

The role of the affected state in humanitarian action: A case study on Pakistan

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List of acronyms

AJK	Azad Jammu and Kashmir
CERF	Central Emergency Response Fund
DDMA	District Disaster Management Authority
ERC	Emergency Relief Cell
ERRA	Emergency Relief and Rehabilitation Authority
FATA	Federally Administered Tribal Areas
FFC	Federal Flood Commission
FRC	Federal Relief Commission
GoP	Government of Pakistan
HAP-I	Humanitarian Accountability Partnership International
IASC	Inter-Agency Standing Committee
ISDR	International Strategy for Disaster Reduction
NDMA	National Disaster Management Authority
NOC	No Objection Certificate
NWFP	North West Frontier Province
OCHA	Office for the Coordination of Humanitarian Affairs
PDMA	Provincial Disaster Management Authority
PHF	Pakistan Humanitarian Forum
SAFRON	State and Frontiers Regions Division
UNDP	United Nations Development Programme

1. Introduction

Pakistan is a particularly relevant case study for the research into the role of the affected state in humanitarian action. It has suffered from two major natural disasters within the last two years. The Government of Pakistan has played a very active role in the response to both disasters, as has the international humanitarian community. What is interesting is how the approach taken by both sets of actors has differed considerably between the two disasters, which has had a significant impact on the subsequent outcomes.

The role of international humanitarian actors in Pakistan has not been straightforward. The presence of a strong, functioning, albeit military, state is not the usual context for humanitarian actors, and it has taken some time for a productive relationship to be formed between international NGOs and UN agencies with the Government of Pakistan and the relevant authorities. One of the key issues, explored in section 4.2, is the dominant role of the military. Different agencies have taken different stances on whether or how they can work alongside the military, and a coherent voice is lacking in particular regarding this relationship in the longer-term reconstruction phase.

A further interesting factor within this research has been the recent establishment of the National Disaster Management Authority (NDMA) by the Government of Pakistan in 2007. This is evidence, in theory at least, that the state is developing its capacity for disaster management, from preparedness through to response and reconstruction. The NDMA's first real test was during the 2007 floods in western Pakistan. The humanitarian response has exposed both the limited capacity of the NDMA, as well as the reluctance of the international humanitarian community to support the primary responsibility of

the state in responding to disasters within its own borders. This paper will focus on the humanitarian response to natural disasters rather than man-made disasters in Pakistan. This is largely because humanitarian actors are unable to provide a response to victims of conflict in Pakistan. It remains very difficult for international humanitarian actors to access areas which are deemed politically sensitive, despite reports in parts of FATA and Balochistan of unmet needs. The NDMA has so far focussed solely on natural disasters, although its mandate does cover 'a catastrophe or calamity arising from natural or man-made causes'¹. Due to lack of sufficient data, this paper therefore focuses on the role of the state in responding to natural disasters within Pakistan.

This paper is divided into 9 chapters. Chapters 2 and 3 discuss the way disaster management institutions are structured, and give a brief overview of the history of disaster relief in Pakistan since its formation in 1947. Chapter 4 looks at the capacity of state institutions, in particular at the interesting balance of power between national and local state capacity on the one hand, and military and civilian authority on the other. Chapter 5 provides an outline of disaster management capacity, broadening the research limits from disaster response to look at both disaster preparedness in Pakistan, as well as the post-relief transition to reconstruction. Chapter 6 discusses the two recent natural disasters in Pakistan in greater depth, comparing and contrasting the responses provided by the state and international actors, including donors, the UN and INGOs. Chapter 7 looks at some of the lessons which could be learned from these humanitarian responses, and chapter 8 concludes with some ideas on the way forward for Pakistan in disaster management.

¹ Ordinance No. XL of 2006.

2. Structure of disaster management in Pakistan

The structure of Pakistan's disaster management mechanisms has changed considerably since 2005. Prior to the earthquake on 8 October 2005, state response to natural disasters was carried out largely on an ad hoc basis, by a range of different institutions. The predominant actors included the Emergency Relief Cell (ERC), the Federal Flood Commission (FFC) and the Pakistan Meteorological Department. It was recognised very quickly however that the earthquake demanded a more coordinated and large-scale relief response. For this purpose, the Federal Relief Commission was established on 10 October to coordinate the massive rescue and relief operation.

The Federal Relief Commission (FRC) was headed by General Farooq for the time that it was operational, who reported directly to the Prime Minister. It was mandated to streamline the relief operation in collaboration with provincial governments, relevant ministries, non-governmental organisations (NGOs), Red Crescent and other international agencies, as well as the army. In support of medium- to long-term rebuilding efforts, the Earthquake Rehabilitation and Reconstruction Authority (ERRA) was created in mid-October 2005 to serve as the main interface with international lending institutions, other international organisations, as well as with national authorities and philanthropic organisations focusing on the rehabilitation of the affected areas. Since 1 April 2006, when the government declared that the emergency phase was over, the FRC was absorbed into ERRA, which continues to be the principal actor in the reconstruction efforts. The response by FRC and the national government has been described as anything between 'swift and exemplary' by the United Nations to 'ill-planned and poorly executed' by International Crisis Group. This report will argue

that a more realistic description lies between these two extremes, and that the severe challenges which the GoP faced in responding to the earthquake should not be overlooked.

However, it is the establishment of the National Disaster Management Commission which presides over the Disaster Management Authorities at national (NDMA) provincial (PDMA) and district (DDMA) levels which heralds a new level of responsibility by the Government of Pakistan for disaster mitigation, preparedness and response. The NDMA was initially proposed by UNDP in 2003 as an expanded version of the ERC, with a far broader mandate. The NDMA was approved by the Prime Minister of Pakistan in February 2006, and was finally established in early 2007. The NDMA is now the focal point for all actors relevant to disaster preparedness and response, including the P/DDMAs, Civil Defence, the Armed Forces, civil society and humanitarian agencies, rescue and relief operations, and recovery and rehabilitation response. In addition, other actors such as the ERC, the FFC, the Pakistan Meteorological Department and line ministries all support the NDMA, or relevant PDMAs, in a coordinated response effort.

It is hard to judge the effectiveness of the NDMA in practice due to its recent establishment, yet in theory it represents a shift by the government away from the ad hoc disaster response which had been prominent in the last decades, to a more comprehensive, coherent and permanent arrangement to address disaster issues with a longer-term vision. While the drive towards a more decentralised approach to disaster preparedness and response has been widely welcomed, it is not yet clear to what extent decision-making powers have in fact been decentralised from the national level.

3. History of disaster relief

1947–2005

Pakistan has had to contend with many natural disasters in its history (see Annex 1). Nevertheless, it has always adopted a reactive approach to disaster management. The 1958 National Calamities Act focused specifically on relief and compensation. In the aftermath of a devastating cyclone in 1970 in East Pakistan (now Bangladesh), the Government of Pakistan created the Emergency Relief Cell (ERC), which became its focal point for emergency relief in disaster-hit areas. The ERC was only mandated to deal with post-disaster scenarios, ensuring that disaster preparedness issues were widely overlooked. In addition, the ERC had very poor capacity. Indeed, its primary role in disaster response was to provide logistical support by distributing pre-stocked items such as blankets and shelter items.

In addition to natural disaster response, up to 200 humanitarian agencies arrived in Pakistan to respond to the influx of Afghan refugees over the border (Baitenmann, 1990). While the main wave of refugees arrived from 1979 to 1981, most of the international NGOs started their relief programmes in Pakistan in the mid-1980s, when the international donors began to focus on the crisis. The Government of Pakistan had an open-door policy to most INGOs arriving at this time, largely due to the substantial funding which was being received from USAID. It was however a deeply politicised intervention, which cannot be set apart from the Cold War context in which it was set.² The relations between humanitarian agencies and the GoP, mainly through the State and Frontiers Regions division (SAFRON), were strategically based. The GoP wanted to present itself as an ally in the fight against communism, while humanitarian agencies were willing not to ask difficult questions in return for access to the refugees. While INGOs were not officially registered to work in Pakistan, they were given permission by SAFRON to operate within the refugee camps. Today, there are still more than 1.2 million refugees living in over 150 semi-permanent camps along the border, while many others have either migrated to urban centres within Pakistan or returned home to Afghanistan. It has been more of a challenge for INGOs in the 1990s to obtain MoUs with the Government of Pakistan to expand their operations outside of the Afghan refugee camps, with many applications being stalled for several

years. This is also an indicator that concrete relations between both actors are relatively recent.

Since 1990, Pakistan has suffered two droughts, 6 earthquakes, 9 floods and several mudslides.³ During this period there has been a corresponding increase in the number of humanitarian agencies based in Pakistan, in particular international NGOs, UN agencies and donors working in the field of disaster management and emergency relief.⁴ In June 2003 a group of the major INGOs established the Pakistan Humanitarian Forum for Disaster Preparedness and Response in Pakistan. The fact that the government had no national agency with sufficient capacity or expertise to either prepare or respond to natural disasters was a key factor which led to the setting up of the Forum. Its stated objectives are to 'enhance coordination with government and other key players in the humanitarian sector' and to have 'collective representation before the GoP'.⁵ By this stage, the number of government agencies which had been established to respond to natural disasters had increased dramatically, with the Federal Flood Commission, Pakistan Meteorological Department, the National Crisis Management Cell, Civil Defence units and Provincial Relief Departments. However, coordination and coherence of roles across these agencies was not always clear.

2005

When the earthquake hit Pakistan on 8 October 2005, measuring 7.6 on the Richter scale, affecting both NWFP and AJK provinces, very few humanitarian agencies were in an immediate position to respond. Although many of the PHF members had been saying for some time that there was a high risk of earthquakes in these areas, there were in fact very few international agencies active in the region, in particular in AJK. By contrast, there was a greater presence of national NGOs in AJK than NWFP.⁶

The Government of Pakistan response to the earthquake was swift. Within 12 hours, an open invitation to international humanitarian agencies

² Interview with Andrew Wilder.

³ IRIN report, 29/06/2006.

⁴ These include ActionAid, Catholic Relief Services, Concern, Oxfam, SC-UK, Church World Service, European Community, UNFAO, UNWFP, WHO, UNICEF, UNDP, DfID, Asian Development Bank and SADC.

⁵ See <http://www.pakhumanitarianforum.com.pk>.

⁶ Cosgrave, interview.

had been issued, and the Government made efforts to facilitate their arrival, registration and access. For example, the need for a No Objection Certificate (NOC) which international agencies must usually obtain for access to certain areas such as AJK was removed, enabling free international access to sensitive areas along the Line of Control with India for the first time in decades. The openness of the Government led to a huge influx of international humanitarian agencies in the weeks following the earthquake.

While Pakistan's immediate relief response to the earthquake has been widely praised by the United Nations, it is also recognised that the country was poorly prepared for a disaster of this magnitude, despite warnings in previous years of potential seismic activity.⁷ The military stepped in very quickly to play a key role in the relief response, rather than a civilian authority, due to their superior technical and logistical capacity, and existing presence in affected areas.⁸ The reconstruction efforts, led by ERRA, were initially scheduled for completion in 2008. Due to unrealistic timeframes however, the date has been rescheduled for 2010.

2007

In June 2007, heavy rainfall in Sindh and Balochistan was compounded by the arrival of

cyclone Yemyin, which caused severe flooding across both provinces and led to the displacement of 377,000 people and affected approximately 2.5 million. The NDMA, which had been established a few months previously, launched a major relief operation, with the assistance of the army, and in theory at least was the lead actor in the response. In reality, serious tensions arose between NDMA and UN agencies as to who was controlling and coordinating the response (cf. 6.2). Furthermore, it appears that the coordination between ERRA and NDMA in terms of knowledge transfer and lessons learned has been minimal. This is largely related to the heads of both agencies, General Nadeem and General Farooq, who have reportedly very poor relations. The NDMA's disaster response has been seen as much weaker than the previous earthquake response.

The government response to disaster relief has been varied in its institutional arrangement and corresponding effectiveness over the decades. While there are an increasing number of international humanitarian agencies operating in the country, the Government has also strengthened its leadership and coordination role in disaster management. Its strength in areas such as disaster preparedness and mitigation has yet to be proved, although the foundations have been established through NDMA.

⁷ IRIN report, 29/06/2006.

⁸ ICG Asia Policy Briefing no. 46.

4. State capacity

Humanitarian agencies operating within Pakistan have to be aware that they are working within the boundaries of a sovereign state. The complex political landscape has created challenges for humanitarian agencies in their disaster response, in particular for those agencies which arrived in response to the 2005 earthquake and had very little time in which to assess and understand these complexities. The context in Pakistan is very far removed from the conflict zones and failed states where many humanitarian agencies and aid workers have gained their experience. The presence of a functioning, capable, albeit military, government offers significant opportunity and challenges for a coordinated and comprehensive disaster response effort. Some of the prominent complexities lie in the balance between national and local government and between military and civilian administration.

4.1 National and local state capacity

While recent natural disasters, primarily the earthquake in 2005 and the floods in 2007, have had devastating impacts on affected areas, they have not significantly endangered the central government, the state structure or the national economy (Bamforth, 2007). By contrast, the capacity of local government in AJK and to a lesser extent in NWFP has been largely destroyed by the earthquake, either through damage to government infrastructure or through loss of life. Even in Balochistan and Sindh, provincial and district state response to the floods was largely sidelined by national authorities. The dynamics between national and local state capacity has had a significant impact on the effectiveness of the response to the two recent major disasters.

In responding to the 2005 earthquake, the national government recognised immediately that it was lacking a national disaster management agency, and therefore established the FRC with a mandate to manage the entire spectrum of the relief effort. It elaborated and implemented a National Action Plan, and was in charge of the coordination of over 200 national and international humanitarian organisations, UN agencies, government institutions and military departments. While it is generally agreed that the national state response dominated over the local state response, the reasons for this centralised response are less clear.

At the constitutional level, the Local Government Ordinance of 2001 shifted all disaster-related responsibilities to the local governments, with District Nazim as the chief coordinator.⁹ There have been criticisms however that the LGO 2001 promotes an uncohesive, bureaucratic structure which is ill-suited to handle emergency disaster management contexts.¹⁰ During the relief phase of the earthquake, the explanation that local state capacity had been devastated by the disaster as a reason for a centralised response was generally accepted. However, as the relief phase was replaced by the reconstruction phase, this issue of lack of capacity becomes harder to justify. By working through ERRA, the humanitarian community served to reinforce the centralised institutional response, for example with key meetings taking place in Islamabad rather than provincial or district levels. Although the structure of ERRA includes provincial authorities in NWFP and AJK which are responsible for project formulation (cf. Annex 2), their capacity is still limited, and a centralised decision-making culture still pervades. Furthermore, a frequent criticism is that local state institutions have been ignored during the UN cluster meetings which took place at Muzaffarabad or Peshawar level. Representatives from Union Councils were rarely invited to these meetings, which were held exclusively in English. It is also true however, that as the reconstruction phase continues over two years after the earthquake, ERRA has been more willing to decentralise decision-making powers to provincial and district level,¹¹ and the micro-management which was apparent in the early months has disappeared.

Similar issues of centralised disaster response were also raised during the 2007 floods. While the NDMA is meant to work through the provincial and district DMAs, the reality was very different. There were complaints for example that decisions taken by PDMA were regularly overturned, and that NOCs had to start being requested from the national level rather than the provincial level.¹² District governments also complained that they were not provided with the relief goods and resources which they needed for their constituents and one district nazim from Balochistan resigned in protest (Bhatti 2007). While it is true that the

⁹ Khan, S et al., SDPI.

¹⁰ OCHA report, 2006.

¹¹ Interview with Andrew MacLeod.

¹² Interview with MSF.

PDMA and DDMA were only established just prior to the floods, and therefore lacked capacity, the provincial and district authorities had far more experience than the NDMA in coordinating disaster response as flooding is a recurring problem in these areas.

At the same time, the capacity of the NDMA was very weak during its response to the floods. It reportedly had less than ten staff members by June 2007, with several seconded staff from UN agencies, with very limited logistical and financial resources at its discretion to be mobilised during emergencies.¹³ Interestingly, despite these capacity challenges, the NDMA sent a letter to UN agencies in August 2007 which required all UN agencies and NGOs to coordinate at the national level with NDMA rather than make direct contact with provincial or district governments.¹⁴ While NDMA clearly wanted to assert its role as lead implementer and coordinator of the flood response, this effort to sideline the local authorities appears counter-productive. International NGOs, such as MSF-Holland and Concern, which had been present in the affected areas for many years, had existing relations with the provincial and district authorities. The excessive emphasis on coordination in Islamabad rather than in Balochistan and Sindh inevitably led to increased bureaucracy, delays and subsequent frustration on all sides.

A frequent comment from respondents, both in response to the earthquake and the floods, has been the variety of local state capacity in different areas. In the former context, this was partly related to the level of damage sustained at provincial headquarters. Peshawar was not badly affected, while Muzaffarabad was at the centre of the earthquake, destroying most provincial state facilities. At the local level of district Nazim, district line ministers and Union Councils, the level of involvement of the local state was highly dependent on the person in charge. There were substantial differences for example between the District Health Officers in Neelum and Muzaffarabad.¹⁵ Similarly, cluster meetings in flood-affected areas described how the Balochistan DMA produced a 'coordinated and

coherent response', while the coordination role of the Sindh DMA was 'weak'.¹⁶ These experiences indicate that the structures are not yet well enough established or resourced for local state authorities to perform responsibilities in responding to disasters. Instead, their level of success largely depends on the effectiveness of the individual authorities. While the NDMA is still weak in its own capacity, one of its crucial priorities in the aftermath of the flood response should be to establish the capacity of the PDMA/DDMAs in line with their responsibilities as set out in the 2006 NDMA Ordinance.

The centralised state decision-making structure during humanitarian response has some profound consequences for the international humanitarian agencies. In responding to the earthquake and the floods, these agencies found themselves caught in the middle of power struggles between the national, provincial and district government. If international humanitarian actors are supposed to support the capacity of the state to respond to disasters, at which level should they support in this type of power struggle? Even in the constitution, the role and mandates between provincial, district and sub-district government is confused and incoherent. The reality was that, during the earthquake response, it was overwhelmingly the central government, mainly in the form of ERRA, which received the greatest capacity support. The approach taken by most humanitarian actors is that, by supporting central government, the benefits can trickle down to local level. It will be interesting to monitor over the lifespan of ERRA up to 2010 if this is in fact the case.

On one hand, the ability of international agencies to support and build up local state capacity therefore largely depends on the relevant authorities. On the other hand, a careful balance must be achieved to ensure that relations with the central government are not threatened through closer coordination at the local level. The example of NDMA insisting on international agencies coordinating through national level during the flood response has served to reinforce the centralised decision-making structure. Unless more effort is put into building local state capacity for disaster management during more peaceful periods, international agencies may be forced to play into the existing political power balance,

¹³ Ibid.

¹⁴ It is stated in Ordinance No. XL of 2006, section 23.2 d) The Federal Government is responsible for 'coordination with the United Nations agencies, international organizations and governments of foreign countries for the purposes of this Ordinance'.

¹⁵ Author's own observation.

¹⁶ IASC Inter-Agency Real Time Evaluation of the Pakistan Floods/Cyclone Yemyin.

whereby central state capacity is strengthened at the expense of local state capacity.

4.2 Civilian and military capacity

A particularly unique and interesting feature of the institutional state response to disasters in Pakistan is the role of the military, and how this links with civilian state capacity. Pakistan's Constitution assigns post-disaster relief and rehabilitation functions to the civil administration. Furthermore, it is the responsibility of the civilian administration to request military involvement in responding to a disaster, and the military's mandate will then be assigned according to the specific disaster.¹⁷ However, the reality during the earthquake response was far removed from the constitutional arrangements. During the relief response, justifications that the local civilian administration capacity had been crippled during the earthquake ensured that the military had control over all rescue operations.

The extent of military control during the relief phase of the earthquake is not disputed. However, the success of its role is more open to debate. In general, the international community were very appreciative of the role of the army, in particular for the logistical assistance it provided, such as transport, evacuation, setting up camps and food and shelter distribution.¹⁸ The IASC real-time evaluation of the cluster approach states that 'it was unanimously confirmed that the success of the overall relief effort to the earthquake turned on the extraordinary performance of the Pakistan's Military and their effective adoption of the cluster system'.¹⁹ National NGOs were also generally enthusiastic about the speed of the army's response, while a survey by the Fritz Institute revealed that most aid recipients identified the government, in particular the military, as the primary provider of food, shelter, livelihood and medical services.²⁰

The criticisms of the military's role in the disaster relief phase centre around questions of quality, appropriateness and inclusiveness. The capacity of the military to provide a *humanitarian* response can be questioned, despite its superior capacity in terms of logistics, manpower and organisation efficiency. For example, according to an SDPI

report, the needs assessments carried out by the army were undemocratic, unparticipatory and failed to 'respect community pride and sensitivities', leading to complaints that the most vulnerable were ignored in relief distributions.²¹ The survey by the Fritz Institute found that only 2% of respondents claimed that they had been consulted on aid provision from the military.²² Secondly, despite reaching the affected areas within hours of the earthquake, they prioritised evacuation of army personnel. Thirdly, the outright refusal by the Pakistan army of India's offer to provide helicopters and pilots – which would have doubled air rescue capacity – can be said to ignore humanitarian needs.²³ Other criticisms question the effectiveness of the military relief response in the critical first 48 hours, with claims that the army was more concerned about 'securing its positions in Kashmir' than providing relief to the victims.²⁴ These complaints however fail to address the alternative option of a response led by the underfunded Civil Defence unit. While this might be a preferable option for the future, the reality in 2005 was that the army was the only actor with sufficient capacity to respond immediately. Furthermore, an effort was made by the army to gain a better understanding of how to provide a humanitarian response. For example, military personnel attended training workshops set up by the Sphere and HAP-I Pakistan focal points on principles, standards and indicators in the provision of emergency assistance. Indeed, General Farooq was keen for more workshops to be implemented in the field to ensure that the army had a proper understanding of the challenges of humanitarian assistance and the minimum standards to be reached.

A more relevant question may be the extent to which the role of the military sidelined and undermined the civilian authorities by their large-scale response. An ICG report claims that the military's lead was responsible for 'excluding elected bodies, civil society organisations and communities, and sidelining civil administration from relief as well as reconstruction and rehabilitation plans'.²⁵ The level of control of the military over ERRA, ostensibly a civilian body, is also apparent, in particular through the appointment of high-level army officials to senior positions within ERRA. While the lack of local

¹⁷ Khan, S et al., SDPI.

¹⁸ ActionAid report.

¹⁹ IASC Real Time Evaluation Cluster Approach – Pakistan Earthquake.

²⁰ Bliss D et al.

²¹ Khan, S et al., SDPI.

²² Bliss D et al.

²³ Khan, S et al., SDPI.

²⁴ ICG Asia Policy Briefing no. 46, p. 3.

²⁵ ICG Asia Policy Briefing no. 46, p. 1.

civilian administration capacity was certainly a critical issue during the relief phase, it has become less justifiable as a reason to sideline the constitutional authorities during the reconstruction process. Nevertheless, SDPI research showed that the District Nazims – the constitutional chief coordinators of disaster response – were closely monitored and often controlled by local military Commanders.²⁶ Any action they have taken in the reconstruction process has been subjected to military oversight.

Support by a large section of the international humanitarian community for the military's prominent role, whether direct or indirect, has reaffirmed their control. For example, the requirement that any NGOs involved in reconstruction activities must first obtain a 'No Objection Certificate' from ERRA shows the extent to which the military is involved in the overall reconstruction process. While some INGOs, donor agencies and local NGOs have publicly criticised the army and ERRA policies, others have prioritised the need to play an active role in relief, rehabilitation and reconstruction activities and have kept silent.

The overall result has been that the post-earthquake reconstruction process has lacked crucial input from the civilian administration. The blame however cannot solely be directed at the overbearing role of the military. The capacity of the civilian administration, in particular at provincial level, was limited even prior to the earthquake. Health services across AJK and NWFP were already poorly resourced and under-staffed in many areas. In addition, the civilian authorities in Muzaffarabad (AJK) and Peshawar (NWFP) often appeared to be unwilling to take a more prominent role during the relief and reconstruction phases. For example, the issue of whether or not winterised shelter should be provided to IDP camps should have been managed by the civilian authorities. Instead, this issue was largely ignored by the relevant authorities, despite advocacy from NGOs and UN agencies, until it reached a critical stage.²⁷ A more reasonable explanation is therefore that the undermining of civilian authorities in the earthquake response was only partly due to the intentions of the military to retain, and even expand, its central role. The military's aggressive approach was facilitated by the seeming lack of capacity and willingness on the part of the civilian authorities, especially at

provincial and district levels, to regain control during the reconstruction phase.

The Civil Defence services of Pakistan have equally been criticised as being irrelevant during the earthquake response. Originally set up to respond to armed conflicts, the Civil Defence Act was amended in 1993 to include measures against natural or man-made disasters in peacetime. However, the civil defence services have suffered from under-funding, a shortage of resources and staff training, and a lack of clear operational common policy across federal, provincial and district levels.²⁸ The result was a very weak role during the earthquake relief and reconstruction phases.

The dynamics between the military and civilian authorities were different during the response to the 2007 floods. The establishment of the NDMA prior to the floods as a permanent civilian authority with oversight for all aspects of disaster preparedness and response, is a very different context to the establishment of ad hoc institutions such as FRC and ERRA in response to a disaster. While the head of NDMA, General Farooq, was also the head of FRC, he is now retired from the Army, and is mandated to work through civilian bodies. The Army has still been congratulated for its quick and effective relief response during the floods, but instead of playing the lead role, it was done in coordination with UN agencies, NGOs and the relevant Disaster Management Authorities.

The conclusions that can be drawn by comparing the shift in balance between civilian administration and military capacity in response to the two natural disasters are still tentative. In the short-term response, the military command-like structure in ERRA has been credited with the agency's effectiveness, while NDMA, a civilian authority, has been criticised for its bureaucratic delays and obstruction of timely humanitarian assistance. In the longer term however, a humanitarian response which relies more heavily on a civilian rather than military system can arguably be more effective in a country like Pakistan. Ongoing tensions and insecurity in many western parts of Pakistan, namely FATA, NWFP and Balochistan, require a more neutral humanitarian response, whether to a natural or man-made crisis. The dependence on the military in such areas would only serve to exacerbate existing tensions, as is reportedly the case in both FATA and

²⁶ Khan SR, SDPI feature.

²⁷ Pat Duggan interview.

²⁸ OCHA Evaluation of Disaster Response Agencies of Pakistan, December 2006.

Balochistan in late 2007.²⁹ A shift away from the military towards Civil Defence and a civilian

authority-led response would be more viable for the longer-term humanitarian capacity of the state.

²⁹ ICG Asia Briefing N°69.

5. Disaster management in Pakistan

The creation of the NDMA, as a multi-tiered governance system which will be more capable of holistic disaster management, has been a welcome development. It brings Pakistan a step closer to the objective that the government, at national, provincial, district and sub-district levels, must remain the most significant actor in terms of disaster management and response. In this section, it will be explored to what extent this new holistic approach to disaster management can actually be achieved.

5.1 Disaster risk reduction and preparedness

There are numerous challenges in building up comprehensive disaster risk reduction in Pakistan, owing partly to the legacy of a reactive disaster management approach. On one hand the institutional capacity has to be strengthened, which is already underway through NDMA. The nine priority areas of NDMA are broadly consistent with the priorities in Hyogo Framework for Action 2005–2015, which was agreed by all nations in January 2005 in Kobe Japan during the UN World Conference on Disaster Reduction. These areas include the promotion of multi-hazard early warning systems, hazard and vulnerability mapping, and emphasising local risk reduction, among many others. On the other hand, it is the culture of understanding disaster risks and how they can be reduced among vulnerable communities which is also crucial, and currently lacking in Pakistan.³⁰ This is an area where the Civil Defence services could be used more effectively. Its country-wide grassroots urban presence through its ‘warden post’ institution, as well as its support from approximately 160,000 volunteers, means that services have a vital community-based capacity which could be strengthened through selective support and restructuring.

The government’s previous efforts towards disaster risk reduction have been uneven across different hazard types. For example, preparedness through early warning systems are far more advanced for flood and drought hazards than for earthquake, tsunami or cyclone hazards, which all have a vulnerability status set at ‘extremely high’.³¹ A UNDP-commissioned review of disaster

³⁰ Hyogo Action Point 3: to build understanding and awareness of disasters.

³¹ OCHA Evaluation of Disaster Response Agencies of Pakistan, December 2006.

management policies and systems in Pakistan in early 2005 found that ‘there are no long-term, inclusive and coherent institutional arrangements to address disaster issues with a long-term vision. Disasters are viewed in isolation from the processes of mainstream development and poverty alleviation planning’.³² One of the visible impacts of Pakistan’s ‘fire-fighting’ technique towards disaster management was the very high proportion of public buildings which were destroyed during the earthquake, especially hospitals and schools. Despite being in earthquake-sensitive areas, these buildings had been poorly designed, with no thought towards reinforcement or retrofitting, resulting in a far higher death toll.

The NDMA and PDMA plans take these previous failures into account, and include measures for prevention and mitigation of different hazard types, while integrating these measures into future development plans. The National Disaster Risk Management Framework was formulated to better integrate the system into development planning. While it is hard to assess the impact which the NDMA will have, the DM Ordinance is seen to institutionalise disaster management comprehensively. There are concerns however that lower levels of governance, in particular at the sub-district (Tehsil) level, will not be fully incorporated into the governance culture, due to the previous LGO in 2001, which succeeded in subdividing these governance levels in an uncohesive and fragmentary manner.³³ The challenge therefore will be to implement a holistic approach to disaster preparedness which integrates government at federal, provincial, district and sub-district and in particular at community level.

5.2 Transition from relief to recovery

In its response to the 2005 earthquake, the Government of Pakistan was very quick to recognise the scale of the emergency, and to invite international assistance into the affected areas to help with the relief efforts. It appeared however equally aware that the arrival of many new INGOs into Pakistan should not be part of a strategy to develop a permanent presence in the country. The GoP moved on from the emergency relief phase as

³² UNDP report 2005.

³³ Ibid.

soon as possible. Just one month after the earthquake, the Early Recovery Framework was jointly formulated by GoP with UN agencies, in an effort to bring together national strategy with humanitarian agencies and other international partners in Pakistan. The aim of the Framework was to 'bridge the gap between immediate relief and long-term reconstruction' through rebuilding livelihoods and restoring full capacities of civil administration in affected areas.³⁴ The 12–18-month timeframe of the ERF ensured that it overlapped with humanitarian operations and reconstruction.

Following the ERF, the GoP made clear statements in early 2006 that the emergency phase would be declared over by 31 March 2006. There were several important repercussions of this decision. Firstly, it meant that all IDP camps would start to close down, except for those people unable to return home.³⁵ Secondly, it meant that donors would switch from emergency funds to reconstruction funds, ensuring the donors such as ECHO would not provide any new funding. Thirdly, it meant that ERRA would take over from FRC as the lead agency. As many donors were committed to supporting ERRA during the reconstruction period, the funding available for NGOs was reduced considerably by April 2006, and many INGOs were forced to leave the country. The GoP was thereby indirectly able to ensure the departure of the newly-arrived NGOs after just six months, possibly learning the lessons from tsunami-affected countries like Sri Lanka and Indonesia, which have been swamped by new humanitarian agencies

using relief activities to move onto development programmes.

An enabling factor of the swift transition from relief to recovery and rehabilitation in earthquake-affected areas is that these were communities with established development programmes. The NGOs already working in these areas had previously worked on programmes such as community mobilisation, hygiene awareness campaigns and livelihood support. While it might have been more difficult for these communities and civil society organisations to shift to a relief framework, it was much easier to re-establish and strengthen the existing networks and programmes which had been operational prior to the earthquake.

It is too soon as yet to draw any comparisons with the response to the floods in Balochistan and Sindh, which occurred in June through to August 2007. One of the main differences is that the government was reluctant to declare an emergency from the start of the floods, thereby delaying the initial relief response. However, since the flood response started, the NDMA has been active in urging all actors involved to focus on early recovery within their planning.³⁶ The NDMA also requested UN assistance to prepare the early recovery framework. While it is less clear what the boundary lines are between relief, early recovery and development, it is a positive sign that such direct efforts are being made by government and humanitarian agencies to make the transition from relief to recovery.

³⁴ Early Recovery Framework, November 2005.

³⁵ For example, certain areas were deemed unsafe for rebuilding, and IDPs were not allowed to return home.

³⁶ IASC Inter-Agency Real Time Evaluation of the Pakistan Floods/Cyclone Yemyin.

6. Relief response in Pakistan: comparing the earthquake and the flood

While the disasters of the 2005 earthquake and the 2007 floods occurred within 20 months of each other, the relief response from both the GoP and the international humanitarian agencies were very different, with the former being hailed a success, while the latter is largely seen to have failed. In this section, the major differences in the relief responses will be explored, as well as the reasons for the contrasting approaches adopted.

6.1 Different contexts

As discussed earlier, the institutional structures during the earthquake and the floods were very different. While the government set up an ad hoc relief agency (FRC) to respond to the earthquake, the NDMA was already in place by the time of the floods, albeit with limited capacity. Despite both agencies being run by General Farooq, his mandate was very different. During the earthquake response, General Farooq had significant support from the military, which is often credited with the success of the early relief operations. However, as head of NDMA, he had retired from the army, and was mandated to work more directly through the provincial and district authorities to coordinate the response. Furthermore, in establishing the NDMA, the GoP felt that they had learned many of the lessons from the earthquake response, and were now capable of managing a disaster response without major external assistance.

The geographical locations of the disasters also had a major impact on the different types of state response. Both were located in politically sensitive areas. The earthquake affected large parts of AJK, including areas along the Line of Control where no international aid workers had previously accessed. Despite these sensitivities, the government was willing to facilitate access to most parts of AJK and NWFP, although NGOs reportedly were closely monitored by the army during the first few months of the relief response. By contrast, the floods affected Balochistan and Sindh provinces, the former in particular, which is a highly politically sensitive area. The GoP was keen to avoid the same influx of international aid workers into these areas, and hence insisted on the need for No Objection Certificates. This ensured that they had very tight control to prevent any foreigners from accessing the area. Apart from some donor evaluation missions, no foreigners were granted access during the relief efforts. This automatically led to frustration among the humanitarian

agencies and donors, and is one of the factors which led to the breakdown in relations between the NDMA and the international agencies.

The accessibility of the affected areas was also a factor. While access to many parts of AJK and NWFP was by helicopter during the early response and winter period, it was easier for assessments and relief work to be carried out while on the ground. The flood-affected areas however were very difficult to access, partly because of their physical distance from key cities such as Islamabad (30 hours) and Karachi (seven hours) but also due to the difficulties of carrying out the assessments. It is reported for example that the initial UNDAC assessment was carried out by helicopter, leading to doubts over its credibility. Furthermore, this led to poor media reporting on the floods at national level, despite frequent coverage by local media. The lack of available credible assessment data led to a degree of confusion and ambiguity at Islamabad level as to the extent of the flood damage, further delaying a concise response.

Lastly, the scale of the natural disasters was different. While the earthquakes led to the deaths of 73,338 people, the floods were responsible for 420 deaths. In fact, double the number of people were made homeless by the earthquake than in all of the tsunami-affected countries.³⁷ Certainly the opinion of the GoP was that the floods did not require the same level of response as the earthquake. The refusal to declare an emergency was in large part due to a belief that the scale of the impact was not significant. However, it is believed that the floods led to the displacement of 2.5 million people, which is almost the same as the number of affected persons from the earthquake (2.8 million). In this light, the GoP's delays in declaring an emergency appear misplaced. Criticisms at provincial level accuse the central government of deliberate 'negligence and unresponsiveness' (Bhatti, 2007). The delays in the provision of emergency relief provoked riots and demonstrations in some of the hardest-hit areas. In Turbat, there were demonstrations by thousands of affected people, while the mayor resigned in protest at the lack of support from central government.³⁸ In addition, it is believed that the apparent indifference of the government

³⁷ Interview with Andrew MacLeod.

³⁸ CBC news report, 30/06/2007.

to the plight of affected people has served to fuel the separatist movement in Balochistan, leading to increased tensions in a highly sensitive region (Husain, 2007). While the real reasons behind the government's delays are harder to pinpoint, the delays were nevertheless responsible for sparking a deterioration in relations with humanitarian agencies and donors over the following weeks.

6.2 Coordinating the response

A discussion of the way in which the two relief responses were coordinated is crucial to understanding the different outcomes. When the earthquake struck in October 2005, the humanitarian system was undergoing a significant reform process as part of the Humanitarian Response Review commissioned by Jan Egeland earlier in 2005. Part of this reform included the setting up of a cluster approach at both global and field level, to be implemented by 2006. A decision was taken shortly after the earthquake by the UNDAC team, the Humanitarian Coordinator and the UN country team to apply the cluster approach as the framework for coordinating the emergency response in Pakistan. This was a risky decision, as the cluster approach had not yet been fully developed. For example, the draft generic Terms of Reference were only completed in Geneva in January 2006, three months after the earthquake, while the global level clusters were not yet established.

The real-time evaluation of this cluster approach carried out by IASC reflected mixed results including both successes and failures. One of the crucial aspects however is that there was genuine government interaction with the 12 clusters that were established. In fact, the report claims that 'it was widely acknowledged that the Pakistan government and military's buy-in and adoption of the cluster system were a factor in their success'.³⁹ The cluster approach provided the government with an interface with the wider humanitarian response. For example, line ministries were able to coordinate directly with the relevant agencies, while the military could clearly see which actors were working in which locations. The 'orphan' clusters which did not correspond to a parallel government body, such as camp management, were seen to work less effectively than those with a government counterpart, such as health.⁴⁰ It is this relationship which is so crucial. One

respondent even commented that 'it is hard to differentiate between the strategy of international humanitarian agencies and the Pakistan government strategy' due to the open communication and coordination channels.⁴¹ While the numerous criticisms surrounding this approach centre on the unclear role of the clusters, the confusion between cluster leads and their own agency's objectives, and the sidelining of smaller or local organisations, it is important to emphasise that the cluster approach provided both the government and humanitarian agencies with an effective mechanism through which they could organise their response.

The contrast with the flood response could not be starker. While the UN was keen to implement the full cluster approach, on the basis that it had been successful during the earthquake response, the newly-formed NDMA was against this idea from the start. The NDMA wanted to assert its own authority in the flood response, and believed that a maximum of four clusters could be set up, while the UN was advocating for 12. The GoP's unwillingness to launch a full-scale international humanitarian response for the floods was apparent from the outset, and yet this reluctance was largely overlooked by the UN country team. The full range of humanitarian response mechanisms was launched by the UN, including UNDAC deployment, CERF, Flash appeal (cf. 6.3) and crucially the activation of the full cluster approach by early July. Despite General Farooq's experience of clusters while heading up FRC during the earthquake, it appeared that his understanding of their purpose and role was more limited than first assumed, which led to frequent changes of mind regarding the number and type of clusters which should be set up. This added to an increasingly confused and ambiguous role for the clusters, which over the following weeks and even months led to a breakdown in coordination and communication between all actors involved.

The question at the centre of this coordination crisis during the flood response is the balance of power between the humanitarian agencies, who were pushing hard for access and the establishment of their own response mechanisms, and the NDMA, which was 'keen to establish its authority and demonstrate its capability'.⁴² Preliminary findings from the real-time evaluation acknowledge that, while the NDMA had limited

³⁹ IASC Real Time Evaluation Cluster Approach – Pakistan Earthquake.

⁴⁰ Ibid.

⁴¹ Interview with Andrew MacLeod.

⁴² IASC Inter-Agency Real Time Evaluation of the Pakistan Floods/Cyclone Yemyin.

capacity and experience, in particular in relation to the cluster system and how it operates, it 'must be for the sovereign state to have the final word about the level of international assistance that it needs and wants'.⁴³ The UN was too insistent about setting up a cluster system in the flood response which is largely seen to have failed. While many of these failures relate to the inability of clusters to learn lessons from the earthquake, repeating many of the same mistakes, the key issue was the lack of interface between the government, through NDMA, and the humanitarian agencies, which had made the approach more successful in the earthquake response. At an early stage, the communication channels between the UN and NDMA broke down, and the misunderstandings about each other's role, mandate and authority continued to escalate. It is possible that, if the clusters had been given a more precise role, that of providing coordination among humanitarian actors to assist in organising the response, with a clear acknowledgement that they would not serve as an interface with government as during the earthquake response, then they could have been more successful.

6.3 Funding the response

The role of donors in both disaster contexts is significant, and to some extent shaped the way the humanitarian response was managed. Prior to October 2005, Pakistan had already been seen as a 'donor darling' due to Musharraf's stance on terrorism and extremism. The initial donor response to the earthquake was considered 'weak' following the UN flash appeal on 11 October. It was believed that events such as Hurricane Katrina had diverted the attention of donors. For the first six weeks, most UN agencies were seriously underfunded and had difficulties making longer-term plans. The response to the donor conference on 19 November was far more generous, with a total of \$5.8 billion pledged, which exceeded the requested \$5.2 billion. Critics complain that much of these pledges were in the form of loans not grants, or that donors were simply recycling or renaming existing financial commitments for Pakistan. However, some donors, notably DFID, used this as an opportunity to show its support for the government in the reconstruction phase. DFID provided 50% of its funding directly to ERRA as part of its commitment to un-earmarked sector budget support.⁴⁴ Other donors, including USAID and UN agencies, also fund ERRA, although usually for specific sectors. In addition to financial

support, donors are helping to build the capacity of ERRA in areas such as monitoring and evaluation, and financial management. While NGOs were often not happy with the proportion of funding channelled through the government,⁴⁵ a clear message was given by the donor community that the state should be responsible for responding to its own natural disasters.

The reaction by donors to the flood response has been far more reticent. Instead of providing funding to the NDMA, donors have channelled their funds through the UN flash appeal or directly to NGOs. The funding process overall has been confused, and relations have soured between NDMA and donors. In fact, ECHO decided to withdraw its funding altogether over the issue of NOCs for international staff. There are several reasons for the reticence of donors to fund the flood response. The coordination issues discussed above led to delays in funding requests. The CERF, which provided \$4.4 million to the flood response, only approved funds on 11 July, almost two weeks after the start of the crisis. Subsequently, a UN flash appeal was launched in mid-July, but for a far higher amount than was considered acceptable, either by UN New York or NDMA. The original amount of \$88 million was reduced to \$38.3 million, but much of the damage had now been done. NGOs were angry at the non-transparent manner in which their project budgets were cut, while NDMA and GoP did not even support the Flash Appeal. As a result, donor funding was ad hoc, with some donors uneasy at the prospect of funding a UN Flash Appeal which the government was not part of. It is likely that, if more effort had been made to encourage the GoP to support the Appeal, for example through revising the wording or the initial amount requested, then a more coherent donor approach would have been possible.

Donors' reticence in funding the flood response should also be considered in the light of personal relations, which had deteriorated with the NDMA. One of the major criticisms of NDMA, and General Farooq in particular, was that they failed to build upon the huge reservoir of goodwill which had been created during the earthquake response. An opportunity to harness the great level of international support and interest was missed due to the refusal of international assistance, and the

⁴³ Ibid.

⁴⁴ This is the first time that Sector Budget Support has been used by DFID to fund a post-disaster reconstruction programme.

⁴⁵ Interview with Liam Docherty, DFID Pakistan.

subsequent souring of relations between the NDMA and donors. The contrast with the management of the earthquake response is shown by the comment by ERRA that ‘the early request for assistance by Pakistan was a key critical decision. It is better to call for assistance and then send it back if it is not needed, than to have aid arrive too late’.⁴⁶ It became clear soon after the floods that General Farooq did not share General Nadeem’s approach to requesting international assistance, and hence the goodwill was broken. It appears that the international donors are not against the idea of supporting NDMA’s capacity per se, but that personal relations have deteriorated to the extent where it is no longer possible with the current position-holders.

The introduction of new humanitarian response mechanisms, including the new funding mechanisms of the Flash Appeal and CERF, have been tried and tested during both recent natural disasters in Pakistan. The result has at times been chaotic, in particular in terms of funding. Some would argue that donors should be allowed the flexibility to decide which actors they will fund to respond to an emergency, whether bilateral arrangements, Appeal funding, or direct funding to NGOs. However, this decision of funding recipient provides the donor with huge leverage over the actors involved. The financial support of ERRA at the expense of INGOs has generally been deemed to be successful by interviewees. On the other hand, the majority of funding for the flood response was provided outside of government mechanisms, which if anything has served to weaken the capacity of NDMA to fulfil its mandate.

6.4 National agency capacity

While state capacity has been discussed in section 4, it is worth mentioning the different capacity levels of FRC, ERRA and NDMA in the response to the earthquake and floods, to help understand the different outcomes. The FRC and ERRA were set up specifically to respond to the earthquake, and resources were put at their disposal to achieve their goals, whether by GoP or international donors. Some experienced, high-level UN staff were seconded to ERRA, with a focus on building the capacity of the agency with the provision of both financial and intellectual support. By contrast, NDMA had only a handful of staff when the floods hit. While there were three UN-seconded staff, interviewees commented that they lacked experience in crucial areas such as cluster

systems and humanitarian response mechanisms. The DMAs at provincial and district level were even more poorly resourced than at national level. A general feeling was that humanitarian agencies and donors would have liked the opportunity to support capacity at local level, but that there was no structure to work with.

A further complication which pertains to both ERRA and NDMA is that they are run by very strong individuals – General Nadeem and General Farooq respectively. While they have both been praised for many aspects of their work, and their ability to work with the international humanitarian community, they nevertheless retain very tight control over their agencies. This level of centralised authority has been mentioned by one donor as ‘institutional risk’ due to the potentially huge capacity loss which would be suffered if either head of agency was to leave. While more systems have now been put in place within ERRA to decentralise decision-making powers to provincial bodies, this is not the case for NDMA, which has yet to empower the provincial or district DMAs.

The existence of a central government agency which is responsible for all aspects of disaster management, such as NDMA, should be utilised to its full potential. While its capacity may still be weak, donors and international agencies which genuinely want to support the primary responsibility of a sovereign state for victims of humanitarian emergencies should seize the opportunity that is now available. The poor relations which have developed among these actors should not overshadow the chance which is available to develop capacity in a country which is so vulnerable to natural disasters. It would be useful if some of the lessons from the capacity-building programmes from ERRA could be shared with NDMA, so that the last two years of disaster management experience could be put to better use. So far, this type of capacity exchange has been limited to the posting of ‘lessons learned’ and annual reports on the ERRA website, with limited interaction between the two agencies.

6.5 The role of national NGOs

The relationship between national NGOs, international NGOs and the government also sheds light on the different successes and failures of the earthquake and flood responses. There is a vibrant civil society in Pakistan which is credited with playing a significant role in both responses. Many of the larger national NGOs, such as Edhi

⁴⁶ MacLeod A, and General Nadeem, 2007. p. 14.

Foundation and Sunghi Foundation, decided to work directly with INGOs during the earthquake response. However, the smaller national NGOs often found themselves sidelined or overlooked in the relief response. They were unable to coordinate in the cluster system, either due to the sheer number of meetings taking place, or because they did not have any presence at Islamabad level, or they had limited numbers of English-speaking staff to attend the meetings. A further issue was that many national NGOs quickly found themselves de-capacitated by the influx of INGOs which paid higher salaries for their best staff. Therefore, instead of building up the capacity of national NGOs, many of which had invaluable experience in earthquake-affected areas, a large part of the international humanitarian relief resulted in sidelining or reducing the capacity of national NGOs. The fact that this major relief response happened just ten months after the tsunami response, when evaluations showed that more emphasis must be placed on national capacities, appears to show that lessons had not been learned.

However, it was those INGOs which had invested in relationships with national NGOs, or had at least built up the capacity of their own national staff, which reaped the benefits during the response to the 2007 floods. The issue of access for international staff became a serious impediment for INGOs which had no local partners, to the extent that many of them were unable mount a response. By contrast, INGOs like Concern and Save the Children were able to work

quickly and effectively through national partners already working in Balochistan and Sindh. As one INGO country director commented, 'if INGOs had done more to train up national staff, or to work more closely with national NGOs, there would not have been the same issues during the flooding'. The lack of INGO investment in national NGOs, and their willingness to sideline or overlook national capacities, must be addressed. While national NGOs were certainly overstretched in their response to the earthquake, more effort should have been made to include them in coordination mechanisms, to benefit from their local knowledge and expertise, and especially to avoid recruiting the best national NGO staff with higher salaries.

At the heart of this issue is the inability of humanitarian agencies to assess national capacities upon arrival in a disaster zone. This problem is relevant for national state capacities as well as NGO and civil society capacities. A possible solution proposed by a Pakistani thinktank⁴⁷ is to create a list of national NGOs which operate in disaster-prone areas around the world, including an assessment of these NGOs' capacities. In this way, an INGO has knowledge at their fingertips of effective national NGOs with which they can form partnerships, prior to setting up a disaster relief programme. Difficulties would surely arise in how these national capacities would be assessed, but the idea of shifting the burden of assessment away from the relief phase towards the disaster preparedness phase has its merits.

⁴⁷ Interview with Dr Abid Suleri, SDPI.

7. Implications of recent disaster responses

Numerous evaluations have been carried out into the humanitarian response to the 2005 earthquake. The fact that the new UN response mechanisms such as the cluster approach were being piloted in Pakistan has increased the interest in what lessons can be learned from the response. IASC has carried out real-time evaluations during both the earthquake and flood response to gain a better understanding of their respective successes and failures. In this section, I will look at a few specific issues which I believe humanitarian agencies should consider from their experience in both the earthquake and flood response, in order to improve their support of the Pakistan government in future humanitarian action.

7.1 The role of advocacy

The INGO approach to advocacy in both the earthquake and flood response has varied hugely. Some INGOs have assumed a low profile, in the belief that this will enable them to carry out their work more effectively, while others such as Oxfam and ActionAid have been more vocal in their opposition to government policies. With a few exceptions, ERRA was generally sympathetic to NGO advocacy, and while it often took them many months to change or adapt one of their policies, there was usually a general consensus over the end result. One such example is the choice of construction materials for families rebuilding their homes in remote locations. After six months of insistence by humanitarian agencies that certain materials were inappropriate, such as concrete and metal, ERRA changed its policy. Part of this success can be attributed to the humanitarian agencies' (UN and NGOs) acceptance of ERRA as the central authority for the reconstruction phase. It was unusual for NGOs to try and bypass or sideline an ERRA policy, and hence advocacy was used as an important tool in the relationship.

Unfortunately this was not the case during the floods. The issue of NOCs for international staff caused huge contention among NGOs, UN agencies and donors. Once it became clear that NDMA was not prepared to waive this condition, relations deteriorated and advocacy channels became strained. It became more common for INGOs to try and operate without passing through the bureaucracy at national level. Different actors became more entrenched in their own beliefs, and

the space for dialogue diminished. While humanitarian agencies would argue that the humanitarian imperative of saving lives during the floods was a bigger priority, by circumventing the NDMA they also failed to hold the government responsible for the overall humanitarian response.

A different way in which humanitarian agencies can hold the government responsible for its actions is to work with civil society. By encouraging citizens to hold their own government accountable to the victims of a disaster, foundations are being laid for future government responses. There is very little evidence, however, either from the earthquake or the flood response, of real engagement by humanitarian agencies with local civil society. For example, a Citizen's Commission for the Earthquake was established in order to challenge the government on the way the reconstruction process was being carried out. Despite this being one of the few channels for citizens to speak out in the aftermath of the earthquake, the Commission had limited advocacy success due to its restricted resources and capacity.

In the future, advocacy should play a more prominent role among humanitarian agencies working in Pakistan. With NDMA as the permanent structure responsible for all aspects of disaster management, it is crucial that humanitarian agencies open up advocacy channels, both directly and through local civil society, in order to both support and challenge NDMA's role. This relationship must equally be developed at provincial and district levels, once there is sufficient capacity by DMAs to respond.

7.2 Assessment and preparedness

As is often the case, there was reportedly a stark contrast between humanitarian agencies which had an existing presence in Pakistan before the earthquake, and those which arrived to respond to the disaster. One of the main differences was the understanding of the context and the actors involved, both state and non-state. As discussed earlier, humanitarian agencies with experience in failed states were unaccustomed to operating in a functioning sovereign state. As one report after the earthquake puts it, 'the presence of humanitarian agencies plays into many of the political fault-lines of contemporary Pakistan, including relations between the centre and the provinces, Kashmir,

the legitimisation of military rule, sectarianism, devolution and the further alienation of mainstream political parties' (Bamforth, 2007). The arrival of hundreds of NGOs into highly sensitive areas, such as the Line of Control in Kashmir, with limited knowledge of the political complexities of Pakistan could have more far-reaching impacts than was recognised at the outset. One aspect is that the military has been able to increase its power through the sidelining of civilian administration in both relief and reconstruction phases (cf. 4.2), while provincial and district authorities have suffered from a highly centralised response at national level (cf. 4.1).

Whether or not humanitarian agencies could have avoided playing into these 'political fault-lines' through better assessments and understanding of the context is unclear. However, agencies could certainly have been better prepared, for example in how to respond to a crisis alongside a prominent military role. While the military has been criticised for the quality of its relief efforts, with accusations of discriminatory practices, at the very least the military received humanitarian training from the Sphere and HAP-I Pakistan focal points. By contrast, it was the humanitarian agencies which were unsure of how to work alongside a functioning army, with very effective central command structures. It was common for the principle of neutrality to be misapplied as a justification by NGOs to distance themselves from military assistance. A better understanding of how this relationship could work in Pakistan would have avoided unnecessary delays, underlining the need for agencies to be better prepared before responding to a disaster. While a stronger Civil Defence service would certainly prove valuable to future natural disaster responses, the military will inevitably play an important role, and humanitarian actors should be better prepared for this in the future.

7.3 Principles

While most humanitarian agencies which have been responding to recent disasters in Pakistan would claim to adhere to a set of humanitarian principles, whether these are enshrined for example within the Sphere Project Humanitarian Charter or the Code of Conduct of the International Red Cross, the interpretation of how these principles are applied during disaster response often varies. A further issue is that humanitarian agencies have recently been working in areas which are not familiar to international

actors⁴⁸ and the implications of the humanitarian principles which they work under. To some extent, this challenge was addressed through specific training programmes for actors such as training for the military in Sphere standards. For many, however, these so-called humanitarian principles have been met with scepticism and misunderstanding.

One of the predominant challenges regarding these principles in the context of Pakistan has arisen as a result of the prominent role which the Government has played in disaster response. Access has been a particularly contentious subject between international humanitarian actors and GoP in recent years. The insistence on NOCs for international staff during the flood response was felt by many interviewees to seriously impede the humanitarian imperative. The Government's response that the personal security of international staff was the only reason behind their decision was treated with cynicism by many international actors. This issue of access has also arisen in conflict areas around FATA and Balochistan. Certain NGOs like MSF have repeatedly been denied access for their assessments in areas where they believe there to be high numbers of IDPs with corresponding unmet needs. In these cases, it is hard for humanitarian agencies to state that they adhere to the principle that 'aid priorities are calculated on the basis of need alone'.⁴⁹

The principle of the independence of humanitarian agencies has also been questioned in their disaster response in Pakistan. As mentioned in section 7.1 surprisingly little advocacy has been carried out by humanitarian agencies. The decision by ERRA that all NGOs had to work directly through their authority met with little resistance, and led to the impression that some NGOs were merely subcontractors of the government agency. Similarly, the prominent role of the military in both relief and reconstruction phases of the earthquake response, often with direct assistance provided to humanitarian agencies, has forced agencies to reassess whether they are providing aid according to need, or whether a military agenda is being served through their work.

⁴⁸ This includes AJK and parts of Balochistan.

⁴⁹ Principle 2, The International Red Cross and Red Crescent Movement and NGOs in Disaster Response Programmes.

Finally, the role of Islamist organisations, and in some instances banned jihadi groups, has been highly controversial during the earthquake and flood response. In the aftermath of the earthquake, international organisations including IOM and UNHCR were found to be directly supporting some of these jihadi organisations, thereby assisting them in furthering their religious agenda. Whether this relationship is developed knowingly or inadvertently due to poor assessments of local partners, it directly contradicts the principle that 'aid will not be used to further a particular political or religious standpoint'.⁵⁰ Furthermore, the Islamist prominence in earthquake relief activities is likely to have a longer-term impact, in particular in AJK, on the socio-political landscape, for example through the infiltration by these organisations of the local education system. For international humanitarian agencies to adhere to their principles of impartiality and the humanitarian imperative, it is crucial that they have a better understanding of local capacities before they are strengthened. Additionally, in the context of the earthquake relief and reconstruction response, greater pressure should have been placed on the GoP to prevent all jihadi organisations and networks from operating in affected areas. Once more, advocacy could play a more prominent role

in holding the government accountable to disaster victims.

Humanitarian agencies will find that their principles are challenged in different ways in most contexts in which they operate. The balance between the humanitarian imperative and the primary responsibility of the state to assist and protect its citizens affected by disasters has clearly been tested in the context of Pakistan. There has been an increasing focus on country ownership in recent years,⁵¹ which to some extent has been observed in Pakistan through the support of international donors and many international agencies for the role of the state in the earthquake and, to a lesser extent, the flood response. However, there are evidently still contradictions in terms of how humanitarian principles can be adhered to while state capacity is being supported. Again, the lack of preparedness and assessment by international agencies is to some extent to blame for the compromising of these principles. If agencies had a better understanding for example of the local humanitarian organisations, the socio-political context and the role of the military prior to establishing disaster response programmes in Pakistan, then principles of independence and impartiality could have been more strictly adhered to.

⁵⁰ Principle 3, The International Red Cross and Red Crescent Movement and NGOs in Disaster Response Programmes,

⁵¹ For example in the Good Humanitarian Donorship principles.

8. Conclusion: which way forward?

There is a feeling among aid agencies in Pakistan that the goodwill which was created between the humanitarian community and the Government of Pakistan in the 18 months following the 2005 earthquake has been destroyed. The antagonism that is felt on both sides, by NGOs, UN agencies, donors as well as by NDMA, has seriously undermined what was previously a productive relationship. It is possible, and indeed vital, that this relationship can be built up again over time, to ensure that humanitarian response in Pakistan can be far more effective than it was during the 2007 floods. For this to happen, compromises must be made by both sides, and a dialogue must ensue to enable a better understanding of each actor's role, mandate and authority.

The recent establishment of NDMA in 2007, and the experience in Pakistan of two large-scale disaster responses within the last two years, means that disaster management has captured the public attention. With over 5 million people directly affected by these recent disasters, there are increasing demands that disasters cannot simply be responded to, but must be mitigated and prepared for as well. UN agencies such as UNDP and ISDR, which have been closely involved in the setting up of NDMA, claim to be satisfied with its institutional framework and mandate. They believe for example that its priority areas match those of the Hyogo Framework for Action. It is important therefore that over the next few years, the pressure both from civil society and international humanitarian actors are able to strengthen the limited capacity of NDMA. In this

way the GoP can take primary responsibility for its citizens during humanitarian emergencies, with the support of an active international and national group of humanitarian actors.

The discussion in this paper of the humanitarian response to two recent natural disasters in Pakistan has laid bare a very crucial issue: to what extent should state sovereignty be respected versus the humanitarian imperative? It was certainly easier during the earthquake response for international humanitarian actors to support and coordinate with the state, since at most stages of the relationship there was general agreement about how activities should proceed. The serious challenge was during the flood response, when the GoP and international actors clashed over what the needs were and how they should be responded to. It was at this stage that state sovereignty was ultimately overruled by the international actors which placed a higher value on the humanitarian imperative. This approach is understandable, since the primary role of an NGO is humanitarian, not political. At the same time, this is a short-term approach to a recurring issue. If the international community tries to step in each time there is a natural disaster in Pakistan, and sidelines, overrules or even ignores state capacity to respond, it is likely that the state's disaster management role will never succeed. Some type of compromise must therefore be made between the humanitarian imperative and state sovereignty, with lessons that can be learned from both the earthquake and especially the recent flood response.

Interviews

Interviews were carried out from 22 October to 13 December 2007.

NGOs:

Yves-Kim Creac'h	Merlin Pakistan Country Director: 2006-2007
Tom Roth	MSF-Holland Country Director: 2006-2007
Dorothy Blane	Concern Country Director: 2003-2007
Kashif Sheikh	Pakistan Humanitarian Forum representative, World Vision programme manager: 2007

UN:

Pat Duggan	OCHA Head, Muzzafarabad: 2005
Magdalena Moshi	WFP, Head of Programme, Pakistan: 2005-2007

Researcher/Evaluator:

John Cosgrave	Independent evaluator
Abid Suleri	Head of Sustainable Development Policy Institute
Kevin Savage	Research Fellow, ODI
Sarah Bailey	Research Officer, ODI
Andrew Wilder	Research Director, Feinstein International Centre, Tufts University

Donor:

Liam Docherty	DfID, Deputy Programme Manager: 2007
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Government:

Andrew MacLeod	ERRA, seconded from UNDP
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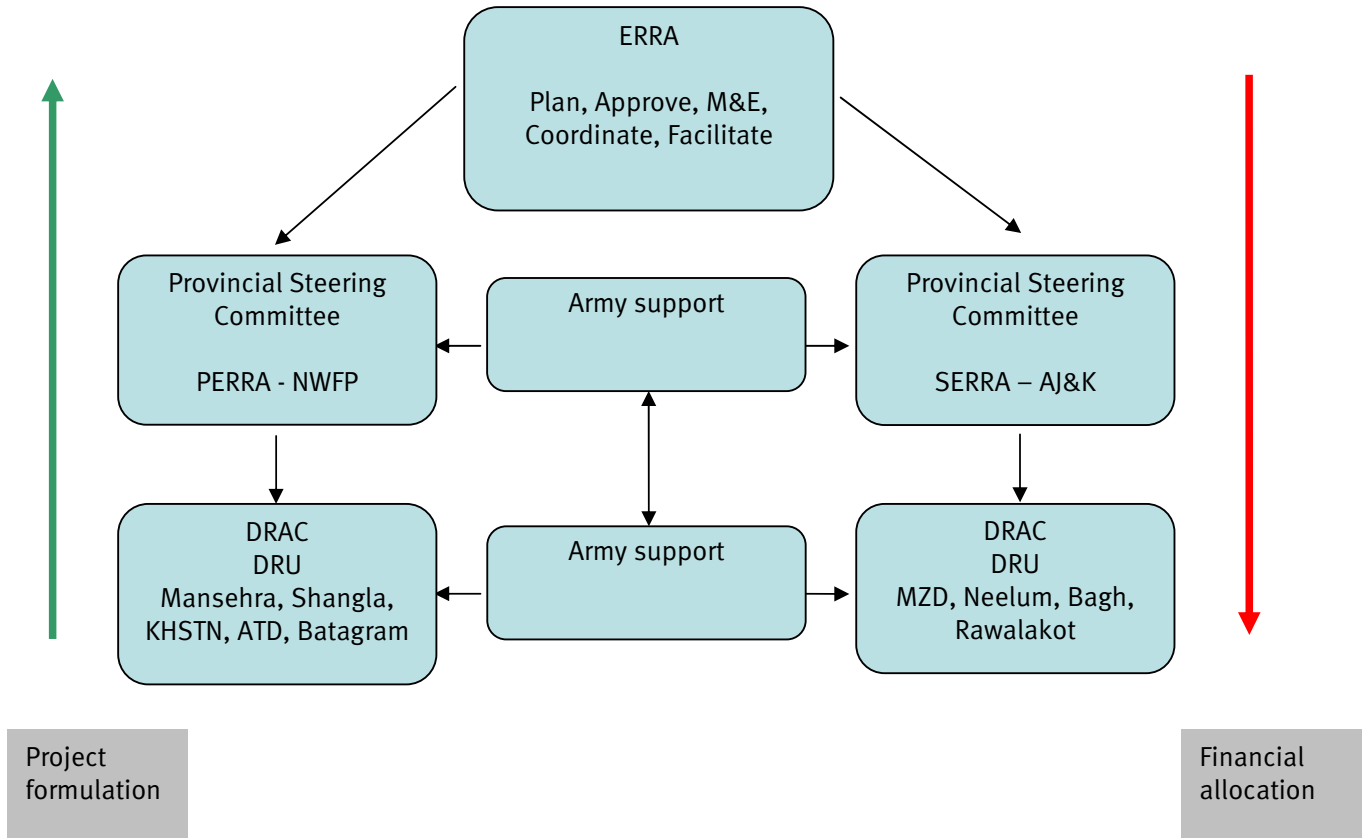
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Annex 1: Top natural disasters in Pakistan, in chronological order

Adapted from OCHA Evaluation of Disaster Response Agencies of Pakistan, December 2006

Disaster	Date	Died	Affected	Damage (\$000)
Earthquake	1935	35,000		
Earthquake	1945	4,000		
Flood	1950	2,900		
Windstorm	1965	10,000		4,100
Earthquake	1974	4,700		3,255
Flood	1976		5,556,000	505,000
Flood	1978		2,246,000	
Earthquake	1991			
Flood	1992	1,334	12,324,024	1,000,000
Windstorm	1993	609		
Flood	1994			92,000
Flood	1996		1,300,000	
Flood	1997	848		
Flood	1998	1,000		
Flood	2001			246,000
Flood	2003		1,266,223	
Earthquake	2005	73,338	2,869,142	5,000,000
Flood	2007	420	2,500,000	
Total		134,149	28,061,389	6,850,355

Annex 2: Functional structure of ERRA



Legend:

DRAC : District Reconstruction Advisory Committee

DRU : District Reconstruction Unit

PERRA : Provincial Earthquake Reconstruction and Rehabilitation Authority

SERRA : State Earthquake Reconstruction and Rehabilitation Authority

Adapted from <http://www.erra.gov.pk/Reports/Functional%20Chart.pdf>



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