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National Humanitarian Network

Report on The Role of National Humanitarian Actors in Pakistan

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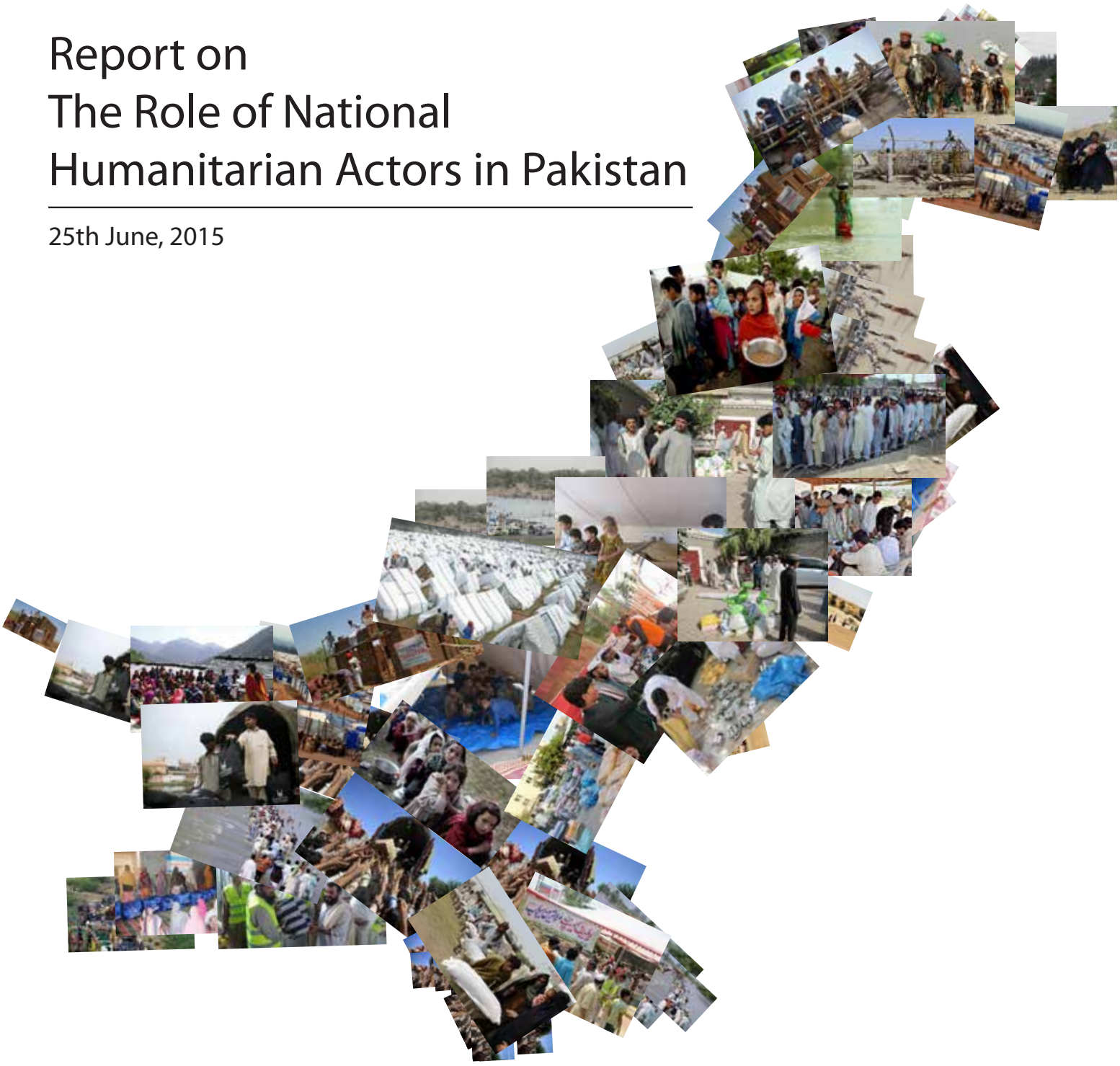

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List of Abbreviations

CBDRM	Community Based Disaster Risk Management
CSO	Civil Society Organisation
DDMA	District Disaster Management Authority
DRM	Disaster Risk Management
DRR	Disaster Risk Reduction
FATA	Federally Administered Tribal Areas
FGD	Focus Group Discussion
INGO	International Non-Governmental Organization
KP	Khyber Pakhtunkhwa
NDMA	National Disaster Management Authority
NDMC	National Disaster Management Commission
NGO	Non-Governmental Organization
NHN	National Humanitarian Network
NOC	No Objection Certificate
PDMA	Provincial Disaster management Authority
PDMC	Provincial Disaster Management Commission
SIUT	Sindh Institute for Urology and Transplant
SKMTH	Shaukat Khanum Memorial Trust Hospital
SOP	Standard Operating Procedure
UN	United Nations

1. Background

This study has been sanctioned by the National Humanitarian Network (NHN) with the following expected outputs:

- Identification and categorization of restrictions on the humanitarian response;
- Identification of avenues for dialogues;
- Identification of avenues of collaboration among humanitarian actors, and,
- Identification of gaps and recommendations to improve quality governance and accountability of humanitarian assistance.

This report maintains its primary focus on the humanitarian activities of national Non-Governmental Organisations (NGOs) in the context of the socio-legal environment and among the whole range of humanitarian stakeholders including: the civilian government agencies, the law enforcement and security agencies, the International NGOs, humanitarian donors, national charities, the larger civil society and the communities.

The somewhat cordial equation between the humanitarian NGOs and the government started showing signs of tension in the events of human-made disasters comprising of insurgencies and the military response to them, particularly in the Khyber Pakhtunkhwa and Balochistan provinces as well as the Federally Administered Tribal Areas (FATA). The deteriorating security situation and the resultant strong presence of law enforcement and security agencies in these areas added a new complex dimension to humanitarian challenges faced by the affected communities, and the humanitarian NGOs. This was followed by new formal and quasi-formal restrictions by the state apparatus, straining the efforts to adhere to the fundamental humanitarian principles as well as access to the affected populations. The National Humanitarian Network (NHN), an alliance of Pakistani humanitarian NGOs, has sanctioned this study to critically appreciate the challenges and to explore options for designing and undertaking their collective response to it.

2. Methodology

The following methodology has been employed for the study:

- Reviewing the available relevant literature on the subject such as the global guidelines, national laws, policies and plans as well as the public sector institutional structures that determine the environment in which the humanitarian action takes place;
- Conducting interviews and Focus Group Discussions (FGDs) with the stakeholders involved in the humanitarian action. These would include: government officials, especially the relevant functionaries of the national and regional disaster management authorities; armed forces personnel involved in humanitarian work (if available and willing); the functionaries of INGOs involved in humanitarian activities in Pakistan; the UN agencies; the managers of the

national humanitarian NGOs; the district level administrators and the local humanitarian workers, and, community members;
- Arranging a workshop with participation from various categories of stakeholders from across the spectrum of humanitarian actors to identify shared and common issues and the broad areas of convergence for future actions

3. Approach

With a view to achieve the expected outputs, the categories of stakeholders listed in the previous section were engaged in individual and focus group discussion around the following open-ended questions. The questions were used as stimulators or pegs for discussion, rather than as tools for eliciting exact answers. These include: How do the humanitarian actors view their "effectiveness" in responding to the crisis situations; What role do they envisage about the "other" actors in the humanitarian spectrum; What factors are perceived to positively and negatively affect their work, especially with reference to the actions of the "other" actors; How do they propose to strike the ideal balance between the sometimes conflicting imperatives of "efficiency", "independence", "transparency and accountability", "coordination", "regulation", "advocacy", "delivery" etc., and, how do they propose the major constraints to the effectiveness of humanitarian action can be lessened or removed.

In order to ensure that the discussion takes place in an atmosphere of earnestness and is based on reality rather than the stated organizational positions and theoretical standpoints, the stakeholders were ensured that none of the findings would be attributed to any single individual or organisation but would, instead, be presented as a part of the cumulative findings under various sections of the analytical framework.

4. Overview

4.1 Legal and Institutional Environment

This section takes account of the major pieces of regulation related to the humanitarian activities in Pakistan and seeks to identify the position and opportunities for the engagement of the national humanitarian organisations with the national Disaster Risk Management (DRM) architecture.

Legally, the DRM activities in Pakistan are lead and coordinated under the National Disaster Management Act. This Act established a three-tiered system, from highest authority to lowest authority (in a hierarchical order): national, provincial, and district levels. From these stem what are the major and most significant actors in Pakistan's legal framework for disaster management.

The National level includes a National Disaster Management Commission (NDMC), a National Disaster Management Authority (NDMA), and a National Plan. Similarly, the Provincial level includes a Provincial Disaster Management Commission (PDMC), a

Provincial Disaster Management Authority (PDMA), and a Provincial Plan. The District level includes a District Disaster Management Authority (DDMA), and a District Plan. The law implies that the national and provincial level Disaster Management Authorities would work as the secretariat and administrative arm of their respective governing bodies i.e., the Commissions. When it comes to the district level, arguably the most important link of the chain, the law and the related institutional set up is quiet about the secretarial and administrative support to the DDMA. It leads to the conclusion that the DDMA is itself a governing as well as executive entity without any dedicated human or other resources to manage its affairs.

This law was enacted at a time when a different worldview about the role and powers of the local government was in place and the elected head of the district government was to lead the DDMA. The subsequent years saw a political transformation at the national level that resulted in a long absence of elected local governments. Presently, each province has enacted a different local government law in which the function of DRM is conspicuous by its absence.

In the National Disaster Management Act, the Federal Government is mentioned as a distinct entity. On the basis of an executive order, the NDMA has been placed under the administrative control of one or the other federal ministry at various stages. This introduces a dichotomy wherein the NDMA is, on one hand answerable to the National Disaster Management Commission headed by the Prime Minister, but is also placed under "the Ministry or Division of the Federal Government having administrative control of disaster management". While it is clearly the focal coordinating body for disaster management, whether its administrative control supersedes the authority of the National Disaster Management Commission and/or Authority cannot be proclaimed definitively.

Furthermore, there are some other, unnamed institutions that have been mentioned in this Act, that are to play their respective, and important, roles in disaster management, but the act does not specify them leading to the perception that it implies a possible role that non-governmental organisations might have in those institutions' outlined functions/activities in disaster management, without specifically mentioning them. The sole relatively specific mention of the non-governmental organisations' participation in the governance of DRM in Pakistan is in the composition of the National Disaster Management Commission. The Act states that the Commission would have Representatives of Civil Society or any other person appointed by the Prime Minister[1]. The criterion of identification of this representative however has not been specified in the law. Under the Act, the functions of NDMA include "Coordination of actions of the Ministries and Divisions of the Federal Government, Provincial Governments, National Authority, Provincial Authorities, governmental and non-governmental organisations in relation to disaster management".

[1] Government of Pakistan (2010) National Disaster Management Act, Ch II, Clause 1.3 (p)

The composition of the Provincial Disaster Management Commission, as per the law, does not even reflect any articulated desire to include civil society representative but does, instead, provide a vague and open-ended reference to the possibility. It includes a provision for the inclusion of "other members" to be appointed by the Chief Minister, and is as silent as the national level law about the criterion of identification of these members[2]. The province-related section of the Act makes a specific and clear mention of the non-governmental organisations under its Powers and Functions, stating that the PDMA would, "evaluate preparedness at all government or non-governmental levels to respond to disaster and to enhance preparedness".

Similarly, it is in the description of the functions of the DDMA too where the non-governmental organisations have merited a specific mention. The relevant clause under the Powers and Functions states that the DDMA would, "facilitate community training and awareness programmes for prevention of disaster or mitigation with the support of local authorities, governmental and non-governmental organisations; and, encourage the involvement of non-governmental organisations and voluntary social welfare institutions working at the grassroots level in the district for disaster management"[3].

The review of the National Disaster Management Act that the government, while acknowledging the significance of the role of NGOs in DRM, has not created specific provisions for their participation in the governance structures. The National Disaster Management Plan, and the National Disaster Risk Reduction Policy, the apex implementation frameworks for operationalisation of the Act, acknowledge the role of NGOs as partners across the spectrum of Disaster Risk Management, especially at the community/ grassroots level activities. These provisions however, are of a strategic level and their translation into operational and procedural level has been left open. As a result, a variety of situation specific instruments for coordination and control of NGOs' activities prevail across the country, with varied degrees of involvement of civilian administration and security agencies in regulating the presence and activities of NGOs.

4.2 Position of National Humanitarian Organisations in Humanitarian Architecture – The Humanitarian Clusters

Pakistan was the first country in the world where the recommendations of the Humanitarian Response Review by a High Level Panel constituted by the UN Secretary General were implemented in the form of rolling out the Humanitarian Cluster in response to the 2005 earthquake[4]. It is among the very few members of the United Nations where, despite relative overall political stability, the Humanitarian Clusters

[2] Government of Pakistan (2010) National Disaster Management Act, Ch III, Clause 13.2
[3] Government of Pakistan (2010) National Disaster Management Act, Ch IV, Clause 20.2(r)
[4] https://www.humanitarianresponse.info/en/about-clusters/what-is-the-cluster-approach accessed on 22 June 2015

have been institutionalised as permanent preparedness mechanisms, to be activated at the time of a disaster. In short, the idea behind the establishment of the Cluster system was to provide a sort of roundtable forum where the humanitarian activities would be coordinated. The major utility of a Cluster is to collate and continuously update the needs assessment data from multiple sources with a view to inform the decisions about allocation of resources, to minimise duplication and gaps and, to set context-specific standards for humanitarian interventions. Additionally, a potential spill-over benefit of the Cluster system can be to bring the government, the international and national humanitarian organisations and donors close, with a view to promote joint decision making, reduce mutual mistrust and to minimise the procedural hurdles for the delivery of humanitarian assistance to the affected areas.

It can be deduced that the national NGOs can potentially contribute meaningfully to the functioning of the Clusters and can also benefit from it. The consultations with the stakeholders however, present a less than ideal situation *vis a vis* the effectiveness of Cluster system in Pakistan. The prevalent perception, supported by anecdotal evidence is that the Clusters are viewed as essentially a UN led process, dominated by the UN agencies mandated to coordinate them. The government's participation in Clusters is deemed as mere tokenism and the national NGOs being marginalised in the Cluster process. According to a respondent, the national NGOs seem to have adopted a resigned attitude to the situation instead of asserting their rightful position, explored in the next section of this document. The respondent was of the view that this compromising stature of the national NGOs is stemmed in the patron-client relationship that has evolved between the UN and the International NGOs on one side and the national NGOs on the other side of the aid disbursement mechanism.

5. Role of the Civil Society Organisations

The literature on the role of the Civil Society Organizations generally puts the task of Advocacy as its most important function. As per the theory of Good Governance, the State is the primary duty-bearer for ensuring that the citizens' entitlement in terms of goods, services, safety and security, and an environment conducive to the achievement of humans' innate potential to develop, etc., are provided in a just, equitable and efficient manner. The Civil Society is to act as the voice of the citizens, advocating through various constitutional means, to ensure that the State discharges its duties in a way that is inclusive of the marginalised areas and sections of the society, is adherent to the principles of justice constitutionally assured for all citizens, is mindful of concern for the future generations while providing benefits to the present ones, and promotes harmony among all inhabitants of the country, etc.

The national Civil Society Organisations (CSOs) are at an advantage for the advocacy function as compared to the international organisations. This is mainly because they, as citizens of the country: can afford to have stronger mandates, constitutional rights as both individuals and groups, have better access to evidence from the community level to rally for reforms, and are have deeper insight into the local political, procedural, historical and environmental context.

The engagement of the Civil Society Organisations in service delivery –primary a function of the state- is justified on two grounds: The Civil Society Organisations experiment with innovative, participatory models of service delivery to demonstrate to the other stakeholders models that can be up-scaled or mainstreamed into the public policy and the normal governmental procedures. The CSOs, a term used interchangeably with Non Governmental Organisations (NGO) in this country- are to be procedurally flexible, closer to the communities, backed by the social capital at various levels of the society, and have access to knowledge and experience from multiple sources to play this role effectively. Under this point, service delivery too is deemed as a part of advocacy meant for exhibiting a successful experiment to the society at large, for doing things in an improved and principled manner. Applying this point to the area of Disaster Risk Management (DRM), especially in case of Pakistan, the CSOs have been working at the grassroots level to build local capacities in accessing and utilising the Early Warning, organising community based Search and Rescue teams, assisting the communities in making and implementing Community Based Disaster Risk Management (CBDRM) plans etc. Some of these approaches have been at least acknowledged by the state institutions and have succeeded in making some changes in the governmental policies and programmes.

The second justification, arguably more relevant in the cases of emergency response than for normal periods, is based on the over-stretched capacity of the state to respond to major disasters. In such cases where vast areas are affected by catastrophic events, the NGOs –often with the financial and technical support of International NGOs and donors- are to fill the gaps in delivery of humanitarian assistance to the communities. Again, the CSOs are supposed to have an advantage here because of their prior ties with the communities and the consequent deeper understanding of the local context, making their involvement in aid distribution more equitable and responsive to the local needs. This theoretical framework was employed in soliciting and analysing the responses of the participants in the consultations for this study.

6. Findings from the Consultative Process

The following narrative summarises the findings from the consultations held with a variety of stakeholders.

6.1 Role of National Humanitarian Organisations in Pakistan

The interviewees' responses and the literature review generally acknowledged positively the role played by the national (and international) NGOs, particularly in responding to the natural and man-made disasters in the recent past. In the realm of service delivery, the efficacy of all actors including the NGOs in the relief efforts after the 2005 earthquake, the 2010 and 2014 mega floods and the various military operations in Northern Pakistan, can be judged by the fact that no secondary disasters such as disease outbreak or mass trafficking of women and children was observed. The advocacy role of the NGOs in successfully lobbying for the adoption of Owner Driven

Reconstruction for the post-earthquake reconstruction, and its globally renowned success shows the potential for the NGOs to excel in testing circumstances. This historical backdrop informed the discussions and consultations with the stakeholders during the course of this study.

In conformance with the reflections on the role of Civil Society Organisations in general, summarised in the previous section, the responses from the stakeholders about their perception of the NGOs' role in DRM in Pakistan can also be classified into two broad categories i.e., Service Delivery and Advocacy. Majority of stakeholders however, laid the highest, if not exclusive, emphasis on their role as deliverers of goods and services in response to disasters.

This perception prevalent among the majority of interviewees, also steered the discussion on the constraints faced by them excessively towards operational impediments in delivery of aid, with a rather limited discussion on their role as representatives of people's voice, advocates for the rights of the marginalised and upholders of cross-cutting normative themes such as gender equality, human rights and environmental conservation.

Most respondents viewed the national NGOs as intermediaries for delivery of humanitarian aid to the affected population as a middle segment of a supply chain pyramid starting with the foreign donors, descending to international humanitarian organisations, followed by the national NGOs and eventually to the communities, with sometimes the involvement of an additional tier of Community Based Organisations.
The aforementioned image of national NGOs has some negative implications for their role in advocacy. It was pointed out by various interviewees that, arguably because of financial dependence on foreign donors and International NGOs, the advocacy activities of the national NGOs are rather selectively focused on the national government. It was argued that issues like Donor Fatigue, the perceived high operational and overhead costs of International NGOs and the UN, and the reportedly dubious activities of some international organisations (both from a financial transparency as well as a national security perspective) are seldom raised by the national NGOs in their advocacy campaigns. It was contended by some respondents that adherence to the Humanitarian Principles of impartiality, neutrality and independence are quite likely to be undermined because of conflicting interests in both advocacy and service delivery.

Another factor that affects the image of the national NGOs is their sometimes being clubbed together with International NGOs. There exist some serious apprehensions shared by both the governmental, as well as community circles about the mandates, intentions and operations of International NGOs – and the national NGOs through the logic of association. Some of these apprehensions are indeed based on hearsay and induced by sensationalised media reports, such as their being involved in proselytisation, espionage or other such conspiracy theories. Additionally, there are impressions based on rather predictable resistance by vested interests to ideas such as women's empowerment, modern education and reproductive health. Yet a lot of these negative impressions are stemmed in an apparent communication gap between the

NGOs and other stakeholders. At least one highly placed interviewee pointed to the fact the absence of Pakistanis on the governing bodies of most International NGOs – while the nationals of some "unfriendly" countries are there- adds to the suspicion about the sincerity of intents and operations of these entities for Pakistan.

The perception of national NGOs as "contractors" to the donors and International NGOs sometimes leads to their being compared with the local private sector contractors and questions about their relative competitive advantage in terms of cost efficiency as well as answerability to the local authorities. Sporadic incidents of the line department functionaries' demanding financial gratification from national NGOs working on infrastructure rehabilitation have been reported during some interviews.

This impression of NGOs was resounded in a particularly blunt manner during the community consultations. These communities have been repeatedly affected by a variety of events and have a fairly vast exposure to humanitarian NGOs. The general impression carried by the community of NGOs, apart from the media-induced conspiracy theories, was that of a less than transparent, inefficient contractor, on the basis of anecdotal evidence. When reminded of all the help extended to them by the NGOs at the time of crisis, their recollection was that of dealing with (highly, in their view) paid contractor without much of a sincere voluntary impression of the aid workers.
It was shared by some community members that often at the time of disasters, the national NGOs barge in the affected areas, loaded with money and supplies, crowding out the local CBOs, some of which possess disaster response skills by virtue of having been trained by a previous governmental or NGO project. This creates resistance against the "outsiders" who may not always be culturally sensitive and unaware of the local social context. The outsiders' intrusion was also blamed as a major factor behind the erosion of the local social capital and detrimental to community resilience, promoting a recipient mindset.

A similarly uncharitable image of the NGOs, especially the national NGOs, was seen to be carried by most government officials consulted. It must be mentioned though, that the government officials' receptivity towards NGO initiatives involving tangible benefits was found to be higher than the ones related to "soft" inputs such as awareness raising, training, surveys etc., In addition to anecdotal evidence of financial corruption, over-reporting, fudging of figures and high programmatic expense, three quite significant issues were pointed out by them, behind the perception they have of national NGOs.

Widespread scepticism exists in the government circles about the NGOs' interest in the areas deemed "sensitive" by the national security apparatus. According to them, the NGOs have not been able to provide a satisfactory justification for concentrating in these locations whereas other, less "sensitive" areas also offer a need for humanitarian intervention. They often view it as a ploy of the "foreign hand" to intervene in fragile areas and consequently hinder humanitarian access under the pretext of security for the NGO workers and assets. Secondly, it was admitted by the interviewees that the government lacks the intellectual and manpower resources to fully understand and

analyse the NGOs' proposals and to coordinate effectively among them. Thirdly, according to the government officials, many projects proposed by the NGOs intuitively appear non-responsive to the needs on ground and appear to be driven by opportunism or merely under an imperative to quickly spend the funds. The respondents quoted various anecdotal but concrete examples to support these inferences. The government officials also decried the fact that most of the NGOs do not bother to coordinate–or at least maintain liaison- with the line departments in normal circumstances but expect the government to readily accept them as partners at the time of emergency. This, as per the respondents' view, does not contribute to an atmosphere of mutual trust.

Much of the scepticism about the role of national NGOs and the capacity gaps in addressing their various vulnerabilities can be at least partially attributed to their relationship with the INGOs. A sizeable number of INGOs work in partnership with the national NGOs, especially in the area of service delivery. It was observed by many respondents that the relationship between these two sets of stakeholders appears more of a "patron-client" type rather than that of long-term equal partners. Most of the relationships between the INGOs and their national counterparts are short-term, project based and almost singularly focused on delivery of immediate results. The investments by INGOs in development of sustainable capacity of national NGOs and their networks are few and far between. In the stakeholders' general perception, it appears an inauspicious arrangement wherein the national NGOs have to remain at least financially and procedurally accountable to INGOs while the latter have no such structured relationship with the former. Some of this phenomenon may have to do with the strings attached to the funding by the original donors, whose investment is not sensitive to capacity development needs of the national NGOs, but it is also partly related to the weak bargaining position of the often fund-starved national NGOs who are often in no position to negotiate the allocation of funds for their own strengthening.

7. Summary of Constraints

The major constraints to the activities of the national humanitarian organisations, identified through the discussions and review of relevant documents are summarised under three categories, as follows:

7.1 Legal/ Institutional Constraints

- The national NGOs, despite being acknowledged in various policy documents of the government as important stakeholders, do not have clearly structured representation at the various statutory forums where strategic and practical decisions are made
- The national NGOs have not been able to form a representative body that can be strong enough to speak on behalf of the NGO community to solicit policy level engagement with the government
- For reasons rooted in the political history of this country, the engagement with the government is often limited to the bureaucratic arms of the government, with an

almost deliberate avoidance of the elected legislators who are the constitutionally defined policy makers[5]

- The multiplicity of regulatory regimes for the NGOs in different areas sometimes invests the administrative officials with arbitrary powers to constrain the NGOs from performing their functions
- The absence of local governments for a long time and the non-inclusion of DRM in the present pieces of provincial legislation deprive the NGOs of their natural counterparts at the district and community levels
- An erosion of the empowerment of the civilian administration, delegating the task of NGO regulation to the law enforcement and military authorities who have no orientation or capacity to discharge this task in a mutually agreeable and transparent manner
- Over emphasis by the donors to spend sizeable amounts of funds in very limited periods of time, leading to non-responsive, rushed and sometimes non-transparent management of disaster response projects
- The apparent conflict between the imperatives for maintaining independent positions on important advocacy issues and the desire to deliver humanitarian aid, thus making, for instance, the donors immune from any critical advocacy

7.2 Perception-based Constraints

A lack of effective communication with the government, the other sections of the civil society (e.g., the mass media, the traders' and workers' organisations, the academia, political workers) and even the communities has led to the creation of the following perceptions, that negatively affect the activities of the national NGOs:

- Suspicion about the intentions, especially where the NGOs are seen to gather data without a necessary link to some concrete follow-up action
- Impression regarding the high overhead and operational costs of NGOs' activities
- Suspicion about the foreign donors and International NGOs spilling over onto the image of national NGOs, who are sometimes seen as the members of the same club
- NGOs being viewed as solely dependent on foreign funding as opposed to salient national charities (e.g., Edhi Foundation, SIUT, SKMTH etc.,) who have won the trust of the local population
- Failure to demonstrate to the authorities that political instability is not the sole reason for the interest of NGOs in the "sensitive" areas
- A virtual absence of engagement with the line departments at the provincial and local levels in normal circumstances, leading to their being suspicious and non-cooperative at the time of disasters

[5] It can be argued that this is due to disconnect between CSOs and political society as a whole at all levels of society. Most donors too avoid working with political parties at local level but encourage working with legislators.

- Perception of the national NGOs acting no differently from the private sector consultants and contractors, without a convincing display of a voluntary spirit
- Lack of any meaningful, structured mechanisms for ensuring downwards and lateral accountability for NGOs' actions
- NGOs being viewed as opportunistic actors, bringing in supply-driven initiatives as opposed to the ones based on a thorough and participatory identification of local needs
- Low intellectual capacity and a lack of rigour in the overall NGO fraternity to provide realistic, high quality input or feedback to the government on policy matters
- Creation of a beggar mindset among the communities mainly due to supply driven initiatives, without necessarily investing in creation of local social capital or grassroots level volunteerism.

7.3 Procedural Constraints

The procedural constraints pertain to the impediments faced by the NGOs in gaining access to areas considered insecure, conflict-ridden and "sensitive" by the authorities. These are particularly relevant for the provinces of Khyber Pakhtunkhwa (KP) and Balochistan, as well as the Federally Administered Tribal Area (FATA) where insurgencies of varying levels are present.

7.3.1 Khyber Pakhtunkhwa and FATA

The disaster management authorities dealing with the two regions have drafted, with considerable input by some NGOs, the Standard Operating Procedure (SOP) for obtaining a No Objection Certificate (NOC) to work there. Prima facie, the SOP is quite clear-cut and defines discreet steps for the process. In reality however, there are certain internal -formal as well as informal- processes that cause delay and sometimes rejection of the request of the NOC. According to the feedback from consultations, the government officials are generally unaware of the NGOs' way of working and some of them harbour the suspicions about the intents and processes of the applicants. Anecdotal evidence suggests that the mind set of the individual representing the government at the time of application matters a lot for an efficient or delayed processing.

Secondly, the task of security clearance of the applicants for NOC is entrusted simultaneously to multiple civil and military security agencies – 11 of them, according to one respondent's estimate- who, to varying degrees, do not have a system at hand to discharge this duty. It often boils down to the writing of often an arbitrary report given by a very low ranking functionary of these agencies. The lack of insight about the structure and functioning on NGOs is rampant even among the high level officials of most security agencies and is further exacerbated the lower one ranks in the hierarchy.

Perhaps the most irritating aspect of this process is that it does not bind the government to clearly state the reasons behind the rejection of an application,

depriving the NGOs of the opportunity to either clarify their position or to redress the fault, if real. The UN has put in place a quasi-formal system of following up on the individual cases of delay or rejection, but even this arrangement becomes ineffective if the rejection is based on reports from "sensitive" agencies.
In some cases, another bottleneck awaits the NGOs even after obtaining the NOC. When they reach the intended location of the project, sometimes the local administration demands an additional level of clearance, in addition to the one already carried out by the PDMA. This is done under the pretext that it is the local administration, and not the under-staffed and under-capacitated PDMA, who is held responsible in case of a security incident or non-performance of a project.

7.3.2 Balochistan

The restive province, facing at least two sets of violent streams –one nationalistic and the other stemming from religious extremism- and the consequent activities of the law enforcement and military authorities, is deemed as an unsafe place to work. During the natural disasters of 2010 and 2011 floods and the Awaran earthquake of 2013, the humanitarian access of both national and international humanitarian organisations was restricted under the pretext of security.

Even the province based NGOs faced restrictions in getting humanitarian access, as various state organs, particularly the security establishment had virtually monopolised the control of humanitarian activities. The PDMA however, initiated a system of regulating the NGOs through registering them for a token fee. The registration was to be renewed annually on the basis of performance. This initiative however, was put on hold by the provincial government, deeming it to be taking place in a legal void, because of a lack of sub-legislation of the Provincial Disaster Management Act. PDMA lacks the technical capacity to frame these rules and, as per the relevant respondents, the NGOs have not shown any interest in providing input to the legislative process.

Box 1. The Role of Religious Charities

It is generally believed that while the formal NGOs are subjected by the government to a multitude of scrutinising and clearance processes, the religious charities, some of whom believed to have links to extremist outfits, are virtually free to go anywhere and do any activities. It is feared by a section of society that these organisations use the charity cover to gain access to stressed areas and recruit young people for militancy in the country and abroad. This impression is strengthened by the fact a number of self-proclaimed charitable organisations were proscribed by the international community and subsequently by the Government of Pakistan. Some interviewees opine that these organisations have strong links with certain sections within the security establishment who covertly support their nefarious agenda. A more charitable view expressed by some respondents was that no law in this country restricts individual or collective charity and these organisations, on the face of it, are doing just that and cannot thus be legally stopped from operating. These interviewees drew parallels between the activities, sources of funding and modus operandi of the religious charities and the non-religious charities such as Edhi Foundation who also enjoy unrestricted humanitarian access in this country.

8. The Way Forward

The following section classifies action points to address the constraints discussed in the report, into two categories viz., Advocacy Actions and Internal Reform Actions. The former relates to activities that aim at making the legal and institutional environment more conducive to the humanitarian activities of the national NGOs. The latter points to the actions that would help the national NGOs improve their internal individual as well as collective systems to support the Advocacy with concrete examples.

8.1 Advocacy

A review of academic literature on the civil society and the stated mandates of a number of NGOs suggests that the primary function of the civil society organisations is to act as a civic regulator, a watch dog, and articulator of the right-holders' voice, especially of those who lie on the margins of the power landscape, to ensure that the duty-bearers' activities are inclusive, transparent and need based. A section above delves into the dilemma faced by the Pakistani humanitarian NGOs when they, by virtue of getting involved in the delivery of humanitarian services –using their own or external donors' funds- to the affected people, they themselves join the category of duty-bearers. This, as reflected in the consultations too, puts them in an awkward moral dilemma. On one hand, they are pulled by the humanitarian imperative of filling a service delivery gap by becoming a part of the response effort, yet on the other hand they are weighted down by their mandate to act as independent advocates and watchdogs, on behalf of the right-holders, vis a vis all the duty-bearers. The consultations lead to the contention that many of the "image related" issues faced by the NGOs are closely linked to this dilemma.

The consultations pointed to various actions towards responding to the issues of Advocacy, seeking to address the various determinants as well as outcomes for the humanitarian NGOs' position in the society in general and in relation to specific categories of stakeholders in particular. These are summarised as follows:

8.1.1 Clarity of Role

The national NGOs need to take a clear-cut position on their role in the realm of humanitarian activities. Introspection, preferably collectively, is needed on ways and means, organisational restructuring or innovations in organisational activities, to address the apparent conflict of interest between advocacy and service delivery. Some respondents proposed the creation of "firewalls" between the two functions within each NGO to ensure that either of the two imperatives does not undermine the other. A related proposal was for the NGOs to always reflect the lessons learnt during service delivery into advocacy initiatives with a view to maintain and demonstrate their unique position among the whole range of duty-bearers from public and private sectors.

Another proposition from some respondents recommended that while the discreet NGOs might continue emphasising on their role as duty-bearers, the humanitarian networks or alliances (such as NHN) must be singularly focused on advocacy. Advocacy should ideally emphasise less on issues and constraints faced by the NGOs and more on

policies and initiatives that have implications for humanitarian issues faced by the right-holders. For the humanitarian networks/ alliances to be able to discharge this function effectively, they need to be technically capacitated to provide high quality, evidence based and normatively sound inputs to advocacy campaigns.

8.1.2 Asserting NGOs' Position on Policies and Procedures

Much of the history of NGOs' coordination, both among themselves and with the government, indicates that such action has mostly been reactive to external stresses and piecemeal rather being proactive, strategic and concerted. As a result, the NGOs can claim very few achievements in terms of policy reforms in humanitarian governance, policy and programmes in this country. A major gap identified by a wide range of interviewees during this study was the absence of secondary legislation to the major laws. Consequently, no by-laws, Standard Operating Procedures (SOP), or rules of engagement of NGOs with national authorities on humanitarian activities exist. Given the apparently lop-sided priorities of the government in the area of Disaster Risk Management, the government too remains in a reactive mode, often hurriedly framing such administrative instruments at the time of crises. The national NGOs may like to be pro-active on this front and draft and propose model by-laws, SOPs and rules of engagement including the criteria for inclusion of civil society representatives in the strategic policy making forums. This exercise should be undertaken with a high degree of professionalism on one hand, and constant engagement with various segments of society, especially the legislators, to bring about legal and policy reform in a manner that is not only reflective of the humanitarian principles, but also takes into account the local context. The recent trend of increasingly stringent curbs on the activities of INGOs by the government might lead to an enhanced role of national humanitarian NGOs in DRM and they should diligently prepare for this.

A stronger network would also help the NGOs assert themselves for the resolution of procedural bottlenecks through better and stronger engagement with the government authorities, as well as through public advocacy through formal and social media.

8.1.3 Stronger Communication, Engagement and Accountability

It has been acknowledged by most of the interviewees that the communication strategies of the NGOs are de facto, largely focused on donors and other international actors. The negative perception about the NGOs' role in the society appears linked to a neglect of the importance of proactive, positive and continuous engagement with the national stakeholders. The national NGOs need to rethink their mode of a reactive and sporadic engagement with the national stakeholders including, chiefly: the federal and provincial legislators; mass media, especially the vernacular press; government officials, particularly at the district level, and, community members. The NGOs need to translate into action their stated mandate of getting involved in all stages of DRM cycle like Disaster Risk Reduction (DRR), preparedness, contingency planning, response, recovery and reconstruction. Specialised communication sub-strategies and communication products for addressing these important categories of stakeholders need to be created, disseminated and followed-up.

Similarly, the consultations with the stakeholders reflect that much of the accountability of NGOs is focused on financial accountability and that too primarily for the consumption of donors. The actual evidence of any deliberate and proactive effort aimed at promoting accountability for the promised or projected results is scarce. The stated principle of downwards accountability is also not often supported by specific institutional and procedural instruments. It is probably high time for the NGOs to rethink the concepts of accountability and efforts be made on going beyond the ritual sharing of audit reports on organisational websites and also to ensure mechanisms for seeking structured feed back of the communities on their activities.

8.2 Internal Reform

Any efforts aimed at making progress on the two sets of recommendations in the previous section would require a reform in the way in which the NGOs presently operate, individually and collectively. Some of these involve tangible outputs while the others are related to intangible attitudinal changes. These are summarised as under:

8.2.1 Investment in Stronger Network(s)

With a view to effectively communicate and advocate with the decision makers, as well as the counterparts and communities at large, the humanitarian organisations' networks should be strengthened. There is a need to invest in the intellectual capacity of the secretariat(s) of the network(s) to enable it come up with high quality position papers, technical analyses, model pieces of legislation, procedural guidelines and SOP for adoption through continuous engagement and negotiation with the government. Furthermore, the secretariat(s) should be empowered to design communication strategies on behalf of the NGO community, as well as the masses, whose voice they proclaim to represent.

8.2.2 Self-Regulation for Enhancing Standards and Ethical Parameters

The NGOs' platforms need to agree upon shared self-regulatory regimes that seek to standardise the technical and ethical parameters for humanitarian activities. These would help enhancing the image of NGOs *vis a vis* other stakeholders and would also discourage the opportunistic and possibly unethical practices by some NGOs. The self-regulation regime can be gradually strengthened to issue bills of clean health to members with a good record of compliance and possibly blacklist the ones without. These practices must take into account and harmonise with the other such national and global instruments and standards like the Sphere Standards, the Humanitarian Accountability Partnership (HAP) and the certification by Pakistan Centre for Philanthropy (PCP).

8.2.3 Information Management

Since the NGOs claim to be an important segment of the humanitarian community, they need to actively invest into a most essential component of humanitarian preparedness and response: Information Management. By creating and maintaining a comprehensive

and permanent database of the myriad of humanitarian NGOs, the network(s) would be able to not only add to the effectiveness of humanitarian responses but also be in a stronger position to negotiate with other stakeholders, based on demonstrable evidence of capacity and outreach. The proposed database can also be used to assist the humanitarian community at large in assessing the post-disaster humanitarian needs and tracking the response. This database can be both linked with any larger database maintained by the government for this purpose or can act as an alternate, people's platform on disaster impacts.

The database can be further expanded and upgraded to act as a knowledge management platform wherein the evidence and lessons learnt from the field can be collated and fed into other actions and products proposed in this section.

8.2.4 Partners' Capacity Building

All the proposed actions under this and the previous sub-section need strong technical capacities on the part of the members of the network(s). The collective body or network(s) can help its constituents and counterparts in attaining the necessary knowledge, skills and attitudinal attributes for internal reform and external advocacy, with a view to enhancing the impact and image of humanitarian actors. Customised training and capacity building packages can be designed and implemented to help the stakeholders achieve standards, populate the database and maintain accountability.

9. Conclusion

The national NGOs in Pakistan have an important role to play in the area of DRM but the full realisation of their potential has been constrained due to a number of external and internal factors. Most, if not all, of the external factors need to be addressed through strengthening of the discreet NGOs as well as their networks. This in turn, is contingent upon their collective re-focusing on their role as representatives of people – especially the marginalised sections of the society- and investing in highlighting, through formal media, social media and direct interaction with the stakeholders at all levels, from policy makers to the communities at the grassroots level.

The internal factors can be addressed by reforming the NGOs' organizational structures, modus operandi, judicious allocation of resources and enhanced strategic planning. These reforms will need to be supported, technically and financially, by the donors and the donors' intermediaries.

A combination of externally and internally oriented actions are likely to improve the efficacy, image and impact of the NGOs' work in Pakistan, contributing to the achievement of the overall vision of a more resilient, equitable and prosperous society, nationally and globally.

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