted structural failure; they were indicative rather than causal.’ (Bennet 1999).

Similar observations can be made of many recent disasters, for instance in Ethiopia, Zimbabwe, Malawi and Angola. Bad governance is certainly not the prerogative of countries in conflict. Governments can abuse their power e.g., by favouring one group of people over another in delivering assistance.

Hence, it is not the type of disaster that is the determining factor in this context but the character, capacities and organization of the governance structures. The intuitive distinction that many people make between natural disasters and conflict can lead to two kinds of misconceptions that humanitarian agencies should be aware of. Humanitarian agencies can overestimate the benign nature of governments in non-conflict areas, but they can also underestimate the capacities of government agencies in conflict areas.

Relief, rehabilitation and GO-NGO relations

Another apparent distinction that can be made is between relief and rehabilitation. The question of how to link up with government capacities appears less important in relief than in rehabilitation. A quick life-saving response to an emergency is considered more important than enhancing government capacities or establishing coherence between the different players in the humanitarian field. When the immediate relief phase moves into a rehabilitation phase, capacity building and coordination becomes more important, for instance in supporting Disaster Preparedness and Mitigation (DPM) or Risk Management (RM) programmes. MSF specializes in the relief phase and thus devotes little attention to strengthening government capacities. Most other organizations, including ZOA refugee care, Care NL, Healthnet International, Kerkinactie/ ICCO and War Child operate more in the rehabilitation phase and work more on strengthening local capacity.

Again, the distinction between relief and rehabilitation phases is relative and often cannot be maintained. In the case of slow-onset crises or protracted emergencies, as in the case of famines or the

conflicts in Sudan, relief and rehabilitation coincide to varying degrees. Since emergency situations usually last longer than anticipated, it is often suggested that agencies should include a focus on capacity building and coordination within weeks, or even days, after the onset of an emergency. Humanitarian emergencies could be considered as "windows of opportunity" when the conditions can be created to improve the situation prior to the disaster which often contributed to the disaster in the first place (Bakewell, 1999; Christoplos, 1998).

Strengthening local government capacities in disaster response can be an enduring investment in international disaster preparedness. This is not to say that such capacity building is feasible in all situations. Investing in local government capacities requires a certain degree of stability. NGOs may thus very well decide that in particular situations collaboration with or even capacity building of local governments is not feasible, but this should be well argued in terms of the organizations' mandate and the operating context, rather than being legitimized on the basis of the crude and inadequate instrument of the relief-development continuum.

What is the state?

There is a great diversity of government institutions, both between countries and within countries. Within countries, it is useful to keep in mind several distinctions that humanitarian NGOs work with in practice. Firstly, there is the distinction between national government and local government. In cases where NGOs do not relate to the government at national level, they may still have established working relations with local government in the area of their interventions. Secondly, there is a distinction between the political components of the government and its supporting apparatus and the line agencies, as they are called, that have implementing responsibilities, such as the Ministries of Health or Education. State organs concerned with law and order and might such as the military, the police and the judiciary apparatus form yet another kind of government structure. NGOs often develop differentiated relationships in countries with different agencies. They may, for instance, refrain from collaborating with government in the political sense and yet work locally with a line agency.

Implementing or funding NGOs

A final parameter that determines the state of NGO-GO relations is the nature of the NGO itself. INGOs who physically come to a crisis area to implement a programme will have a different relationship with local government than funding NGOs or NGOs with local family branches. When family organizations with local branches like World Vision, Care and the Red Cross and Red Crescent Societies (IFRC) send people or programmes they can make use of the local embeddedness of their counterparts. In these cases, the organizations can essentially continue to operate as they did, except that they are then beefed-up by specialist (expatriate) personnel or relief teams. Several respondents mentioned that the presence of local partners is sometimes hardly meaningful and that the INGO actually takes over the operation using the local partner merely as a channel.

NGOs that provide aid through supporting local NGOs, whose institutions and programmes have already been approved by their own governments or who channel their aid through local branches, face fewer complications around access and clearance than INGOs who go into the field themselves. Thus, there is a difference between organizations who mainly fund existing family branches, local partners, or network partners (Care NL, Dutch Red Cross, Cordaid, World Vision, ZOA refugee care, ACT NL, Tear fund, Novib/Oxfam NL) and organizations that go into the field themselves (MSF-H, HNI, War Child and ZOA).

Creating humanitarian space

“Our primary mission is to go and help people and care for them and make them better, and the number one thing is to get access to people, so you have to negotiate, you have to cooperate to some extent, you have to go through local authorities. They got guns, they got the law and a lot of people. What the hell are you doing in other people's country? So, you have to negotiate your access, you can't just walk in without interaction.” (Interview MSF)

Under International Humanitarian Law, governments and other warring parties are obliged to provide humanitarian agencies with room to access the victims of warfare. In reality, warring parties often treat

civilians as objects to battle over or abuse in their own pursuit of power. They may also block access to victims to avoid exposure of what is happening on the ground through media and NGO reports. This is particularly the case when the population that NGOs want access to is considered hostile to the government authorities. In these cases, NGOs risk being perceived as partisan and aligned with the hostile parties.

In some cases, INGOs have to deal with informal governments or regions under rebel rule, or warlord territories. International humanitarian law is even less applicable in these situations, but nonetheless there are several examples of where INGOs were able to reach an understanding with rebel groups. INGOs reached a Memorandum of Understanding with the SPLA, for example, in which access, permits and protection are regulated. Most of the organizations interviewed have experience of working with two or more warring parties in one country, like Sri Lanka, Sudan, Bosnia and, in the past, Mozambique. It demands a sensitive approach to safeguard independence and neutrality. In order not to be seen as a pawn in a political game, INGOs have to be very careful not to lose their legitimacy with the local population, organizations, and governments.

The history and regulation of GO-NGO relations

Apart from the dynamics of the conflict, NGOs' access also depends on the 'normal' GO-NGO relations in countries. Governments are very different in the amount of space they want to give to national (and international) NGOs. Sierra Leone is a country often referred to as having little or no regulation or monitoring of NGOs, who are free to do as they like. Similarly, in Mozambique NGOs can just open an account which donors can send money to. Countries like Rwanda, India and Bangladesh, on the other hand, demand strict registration of NGOs and make sure that the flows of money coming in are monitored. In India, Pakistan and Bangladesh every individual funding activity has to be cleared by the government, which takes time and effort. NGOs wanting to work in Eritrea had to wait 6 months for their permits and MSF had to wait two years to get into Burma.

Once NGOs obtain access, they still have to abide by different regulations regarding monitoring and reporting to the government. This takes on different forms depending on the country involved. Many Dutch INGOs have little to do with these demands in the host country because they fund local partners who provide this accountability themselves. Funding NGOs may still approach local governments for feedback as part of its evaluation efforts, as may their back donors, but they are not normally subject to stringent regulations themselves.

Dealing with local rules and regulations is complicated because INGOs also have to comply with the rules and regulations of their back donors. ECHO, for instance, demands certain expenditures in Europe like cars or computers. The Dutch Ministry of Foreign Affairs makes a distinction between structural humanitarian assistance, with a focus on areas of protracted conflicts, and immediate assistance for rapid onset disasters. Ten countries have been selected for structural humanitarian assistance, in 2003 these were: Afghanistan, DRC, Sudan, Somalia, Angola, Iraq, Sierra Leone, Burundi, Liberia, and the Moluccas in Indonesia. INGOs who submit project applications have to consider these regional policies¹.

Accepting harm in exchange for access?

Since the mid-1990s there has been a lot of discussion about the drawbacks of humanitarian aid. Among the many problems cited it is said that by collecting refugees in camps agencies make them more vulnerable to attack, the availability of food and medicines for aid can invite robbery, and that agencies negotiating access can unwittingly contribute to the legitimization of rebel parties (Black, 2003). One of the dilemmas facing humanitarian agencies is what compromises are they willing to make in exchange for access to people in need. There is often a delicate trade-off between humanitarian principles and safeguarding access to the field. This can result in agencies having to decide whether to stay and leave the people they hope to assist to an unknown (or well anticipated) fate, or to lower expectations and stay. A recent example is the question of whether agencies should accept the condition imposed by DPR Korea that all aid has to be channelled through government

¹ Certain rules also apply when responding to a rapid onset disaster outside the cluster of 10 structural assistance countries: coordination with UN bodies like UNHCR or WFP after a consolidated appeal or via the United Nations Disaster Assessment Committee (UNDAC) or OCHA.

structures. Another example is Angola where agencies were given access but felt they were being abused because the government was capable of delivering aid but refused to accept its responsibility (see Christoplos 1998, WDR 2003: 13/16-17). In another case in Northern Uganda, an INGO could only work provided it remained silent about government practices while denouncing atrocities on the rebel side (Jansen, 2002). Governments may also place demands on the way NGOs operate in their country. Examples include the Ethiopian government demanding a say in the choice INGOs' local partners, and the government of Iran interfering with the quality of the personnel in local organizations.

In practice, humanitarian agencies often find creative ways around the unjust demands of governments. One example from one of the INGOs interviewed deals with Ethiopia, a country with a high degree of government control in the area of foreign assistance. In this example, the agency organized vocational training although the primary hidden aim was, by their presence, to protect people against rape. A similar example was given by another NGO that built clinics and a hospital for Roma communities in Kosovo that would have been under attack were it not for the presence of the NGO.

The critique of humanitarian aid culminated in the "Do-no-Harm" approach developed by Mary Anderson. This approach stipulates that agencies should avoid doing harm by their interventions and that they should anticipate, monitor and remedy political or other abuse of their aid. The Do-no-Harm approach has been very influential and many agencies have adopted the maxim. It has also been reflected in national policies, including Dutch policy. Recently, it has been observed that under the influence of the Do-no-Harm principle, agencies have become too cautious at the expense of reaching out to people and saving lives (Henri Dunant Centre, 2003).

It seems that the debate on humanitarian ethics and the compromises that have to be made in the field will go on. The complexity of humanitarian aid is such that ethical dilemmas will always occur. Recently, it has therefore been suggested that the choices made by humanitarian agencies are neither good nor bad as such; what is important is that they are based on thorough analysis and they are well argued and transparent (IFRC 2003: 8-37).

The problem of corruption

Where power is invested in individuals to maintain regulations, corruption and bureaucratic red tape seem to occur. All INGOs have a policy on corruption, but most also agree on the fact that corruption is part of local practice, that compromises sometimes have to be made and that there is a critical boundary between the two. When it is normal in a country to pay something extra to get things done, then that is somehow part of the local context. It is not, according to some, necessarily wrong to get along with that, if the goal is to help people in need. According to Kerkinactie/ ICCO you cannot get into Congo without "juggling", and you need to be aware of the "logic" behind the juggling to be able to manoeuvre within the system. 'When there are 15 men at the border and two foreigners arrive, then they will have to pay the salary of those 15 men. The balance of going along with the juggle lies between how big the need is of the people and what we can explain to our donors and supporters.'

It is argued that implementing organizations who are in the field themselves can understand and handle corruption better by negotiating and advocating against it, whereas bigger funding agencies, who channel their aid through local partners, do not know what happens on the ground. In some cases, INGOs have ceased activities in situations where the level of diversion of aid was unacceptable. This was the case with MSF in DPR Korea, for instance, where food supplies and data on the whereabouts and needs of the beneficiaries were subject to manipulation by the government and army.

It is hard to find evidence of corruption and manipulation in the reports of local partners. NGOs do not have a bookkeeping entry for corruption in their budgets or reports. Some argue that this should actually be done to make the problem more visible and create more transparency in discussions and decisions on determining where to draw the line in making compromises.

Advocacy: INGOs as guardians of humanitarian space and more

Advocacy is an important aspect for many humanitarian organizations, irrespective of their mandate. Organizations with a minimalist mandate often have to engage in advocacy, through negotiation or "silent diplomacy", to create the humanitarian space needed to access, assist and protect their target

groups. Organizations with broader mandates engage in advocacy activities to address the causes of disaster, be it disasters related to natural hazards or disasters related to conflict. In conflict situations the need for advocacy may be more evident, but in the case of disasters caused by natural hazards advocacy can be equally important. In countries where natural hazards occur frequently, advocacy can enhance political awareness of the social causes of people's vulnerability to natural hazards (such as environmental depletion and poor housing conditions) and contribute to disaster preparedness by addressing issues of effectiveness and justice in disaster response.

Humanitarian organizations have several legal grounds for engaging in advocacy with local governments. Most importantly, organizations make use of instruments of International Humanitarian Law. ICRC in particular, feels mandated to hold governments and warring parties accountable for their actions and policies under the Geneva Convention, that most countries have signed. It has also been observed that humanitarian organizations could make better use of other international treaties and conventions that local governments may have signed². It may be useful to know, for example, whether a particular government is a signatory to the Convention on the Elimination of All Forms of Discrimination Against Women or to the Convention on the Rights of the Child. In the case of natural hazards NGOs and INGOs can often refer to disaster reduction policies drawn up in the context of the International Decade of Natural Disaster Reduction and the programme of the International Strategy for Disaster Reduction, as well as the various protocols on Climate Change.

Dutch organizations engage directly in national and local advocacy or support local NGOs or CBOs in doing so. Local civil society is generally considered to be most crucial in defending human rights and promoting political change. Many Dutch organizations aim to sensitize their local partners and build their capacity to address the local government or local government agencies, if necessary. There are also cases, as related by Care, where INGOs have to lobby on behalf of their local partners to enhance the environment they operate in. Where Dutch NGOs support local NGO partners to make use of advocacy, they often try to engage in supplementary lobbying with their own home government, the EU or UN to advocate the creation of humanitarian space through political means.

The concrete advocacy activities that Dutch NGOs are directly or indirectly involved in are highly diverse. Some examples include the involvement of ZoA in Angola as part of a consortium advocating against land grabbing by retiring military, or MSF against excluding people from aid and War Child against the use of child soldiers. Dutch INGOs have formed lobby groups to improve relations and enhance funding opportunities from the Dutch government and specifically the EU/ECHO, too. Some INGOs employ lobby specialists or hire organizations like BBO to lobby on their behalf.

One of the dilemmas with lobbying internationally appears to be that organizations have to bridge the gaps between the advocacy needs of their partners and what is considered politically interesting internationally and their own need to 'score' with the Dutch public. Since international interests often follow the whim of the day, there can easily be a mismatch in this respect and the question is how can INGOs fulfil the advocacy needs of their partners in these situations.

Governments as implementing partners and strengthening government capacities

In the 1980s and early 1990s international discourse strongly favoured local NGOs over government because NGOs were considered more value-based, oriented towards poverty reduction, closer to the grassroots and more effective. The out-sourcing of service provision to NGOs also fitted into the prevailing neo-liberal notions of the day about receding states. Since the late 1990s the tide has turned somewhat against NGOs when the discussion began to concentrate on the gap between NGO policy and practice, the difficulties of upscaling NGO efforts and the presumed lack of accountability. International discourse turned again in the direction of governments. Firstly, because it was felt that governments had to maintain primary responsibility for the well-being of their citizens. Secondly, it was realized that the weakening of state services could make countries more conflict-prone as states could increasingly lose legitimacy and credibility. Thirdly, the advantages of governments over NGOs, i.e. their enduring presence, wide outreach and being subject to democratic control (where applicable), seem to have been rediscovered or re-valued. Fourthly, it appears that many government agencies have adopted some NGO features such as packaging programmes in one or three-year

² Observation made by Koenraad van Brabant during humanitarian aid course in Wageningen, December 2003.

projects that facilitate funding by external sources. At present, INGOs differ in the extent to which they concentrate on the strengthening of local civil society or extend their services to governments as well. In the latter case they may work directly with government or support local NGOs aiming to strengthen governments. This may include sensitizing local governments to their responsibilities, e.g. with regard to disaster preparedness and mitigation. Novib, for instance, funds a local NGO in Pakistan in the development of government Disaster Preparedness and Mitigation strategies.

In discussing governments as implementing partners or programmes to strengthen government capacity it is important to note the multifaceted nature of governments, as discussed above. Strengthening the policy capacity of national governments can be part of rehabilitation activities, especially when these are geared towards functional rehabilitation. Unlike physical rehabilitation, which is geared towards replacing infrastructure and services, functional rehabilitation takes into account how services will function in the future and is concerned with the policy, financial, institutional and human resource conditions for sustainable services (Macrae, 2001). In practice, this may mean that NGOs support policy formulation processes (either directly or through coordination structures) relating to the sector in which they work. INGOs may also be involved in the improvement of coordination or communication between government agencies and NGOs and in policy awareness raising and improving Disaster Preparedness and Mitigation.

NGOs mostly deal with local line agencies, however. This can vary from a state water company, a district authority, to the local department of health. Working with such agencies is comparable to working with a local NGO (see the first discussion paper on the nature and challenges of such relationships). The more localized and less politically involved government agencies are, the easier it appears to be to work with them, especially in violent conflict zones, as examples from Angola and Afghanistan show. NGOs report positive experiences in working with governments. In Kosovo for instance, War Child advocated the adoption of creative therapeutic lessons into the curriculum of primary schools, in cooperation with the Ministry of Education. MSF, Cordaid and Healthnet all provided examples where they were able to strengthen or otherwise support and cooperate with state health clinics as implementing partners. Sometimes INGOs provide experts in state facilities or pay state employed personnel if the government is not capable of doing so (temporarily).

Working relations with the military or police segments of local governments are complicated. In peacetime disasters, INGOs may make use of the capacities of the local military apparatus to deliver aid, in conflict situations this is considered highly inappropriate. This is not to say that in everyday practice, NGO staff may feel there is no other way but to make use of local military channels, despite NGO policy (Hilhorst and Schmiemann, 2002). Capacity building of the local military or police is considered a legitimate task of INGOs. ICRC, for instance, trains, advises and criticizes military personnel to prepare them better for their humanitarian task. In a similar vein, NGOs have supported training on human rights or gender issues for local police forces.

One of the problems that NGOs encounter in cases where they work with local governments is how to make these programmes sustainable in the absence of a facilitating or cooperative national government. Another dilemma encountered is how to hold governments accountable for their responsibilities. Where governments refuse to pay for health services, should NGOs still continue to uphold these services? One of the examples provided was from Healthnet International, who felt forced to stay longer in Cambodia than planned because the State refused to take over a clinic as agreed but instead planned to pass the clinic on to another NGO. In such cases governments use suffering as a political tool to attract foreign assistance and try and often succeed in playing donors or INGOs off against one another.

Coordinating structures

‘Everybody wants coordination, but nobody wants to be coordinated’ is a widely used phrase, Luitwieler and Frerks (1998) added that it can also conflict with an organization’s mission statement regarding its independence and neutrality.

In practice, most INGOs are engaged in creating platforms and consortia, such as Operation Lifeline Sudan and the Burma Border Consortium. Coordination mechanisms usually start to operate once the immediate relief phase is over. Even then, for some organizations the need for coordination is not as crucial, especially when they have a specialized mandate such as health.

Coordination is usually done by multilateral organizations such as the UNHCR, WFP, FAO, or OCHA. Often UNHCR or WFP takes on a coordinating role, with a few exceptions, e.g. when UNHCR was not acceptable to the government of Burma, who considered UNHCR to be partial, and thought a consortium of INGOs would be more suitable.

In conflict situations it may appear logical for international organizations to take the lead in the coordination of aid, but remarkably this is also the case in many countries where natural disasters occur. Sovereignty, considerations of ownership of development and effectiveness would dictate that local governments should lead in such cases, except when they request assistance due to lack of capacity (IFRC, 2002). It is open to question whether UN bodies and INGOs take on coordination tasks too easily.

Humanitarian aid and global security

During its operations in Bosnia one of the organizations interviewed had to cooperate with local Serbian, Muslim and Croat authorities. They were involved in rebuilding schools. In one case they assisted in building a school for Muslim children. However, the school was being built on Croat-ruled territory, which the Croat authorities did not want. Since the Office of the High Representative according to the Dayton agreement could overrule local policy, the school was nonetheless being built. However, to curb local resistance a Spanish SFOR tank guarded the construction of the school. As a result, the INGO could not avoid being associated with military forces.

Working with local governments takes on an entirely different dimension when the role of government is taken over by Western intervening powers. Under the heading of humanitarian interventions, anti-terrorism or preventive war, Kosovo, Afghanistan and Iraq have encountered military attacks and subsequent occupation by the same countries that are the major donors of humanitarian funding and where the head offices of humanitarian organizations are located.

Humanitarian organizations have difficulty in defining their relationship with the occupying powers and retaining their neutrality. Lately, it looks as though no matter how they operate they have become the targets of attack themselves, the most notorious examples being the recent bombing of the ICRC/Red Cross and the UNHCR offices in Baghdad. Humanitarian organizations report numerous more incidents that do not reach the headlines but nonetheless take the lives of humanitarian aid workers.

One of the difficulties involved is how to view Civil and Military Cooperation (CIMIC) under these conditions. CIMIC has become a trend in humanitarian operations, where NGOs work together (often reluctantly) with peacekeeping forces. It becomes highly complicated, however, when the military are associated with occupying forces and fulfil different mandates at the same time, as is happening in Iraq at the moment where peacekeeping coincides with offensive military operations.

Conclusion

The following points conclude this paper and raise some questions faced by NGOs.

- Cooperation with government is not very different in cases of conflict or disaster caused by natural hazards, although in the case of conflict NGOs may be more likely to have to cope with situations of bad governance. Similarly, there is no major difference between working through government channels in emergency relief phases or in rehabilitation, although the nature of the relationship may change from negotiating access and implementation to policy-oriented assistance and capacity building.

If the deciding factors for local GO-NGO or INGO cooperation are the legitimacy and capacities of local governments, then the challenge facing NGOs and INGOs is to define, make transparent and monitor their indicators of government legitimacy and capacity.

- Working through governments can have advantages considering that they often have the channels available through which aid can be delivered and usually have an enduring presence, making capacity building a long term investment. Conversely, governments may not be the most suitable means to reach specific target groups and working through governments can jeopardize humanitarian ethics when organizations become immersed in politics.

INGO decisions to channel aid through government or local structures or both should be based on a contextual analysis of comparative strengths, legitimacy and complementarity.

- Political will to prevent or tackle crises is the most important asset in effective disaster response (Luitwieler and Frerks, 1998). This was also mentioned by most of the practitioners interviewed. When government lacks the political will, the relationship between NGOs and government becomes very complex, and NGOs risk being politically abused. It also becomes extremely complex when government is taken over by occupying forces of the countries of origin of the NGOs.

Since working with government structures that lack legitimacy in the eyes of NGO target groups directly affects the legitimacy and effectiveness of NGOs, NGOs should be clear and transparent in their policies on how to deal with local or international and formal or de facto governments.

- By developing differentiated relationships NGOs working directly or indirectly with local governments make use of the multi-faceted nature of governments to increase their room to manoeuvre. Where it is difficult to relate with central government, NGOs nonetheless define working relationships with implementing local government agencies avoiding contact with the security segments of government. This often results in workable situations, although it is difficult to strive for sustainable forms of capacity building with agencies without the backing of higher political agencies.

This means that INGOs need to address the dilemma of whether or not to invest in local capacities when the outlook for sustaining these capacities is poor.

- Working through government channels can sharpen humanitarian dilemmas. When NGOs depend on governments for access, the question is what are they willing to compromise to reach their target groups. Another problem is how to hold governments accountable for their primary responsibility for the well-being of their people without denying victims the help they need.

The question is if NGOs should be transparent about the compromises they make in order to guarantee access to people in need of humanitarian aid or would this endanger their operations by sending the wrong signal about their principles and nature?

- The multi-faceted and multi-dimensional nature of governments often provides NGOs with room to manoeuvre, but the relationships developed in one domain are nonetheless affected (or restricted) by what happens in other domains. One such effect mentioned above, i.e. working with local agencies, will remain limited in scope without political backing. Another effect may be that the local population cannot make the subtle distinction in relation to how NGOs organize their work, as has been sadly demonstrated by recent developments in Afghanistan and Iraq.

Until recently, INGOs have mainly been concerned with their legitimacy in the eyes of their donors and constituency. Attention should shift to legitimacy in the eyes of their target groups and it should be realized that relations with governments, back donors and coordination structures may be crucial in this.

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