Inter-Agency Standing Committee (IASC)

OPERATIONAL GUIDANCE FOR CLUSTER LEAD AGENCIES
ON WORKING WITH NATIONAL AUTHORITIES

Detailed guidance on the cluster approach is provided in the *IASC Guidance Note on Using the Cluster Approach to Strengthen Humanitarian Response (November 2006)*.
This guidance note should be read in conjunction with other relevant IASC guidance.

Definition of 'national authorities' and scope of the guidance

❑ For the purposes of this Operational Guidance, the term 'national authorities' refers to the internationally recognised or de facto national government of a country in which a humanitarian operation is taking place, including all line ministries, departments, institutions, agencies and other actors exercising governmental authority from the national to local level.

❑ Guidance on working with non-state actors in conflict situations is beyond the scope of this note given the wide range of potential scenarios the guidance would have to cover and the different policies individual agencies and organizations have to govern their humanitarian operations in such situations.

Responsibilities of national authorities in cases of natural disasters and other emergencies

❑ As stated in General Assembly Resolution 46/182 of 1991, paragraphs 3 to 5, national authorities have primary responsibility for taking care of the victims of natural disasters and other emergencies occurring in their territory:

    o *'Each State has the responsibility first and foremost to take care of victims of natural disasters and other emergencies occurring on its territory. Hence, the affected State has the primary role in the initiation, organization, coordination, and implementation of humanitarian assistance within its territory.'*

    o *'The magnitude and duration of many emergencies may be beyond the response capacity of many affected countries. International cooperation to address emergency situations and to strengthen the response capacity of affected countries is thus of great importance. Such cooperation should be provided in accordance with international and national laws. Intergovernmental and non-governmental organizations working impartially and with strictly humanitarian motives should continue to make a significant contribution in supplementing national efforts.'*

    o *'States whose populations are in need of humanitarian assistance are called upon to facilitate the work of these organizations in implementing humanitarian assistance, in particular the supply of food, medicines, shelter and health care, for which access to victims is essential.'*

Coordination mechanisms

❑ The cluster approach is the standard mechanism used by United Nations humanitarian actors and their international partners for responding to large-scale complex and natural humanitarian emergencies requiring a multi-sectoral response.[1] Clusters support and/or complement wherever possible the efforts of national authorities in key sectors of preparedness and response.

❑ The Resident or Humanitarian Coordinator (RC/HC), Cluster Lead Agencies and OCHA are responsible for consulting national authorities regarding existing capacity and coordination mechanisms for humanitarian response. A mapping of existing arrangements should be part of any 'preparedness' activities carried out in the region/country including the establishment of a 'Contingency Plan' for the country (if one exists).

❑ Wherever possible, international humanitarian actors should then organize themselves to support or complement existing national response mechanisms rather than create parallel ones which may actually weaken or undermine national efforts.

❑ Generally, coordination mechanisms will take the form of cluster meetings at the national, regional and local level, though arrangements will vary from cluster to cluster and according to context. Where appropriate and practical, government leads should be actively encouraged to co-chair cluster meetings with their Cluster Lead Agency counterparts. As with all co-chair arrangements, respective responsibilities should be clearly defined from the outset.

❑ The number and configuration of clusters will depend in each case on the specifics of the humanitarian emergency in question and the response capacities of the national and international actors involved. If necessary, the names of individual clusters may be adapted to the context to allow for better integration with government coordination structures and for a smooth transition once the emergency phase is over.

National authorities are able to lead or contribute

❑ In cases where national authorities are able to lead or contribute to the response, the RC/HC and Cluster Lead Agencies should identify the government entities responsible for different areas of response and recovery. The Cluster Lead Agencies should meet with these corresponding government counterparts and where necessary, explain what the government can expect from the Cluster Lead Agency (including the principle of 'Provider of Last Resort') and cluster partners. They can then agree together on appropriate coordination mechanisms which cover all the humanitarian needs of the affected population for that sector (including cross-cutting issues), building on existing arrangements.

❑ Some clusters such as Logistics or Emergency Telecommunications may lack a formal government counterpart and will therefore function differently from clusters such as Health and Education which typically have long-established government counterparts and numerous partners. Protection, including the 'Areas of Responsibility', and Early Recovery may also function differently when there is no single government counterpart but rather, a number of line ministries and other partners that need to be consulted.

---

[1] Refugees fall under the specific mandate of UNHCR and are therefore assisted outside the cluster approach. Under international law, the High Commissioner for Refugees is accountable to the United Nations General Assembly.

National authorities' ability to lead or contribute is compromised
❑ If national authorities indicate that their ability to lead or contribute to humanitarian activities is compromised by factors such as lack of capacity and/or resources or an inability to access part of their territory, the RC/HC, Cluster Lead Agencies and OCHA may have to take the 'lead' role in coordinating some aspects of the response; this would be done in support of the national authorities.

National authorities are unwilling to lead or contribute, and/or humanitarian principles are not respected
❑ In cases where the national authorities are unwilling to lead or contribute to the humanitarian response, or in cases where the national authorities are taking the lead in the cluster but there are significant discrepancies between national authorities and the humanitarian actors in terms of the principles and objectives of the humanitarian response, the RC/HC, on behalf of the Humanitarian Country Team (HCT) and with the support of OCHA, should continue to advocate for humanitarian space and a humanitarian response that covers the needs of the entire affected population. OCHA should take the lead, on behalf of the members of the HCT, for negotiating collective humanitarian access. Cluster Lead Agencies should continue to try to coordinate the response for their sector, to the extent that the security and political situation allows.

Coordinating the response

❑ Where possible and appropriate, Cluster Lead Agencies/clusters should work closely with national authorities in jointly developing priorities and strategies for the sector and on monitoring and follow-up to ensure that programmes and initiatives continue to meet changing needs. Wherever possible, agreement should be reached on either undertaking joint activities with national authorities or agreeing on separate but complementary activities with compatible standards and approaches. This applies to all aspects of the humanitarian response including: the mapping of national and international response capacities and gaps, contingency planning,[2] emergency preparedness, needs assessment and analysis, prioritisation and strategy development, information management and communication, monitoring, reporting and evaluation, and the transition from relief to development.
❑ As far as possible, cluster partners and national authorities should also jointly agree on the technical standards and tools to be applied by the cluster partners, whether they are international (perhaps adapted for local use) or national. These standards and tools should be ones which are already/can be used across the sector after the humanitarian emergency, to ensure continuity.
❑ Cluster Lead Agencies and OCHA should aim to ensure that information management activities support and strengthen existing national information systems rather than replacing or diminishing them. Cluster Lead Agencies and OCHA are responsible for ensuring that contact lists and 'Who does what where' (3W) data are regularly updated. Such information should be shared with national authorities unless the political situation makes this inappropriate.[3]

---

[2]As per page 8, *IASC Contingency Planning Guidelines for Humanitarian Assistance, November 2007*
[3]The sharing of information should be always be carried out in full respect of the principles of confidentiality and taking into consideration imperatives for the protection of persons of concern.

❑ As early as possible, individual Cluster Lead Agencies and the HCT should set out strategies for transition as the situation moves from emergency to recovery. This may involve a change in the composition and functioning of coordination mechanisms or the handover of tasks, capacities, resources and follow-up activities to national authorities and/or local partners, depending on the country situation.

Strengthening national response capacities

❑ Whenever possible, Cluster Lead Agencies should ensure that the activities of international humanitarian actors within and across clusters build on and strengthen the capacities of national authorities, as well as national NGOs, community-based organizations, affected communities and other local actors. To the extent possible, funding documents should reflect the associated costs.

❑ To this end, Cluster Lead Agencies should promote capacity-building initiatives which may include the provision of technical assistance, training (e.g. to strengthen the capacity of local authorities to provide effective leadership) and support for national authorities to meet their obligations under international and national law. This applies to both countries with on-going humanitarian emergencies and countries prone to disasters:

   o In countries with on-going humanitarian operations (e.g. chronic protracted crisis/disasters and post-conflict situations), disaster management should be supported and strengthened at both national and sub-national levels with appropriate training and the sharing of updated information. Where disaster management measures are already in place, efforts should be directed towards jointly developing priorities and strategies for early recovery and long-term development;

   o In countries prone to disasters, efforts should be made to build disaster management expertise into all relevant line ministries and sectors (health, education, water, sanitation, hygiene, emergency shelter etc.) and to incorporate this into contingency planning and preparedness measures.

Links between prevention, preparedness, relief, rehabilitation and development

❑ To the extent possible, Cluster Lead Agencies should ensure that the coordination mechanisms of the cluster approach and the activities of cluster partners contribute to national emergency preparedness efforts and to the longer-term development process. This is clearly spelt out in General Assembly Resolution 46/182 which states the following:

   o *'A key principle of effective humanitarian action is to ensure that it is provided within the framework of a consolidated approach to prevention, preparedness, relief, rehabilitation and development. Special attention should be given to disaster prevention and preparedness by the Governments concerned, as well as by the international community.'*

   o *'In order to ensure a smooth transition from relief to rehabilitation and development, emergency assistance should be provided in ways that will be supportive of recovery and long-term development. Thus, emergency measures should be seen as a step towards long-term development.'*