Principles of engagement of humanitarian organizations with Civilian Administration Entities

Cross-border humanitarian response

Background
Consultations with stakeholders (clusters/sectors, donors, United Nations (UN) agencies, International Non-Governmental Organisations (INGOs) and Syrian Non-Governmental Organisations (SNGOs), stabilization actors, and Civilian Administration Entities) concluded that there is an ongoing confusion with respect to the nature and operational roles between humanitarian organizations and Civilian Administration Entities in program implementation in Syria, particularly when humanitarian organizations are involved in resilience and/or early recovery activities.
This document articulates key principles that should guide the engagement of humanitarian organizations with Civilian Administration Entities in order to strengthen the provision of a principled, effective and sustainable humanitarian response in Syria.

Scope
The humanitarian community engaged in humanitarian cross-border response in Syria consider that the principles outlined in this document form the basis for engagement with Civilian Administration Entities in Syria. Each cluster/sector may develop technical guidelines specific to their sector that should not contradict or undermine these overarching principles. Modalities of engagement between Civilian Administration Entities and clusters/sectors remain at the discretion of each cluster/sector, while adhering to the general principles outlined in this document. Humanitarian organizations acknowledge that an adjustment period might be required to adhere to these principles and to operationalise them throughout their response. This period may differ according to the capacities of the Civilian Administration Entities, as well as, the humanitarian organization itself.

 Currently there are various rapidly evolving models of governance in Syria with a high degree of discrepancy and overlap in the roles and responsibilities amongst them. Humanitarian organizations need to be attuned to this reality from the outset when implementing these general principles, and recognise that accessing the highest authority does not automatically translate to engaging with the most accountable body. It places the humanitarian organisation in a position of not knowing, which Civilian Administration Entity it should engage with resulting in a possible risk to the affected population. Irrespective of which model of governance is in place, humanitarian organisations need to continuously identify which Civilian Administration Entity is best to engage with and to ensure that decision making takes place at the most appropriate level, and is most accountable to affected populations.

Humanitarian organisation engagement with Civilian Administration Entities throughout the Project Cycle Management phases is limited to operational and technical arrangements that are necessary to ensure principled humanitarian operations. The purpose of a humanitarian response is to save lives, alleviate suffering and maintain human dignity. As a result, when a humanitarian organization engages with a Civilian Administrative Entity in order to provide assistance, such an engagement does not confer any legitimacy on that Administration. On the other hand, humanitarian organisations should be cognisant of how their engagement is perceived. They should avoid endorsing formal processes requested by Civilian Administration Entities such as ‘accreditation’ and should prioritize contacts with Specialized Technical Administration Entities and with staff at the technical/working level.
Definitions:

Humanitarian organizations: include international and local non-governmental organizations, the ICRC, Red Crescent and Red Cross Societies, and UN humanitarian system members.

Civilian Administration Entities: Refers to an existing body that is in charge of the civilian administration and performs its duties in a given area.

Specialized Technical Administration Entities: Refers to the technical component(s) within Civilian Administration Entities.

Local community: all civilians (host and IDP communities) living in the geographical area targeted by the humanitarian assistance.

Affected population: Refers to vulnerable groups within the local community, including women and men, boys and girls.

Principles of engagement

1. Humanitarian principles

Humanity, neutrality, impartiality, and operational independence are core fundamental principles that the humanitarian community adheres to when undertaking humanitarian activities. These longstanding principles are the cornerstone of any humanitarian operation, and are derived in varying degrees from International Humanitarian Law, Human Rights Law, a UN General Assembly Resolution¹, and are part of codes of conduct and organisational mission statements guiding humanitarian organisations (such as the SPHERE Humanitarian Charter and Minimum Standards in Humanitarian Response² and the Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organizations in Disaster Relief³).

Throughout their engagement with Civilian Administration Entities, humanitarian organizations are guided by the humanitarian principles. Humanitarian organisations may decide to discontinue all or part of their engagement with Civilian Administration Entities in any given area, if such an engagement hinders or negatively impacts their adherence to humanitarian principles.

2. Accountability to local communities and affected populations

Humanitarian organisations are accountable to the local communities and the affected population composed of men and women, and boys and girls, of different ages and abilities. In line with the five Commitments to Accountability to Affected Populations (CAAP)⁴, the Core Humanitarian Standards (CHS)⁵, the five Minimum Standards for Protection Mainstreaming⁶ and the Statement of Commitment on Eliminating Sexual Exploitation and Abuse by UN and Non-UN Personnel⁷, humanitarian organizations place the evolving needs of local communities and people affected by crisis at the centre of humanitarian action and promotes respect for their fundamental human rights. It is underpinned by the right to life with dignity, and the right to protection and security as set forth in international law.

¹ Resolution 46/182 (19 December 1991)
² http://www.sphereproject.org/handbook/
⁴ https://interagencystandingcommittee.org/system/files/legacy_files/IASC%20Principals%20commitments%20on%20AAP%20%2528CAAP%2529%20March%202013.pdf
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3. **Promotion of sustainability and do no harm**

Given the natural limitations of emergency action (both in time and in scope), and the necessity to link relief and long term recovery, humanitarian response should ensure longer-term positive effects that are both life sustaining and reduce the risk of dependency on relief assistance in order to be effective and sustainable.

Humanitarian organizations should design and implement programmes that promote early disaster recovery and benefit the local economy. Furthermore, humanitarian response should be designed and implemented in a manner that takes into consideration existing service provision mechanisms and infrastructure systems at a broader geographical level. This will ensure that a response in an area does not harm local communities and/or affected populations in another area; and also will contribute to the sustainable use and share of natural resources.

Within the parameters of these principles, humanitarian organizations should link their programming to services that may already be provided by Civilian Administration Entities. This is to avoid programmatic overlap with Civilian Administration Entities, encourage technical coordination, and promote sustainability.

4. **Reinforcement of local systems and capacities**

Humanitarian action should enable local communities and affected populations to be the central drivers in building their resilience and build on evolving positive local coping strategies and capacities in preparedness, response and recovery. To achieve this, humanitarian organizations need to reinforce and not replace national and local systems (including Specialized Technical Administration Entities, local communities and affected populations) and empower them in their capacity as first-responders in the event of future crises. Throughout this process, humanitarian organizations should ensure that they are not re-enforcing exploitative power structures and that humanitarian principles remain the framework for decisions and action.

**Specialized Technical Administration Entities**

Humanitarian organizations should contribute to build the operational capacities and understanding of humanitarian action of Specialized Technical Administration Entities in order to ensure smooth roll-out of humanitarian programs and a sustainable hand-over to local civilian authorities. Capacity building activities should take place in the most appropriate format according to the evolving local context, and should take into account the high turnover of Specialized Technical Administration Entity staff, as well as, the necessity to build institutional rather than individual capacities. In addition to relevant technical components, when building capacity general topics covered might include: humanitarian principles, humanitarian coordination architecture, these principles and its operationalization, humanitarian standards (such as: SPHERE, Core Humanitarian Standards, Guiding Principles for IDPs, etc...), and the Project Management Cycle (PCM).

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8 Refers to the Secretary-General’s Agenda for Humanity under Core Responsibility Four ([https://consultations.worldhumanitariansummit.org/bitcache/e49881ca33e3740b5f37162857cedc92c7c1e3547vid=569103&disposition=inline&op=view](https://consultations.worldhumanitariansummit.org/bitcache/e49881ca33e3740b5f37162857cedc92c7c1e3547vid=569103&disposition=inline&op=view)).
**Local communities and affected populations**

Empowering local communities and affected populations in a gender sensitive manner are key to a participatory community based approach that better ensures an effective, relevant and sustainable humanitarian response. Capacities of local communities and affected populations should be built to enable them to provide feedback, influence and make decisions in a way that is continuously adapted to the context and reflects gender considerations.

5. **Transparency**

Transparency around the humanitarian response allows for effective participation of Civilian Administration Entities, local communities and affected populations, which in turn ensures a more effective, relevant and sustainable humanitarian response. Therefore, humanitarian organizations should share with Civilian Administration Entities, local communities and affected populations relevant information that may include: organizational background, contact details, accountability framework(s), staff code of conduct and roles and responsibilities, financial information that the humanitarian organisation deems suitable, summaries of evaluations, and progress reports. Humanitarian organizations should also communicate that they manage resources effectively, efficiently and ethically.

Humanitarian organizations should involve Civilian Administration Entities and local communities and affected populations in the development of the theory of change and the design of the project objectives and expected results and share how inputs from participation activities has contributed to the decisions being made.

Humanitarian organizations should ensure that information is presented in languages, formats and media that are appropriate for and accessible to the Civilian Administration Entities, the local communities and the affected populations.
Operationalisation of the principles of engagement throughout the Project Cycle Management (PCM) Phases
Cross-border humanitarian response

1. Identification & Design (or Programming)

Key applicable Humanitarian Principles: Operational Independence & Impartiality

Civilian Administration Entities should grant humanitarian organizations unhindered access to areas they administrate to allow humanitarian organizations to provide life-saving assistance and services to populations in need. Humanitarian organizations should notify Civilian Administration Entities at the relevant geographical levels about their planned humanitarian activities and provide related publically available organizational information.

Humanitarian organizations should take into consideration the local economic fabric and the existing local service provision and ensure that the planned intervention is complementary with the response of Civilian Administration Entities and other humanitarian organizations or stabilisation actors.

For humanitarian organisations, advanced engagement with Civilian Administration Entities at the relevant geographical levels is important since they may have information (population statistics, needs assessment, availability of facilities, etc.) that can inform needs assessments carried out by humanitarian organisations. Developing common understanding of prioritization criteria (in terms of geographical area, target group and sector of intervention) is instrumental. Engagement and information sharing will reduce risks of tensions between Civilian Administration Entities and humanitarian organizations. Selection of project location is one outcome of this phase and information provided by Civilian Administration Entities should be taken into consideration to avoid duplication and reduce gaps in the overall humanitarian response.

In the case of a disagreement between the humanitarian organization and the Civilian Administration Entities, humanitarian principles and accountability to affected population and local community should be the main criteria to resolve the disagreement. Humanitarian organizations, adhering to internationally recognized methodologies for assessing humanitarian needs and response, cannot allow undue influence over the findings of needs assessments or the response. This is to maintain independence and to assess needs impartially so they are credible and acceptable to the affected population, the local community, and the international community.

Accountability to local communities and affected population:

Direct consultations with local communities and affected populations are conducted by humanitarian actors to ensure that the planned intervention answers the priority needs of the local community identified through a systematic assessment of the context (including existing resilience mechanisms and capacities that could be supported to have a positive and sustainable impact). Such consultations should also be designed to manage community expectations.

Assessments should not pre-assume the needs and the capacities of the population. Assessments are conducted in a holistic, transparent, inclusive and participatory manner to better ensure that they are representative of all affected people, including marginalized and underprivileged groups. Trained data collectors should be male and female, data is disaggregated by age and sex and information is collected, used, stored and shared, with full respect for confidentiality, and in accordance with the “do no harm” principle.
2. **Setup and Planning (or Identification and Formulation)**

**Key applicable Humanitarian Principles:** Operational Independence, Neutrality & Impartiality

Humanitarian organisations should consult Civilian Administration Entities on the various plans drafted for the project (e.g. action plan, monitoring plan and operational plan) to ensure a common understanding.

When drafting a plan, the humanitarian organisation should pay particular attention to:

- **Activity plan:** an activity plan should not be contrary to, and best be aligned to any existing official plan (e.g. school schedule).
- **Hiring of project staff:** a good practice is to engage in a transparent and consistent manner with Civilian Administration Entities by, for example, sharing the organisation’s recruitment policy(ies); while not allowing undue influence to interfere with the process. The degree of interaction on the hiring process will depend on the sector intervention.
- **Selection of targeted populations:** Civilian Administration Entities should be engaged in the design of selection criteria and then have the humanitarian organization proceed with the selection keeping the Civilian Administration Entities informed. Selection of target groups most in need should be the result of any assessment. Restricting reach to certain groups is considered a breach of the humanitarian principles.
- **Risk assessment:** a risk assessment should be conducted in consultation with the Civilian Administration Entities, local communities and affected populations to evaluate their resilience to shocks and changes in order to mitigate any possible risks in project implementation (e.g. IDP movement, host community reactions / response, overall security situation etc...).
- **Exit:** In order to ensure sustainability, the project should contain an exit strategy and should be discussed in advance with Civilian Administration Entities (especially when the project will be handed over to them). A contingency planning should be outlined in case the conditions of the exit change over implementation of the project.
- **Guidance on specific technical aspects:** (curriculum, content of kits/packages, project based salary scales, etc...) of the project should be provided, or at minimum, discussed with the cluster/sector.

The level of engagement in the establishment of selection criteria and monitoring will vary depending on the types of activities being implemented and the Civilian Administration Entities’ capacities and understanding of humanitarian principles. Humanitarian organisations will not allow any undue influence on the selection of staff for humanitarian organisations and/or on the selection of affected populations. This is to ensure our independence and neutrality and to make sure that the response is credible and acceptable to the international community and affected populations. In the event of a disagreement between the humanitarian organization and the Civilian Administration Entities, humanitarian principles and accountability to affected population and local community should be the main criteria to find a solution.

**Accountability to local communities and affected populations:**

Consultations should take place with the local communities and affected populations to ensure that the set-up and planning are participative. Such consultations inform the risk assessment, the process of affected population selection (including criteria setting), the planning of the project’s exit and the establishment of relevant mechanisms that enable and encourage affected communities and people to safely express their degree of satisfaction as well as their potential complaints. For meaningful participation, particular attention should be given to groups or individuals traditionally excluded from the decision making processes. These may include women, girls and boys, elderly persons, people with disabilities, minority groups etc. The set up and planning phase should ensure feasibility and complementary with local knowledge, practices and techniques, taking into consideration existing resilience mechanisms and capacities.
3. **Implementation**

**Key applicable Humanitarian Principles:** Humanity, Operational Independence, Neutrality & Impartiality

Involvement of Civilian Administration Entities during the project implementation phase may differ according to the nature of implemented activities, the existence of local infrastructures, the ongoing provision of services by Civilian Administration Entities, and the capacities of those entities.

When implementing a project, the following central considerations need to be taken into account:

- **Procurement and supply chain management:** humanitarian organizations are solely responsible for the procurement process and the supply chain management.
- **Human resource management:** while carrying out distributions, management of project staff should remain the prerogative of the implementing humanitarian organizations. This is in contrast to projects implemented by sectors (such as health, wash, agriculture, education, etc.) that rely on existing infrastructure and human resources (e.g. teachers, medical staff, water technicians, etc.) already employed by, or part of, the Civilian Administration Entities. In such cases, specific guidance may be provided by clusters/sectors regarding use of the infrastructures for the project purposes and the use of those already employed by, or part of, the Civilian Administration Entity staff for project implementation.

Humanitarian organisations will not accede to requests by Civilian Administration Entities to:

- Take control of humanitarian stores, commodities or warehouses.
- Take control of assets related to the project
- Provide staff personal bio data
- Pay cash or in-kind administrative costs on aid deliveries or humanitarian services to affected populations.

**Accountability to local communities and affected populations:**

Consultations are held with local communities and affected populations, including those benefiting and not benefiting from the project, to ensure that the humanitarian response meets their assessed and priority needs and supports existing resilience mechanisms and capacities. Implementation is adapted based on feedback from local communities and affected populations who are continuously kept informed and updated about the response, such as any delays/obstacles that may occur in order to manage expectations and minimize tensions.
4. Monitoring & Evaluation

Key applicable Humanitarian Principles: Operational Independence & Neutrality

Involvement of Civilian Administration Entities in the monitoring and evaluation (M&E) process strengthens eventual ownership of Civilian Administration Entities and facilitates a potential hand over of the project. Such an involvement should not jeopardize the independence and neutrality of the humanitarian response. M&E mechanisms and tools should be contextually appropriate, adhere to internationally recognized methodologies and include a commitment to humanitarian principles and accountability to the affected population and local community.

Furthermore, the level of involvement may vary depending on the ability or interest of Civilian Administration Entities to be engaged in the phases of the PCM. Evolving capacities of Civilian Administration Entities throughout the PCM should be captured by the M&E tools and their level of involvement should be adjusted accordingly.

A key factor for the successful involvement of Civilian Administration Entities in the M&E phase of a project, is to establish a clear definition of M&E concepts and identify relevant tools. The impact analysis is key to enable identification of good practices and lessons learned.

In technical projects, a way forward is to split the different layers of M&E:
- Project procedures and resources (e.g. mainly administrative and logistical parts of the project) is led by humanitarian organizations; and
- Technical aspects of the project (quality of services, number of affected populations etc…) is led by humanitarian organizations in concert with Specialized Technical Administration Entities. Depending on the nature of the project (e.g. health, education, etc.) there should be an opportunity to jointly monitor and evaluate each other’s agreed performance.

Where relevant, humanitarian organizations may agree to allocate resources to Specialized Technical Administration Entities for them to conduct specific M&E tasks related to the implemented project. Prior to agreeing to allocate resources, humanitarian organisations should consult with the respective cluster/sector. The humanitarian organization should agree with the Civilian Administration Entities on the establishment modalities of a complaints mechanism and ways to raise and address complaints against each other in a safe and accessible manner.

Accountability to local communities and affected populations:

Local communities and affected populations should be involved in the M&E of the project in order to ensure that assistance is provided based on humanitarian principles and the evolving needs and capacities of local communities and affected population. The M&E indicators should allow to track and evaluate their participation and involvement and to adapt the participation mechanisms according to the evolutions of the context.

A feedback and complaint mechanism to evaluate satisfaction of local communities and affected populations, including Prevention of Sexual Exploitation and Abuse (PSEA) related concerns, should only be established, if the humanitarian organisation has the capacity and ability to investigate and take corrective actions. Information should be collected in an ethical and confidential manner and systematically triggers or informs prevention and response activities. Lessons learning process should be participatory to ensure the building of project memory and avoid repetition of errors. The local community and affected population should be involved in the implementation of key recommendations.
5. Exit

Key applicable Humanitarian Principles: Operational Independence & Neutrality

The exit phase is key and should be taken into consideration from the outset of the project (identification & design). As with all other PCM phases, Civilian Administration Entities, local communities, and affected populations should be involved in exit discussions to ensure better program outcomes and encourage commitment to program sustainability. In addition, exit strategies can help resolve tensions that may arise between the withdrawal of assistance and a commitment to achieve project outcomes.

Generally, four different scenarios exist for a project exit (recognising that a project can be suspended/terminated if the principles are violated): 1/ natural ending 2/ project transition to other humanitarian organizations, Civilian Administration Entities and/ or local communities and affected populations 3/ rapid exit (mainly for security reasons) and 4/ down-scaling (often for funding reasons).

Different modalities of transition to other Civilian Administration Entities and/or local communities can be envisaged depending on the local context, the nature of the project and the capacities of Civilian Administration Entities, local communities and affected populations. Hand-over of the project can be done directly to the Civilian Administration Entities, or to cooperatives linked to Civilian Administration Entities (especially for agriculture projects).

When exiting, a few considerations should be taken into account:

- At the outset of a project, an evaluation should be conducted to understand the Civilian Administration Entities’ and/ or local community and affected population’s sense of ownership/commitment to continue program activities, their level of interest in being handed over (phased or fully) the services and their institutional and human resource capacities to continuing to implement the program activities in the longer term.

- Hand-over of relevant assets, commodities and viable provisions of consumable supplies (e.g. food, medical supplies, agricultural inputs, etc.) to Civilian Administration Entities should be part of the project, unless there are reasons not to do so.

- During the exit phase, an up-dated community hazard/ risk assessments and preparedness plans should be established with the Civilian Administration Entities to guide future activities.

- The monitoring of exit strategy benchmarks should be integrated into the overall monitoring and evaluation plan with clearly defined indicators. An evaluation of the exit strategy should also take place after.

- If the establishment of a user fee type system is envisioned after the services are transitioned to the Civilian Administration Entities, ideally a common framework should be agreed on between the humanitarian organization and the Civilian Administration Entities and shared publically to ensure sustainability and social equity with the local community and affected population.

Accountability to local communities and affected populations:

The exit strategy should take into consideration the effects of the project on the resilience of local communities and affected populations and foresee measures in case the project had any negative effects. The exit should ensure participation of communities in the closure decision making process. It should also foresee sustainability of services provided in order to remain accountable to local communities. If projects transition to Civilian Administration Entities, a mechanism should be established to ensure that the needs of the local community continued to be served through the project.
**Humanity, neutrality, impartiality, and operational independence** are core fundamental principles that the humanitarian community adheres to when undertaking humanitarian activities. These longstanding principles are the cornerstone of any humanitarian operation, and are derived in varying degrees from International Humanitarian Law, Human Rights Law, a UN General Assembly Resolution\(^1\), and are part of codes of conduct and organisational mission statements guiding humanitarian organisations.

Humanitarian operations and organisations are guided by:

- **Humanity**: Human suffering must be addressed wherever it is found, with particular attention to the most vulnerable population, such as children, women and the elderly. The dignity and rights of survivors must be respected and protected.

- **Neutrality**: Humanitarian assistance will be provided without participating in hostilities or taking sides in controversies of a political, religious or ideological nature.

- **Impartiality**: When humanitarian assistance is provided, it will be without discrimination on the basis of ethnic origin, political opinion, gender, nationality, race or religion. Provision of assistance is guided solely by needs, and priority is given to the most vulnerable cases.

- **Operational Independence**: Humanitarian activities must be autonomous from the political, economic, military or other objectives that any actor may hold with regard to areas where humanitarian activities is being implemented.

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\(^1\) Resolution 46/182 (19 December 1991)
1. **Identification & Design (or Programming)**

During the identification and design phase, the humanitarian organization conducts several data collections and analysis (context, problems, needs and opportunities). The situation in the crisis area/of the people in this area is screened and analyzed, to select the strategies that will be applied to improve it and address the problems faced by target groups / beneficiaries as well as their needs and interests.

The main outcome is the outline of an intervention strategy based on the identification of the following issues:
- The project’s geographic and/or thematic scope
- The project’s objectives and targets (objective analysis)
- The project’s key stakeholders (stakeholder analysis)
- The project’s context, including threats and opportunities (problem and needs analysis)

2. **Setup and Planning (or Identification and Formulation)**

During the setup and planning phase, the intervention strategy is further developed into a practical, operational plan ready to be implemented. All knowledge and insights obtained during analysis are integrated in the planning.

Several plans are designed, including implementation plan, risk plan and other essential plans:
- Action Plan (outlining goals, objectives, strategies and activity plan)
- Monitoring Plan (outlining indicators and sources of verification to monitor and assess expected results and impact)
- Operational Plan (outlining financial and human resource requirements, risk assessment and mitigation strategy, exit strategy)

3. **Implementation**

During the implementation phase, the agreed resources are used to achieve the operation purpose (= the target group(s) receive the planned benefits) and to support the achievement of the overall objectives. It focus on management including human resource management and internal control (including budget management, & supply chain management).

This step involves:
- Developing and executing specific work plans and budgets (including procurement plan)
- Building the necessary capacity to deliver results
- Establishing strong partner management to implement activities

4. **Monitoring & Evaluation**

The monitoring and evaluation and control phase is the only phase that covers the whole PCM. Monitoring consists of progress assessment to solve problems, enable adjustment to changing circumstances and make improvement to the project. Monitoring can already lead to the identification of a new operation.

It consists of:
- Managing Incoming Data on an Ongoing Basis
- Analysing Project Results and Assumptions
- Analysing Operational and Financial Functions/Performance data
- Adapting plans and budgets accordingly
5. Exit

A program “exit” refers to the withdrawal of externally provided project resources from a project area. It could also refer to the end of a program funding cycle, with an extension through a follow-on extended recovery program or a longer-term development program. And lastly, it may include a combination of withdrawal, program extension or transition.

A program Exit Strategy is a plan describing how the program intends to withdraw its resources while ensuring that achievement of the program goals is not jeopardized and that progress towards these goals will continue. The goal of an Exit Strategy is to ensure the sustainability of impacts after a program ends. It includes the procedures to close down the project by the NGO and to hand it over to local actors (communities and/ or authorities) to ensure sustainability.

Three basic approaches to Exit Strategies are 1) phasing down, 2) phasing out, and 3) phasing over.