

## Background information sheet

### International Standards of Quality and Accountability in Disaster Relief

The development of international standards and mechanisms to ensure the quality of relief and the accountability of relief providers is still in a nascent stage. The most prominent instruments in the field are voluntary guidelines. However, elements of quality assurance and accountability do exist in a number of disaster-related treaties.

# Voluntary standards and mechanisms

Humanitarian identity and the adherence to certain basic standards has long been seen as critical to humanitarian activity. However, it was not until the 1990s that efforts began to develop common standards for the entire humanitarian community. One of the most important of these was the Code of Conduct for the Red Cross/ Red Crescent Movement Non-Governmental and Orqanizations in Disaster Response Programmes of 1994. The code was developed by the International Federation of



More than 80 years of responding to disasters has taught the Red Cross and Red Crescent that involving communities fully in the planning of their reconstructed cities, towns and villages is a vital part of the healing process.

Photo: Olav A. Saltbones/International Federation

Red Cross and Red Crescent Societies and the Steering Group for Humanitarian Response (SCHR), whose members at the time included CARE, Caritas Internationalis, the Federation, the Lutheran World Federation, Oxfam, Save the Children and the World Council of Churches. The code was subsequently presented to the International Conference of the Red Cross and Red Crescent in 1995 where it was formally welcomed.

The code consists of 10 standards for humanitarian organizations with brief explanatory commentaries and 3 annexes containing recommendations to host states, donor states and intergovernmental organizations. Organizations may sign the code by notifying the Federation of their intent to abide by it – and over 370 have done so to date. However, there is no formal mechanism for monitoring compliance.

In 1997, SCHR and Interaction (another humanitarian organization umbrella organization) launched the Sphere Project (<u>www.sphereproject.org</u>) to build on the code. After several years of consultation, the project published the <u>Sphere Humanitarian</u> <u>Charter and Minimum Standards in Disaster Response</u> in 2000 (frequently referred to as the Sphere Handbook). The Humanitarian Charter, based on the code, international

humanitarian law, human rights law and refugee law, sets out basic principles, rights and roles with regard to humanitarian assistance. The Minimum Standards set out qualitative and quantitative standards for various sectors of humanitarian activity. A revised edition of the Sphere Handbook was produced in 2004, integrating a number of cross-cutting issues (including, for example, issues of protection) relevant to each of the sectors.

The Sphere Handbook has been widely embraced by the humanitarian community, including by the <u>Inter-Agency Standing Committee</u> (IASC), a senior policy-making body of United Nations and other humanitarian agencies. However, it has not been formally adopted by governments in an inter-governmental forum. It also does not have a formal sign-on mechanism or any formal monitoring mechanism.

In addition to the previously mentioned instruments, various segments of the humanitarian community have initiated voluntary mechanisms to address issues of quality and accountability. The most prominent among these are:

- the Humanitarian Accountability Partnership International (<u>www.hapinternational.org</u>), a peer monitoring mechanism
- People in Aid (<u>www.peopleinaid.org</u>), which seeks to improve human resource practices in humanitarian organizations
- the Active Learning Network for Accountability and Performance in Humanitarian Action (ALNAP) (<u>www.alnap.org</u>), which produces guidelines, evaluations, training handbooks and other materials on humanitarian action

Recently, the donor community has also begun to examine the principles behind its activities in humanitarian assistance. In 2003, a conference of interested donor states held in Stockholm adopted the <u>Principles and Good Practice of Good Humanitarian</u> <u>Donorship</u> (www.goodhumanitariandonorship.org). The Principles are designed to ensure that donor practices promote equitable, speedy and appropriate humanitarian assistance based on need. Interested states have continued to meet annually to promote the implementation of the principles, including through pilot projects.

#### Treaty standards

In addition to the voluntary standards discussed above, existing hard law on international disaster response includes some elements concerning quality and accountability in relief operations. As the treaties tend mainly to address state players, these standards are essentially what states demand of each other when providing assistance. In general, they tend to be rather sparse with regard to the responsibility of the sending state and more rigorous with regard to the receiving state when mainly financial assistance is at issue.

In many bilateral mutual assistance treaties, states require that disaster relief teams be formed only by properly trained and equipped personnel.<sup>1</sup> They also underline the importance of cooperation of these foreign response teams with domestic authorities and counterparts.<sup>2</sup> Conversely, in these and many other treaties concerning disaster relief, it is frequently provided that the requesting state must take on the responsibility for legal claims against relief providers for damage caused by them.<sup>3</sup> In financial assistance agreements, the recipient state is commonly required to ensure that aid is used only for

See, e.g. Agreement between the Federal Republic of Germany and the Kingdom of the Netherlands on Mutual Assistance in the Event of Disasters Including Serious Accidents of 1998, art. 4.
Id. at art. 5.

<sup>&</sup>lt;sup>3</sup> See, e.g. id. at art. 10; Agreement between Denmark, Finland, Norway and Sweden on Cooperation across State Frontiers to Prevent or Limit Damage to Persons or Property or to the Environment in the Case of Accidents of 1989, art. 5; Agreement among the Governments of the Participating States of the Black Sea Economic Cooperation (BSEC) on Collaboration in Emergency Assistance and Emergency Response to Natural and Man-Made Disasters of 1998, art. 14.

its designated purpose, report on progress of related programmes and allow inspection and audit by representatives of the assisting state.<sup>4</sup>

It is noteworthy that some IDRL treaties appear to relate their (usually fairly brief) quality standards with provisions to facilitate the work of the assisting party. Thus, for example, the recently-adopted <u>ASEAN Agreement on Disaster Management and</u> <u>Emergency Response</u> of 2005 provides that relief goods provided by relief providers under the treaty should "meet the quality and validity requirements of the Parties concerned for consumption and utilization" (art. 12(4)).

### For more information

See the IDRL web site and online legal database at <u>www.ifrc.org/idrl</u> or contact us at:

International Disaster Response Laws, Rules and Principles programme International Federation of Red Cross and Red Crescent Societies P.O. Box 372 1211 Geneva 19 Switzerland + 41 22 730 4222 idrl@ifrc.org

**Last update of this page:** 25 April 2006 © International Federation of Red Cross and Red Crescent Societies

<sup>&</sup>lt;sup>4</sup> See. e.g., <u>Grant Agreement between the Governments of the People's Republic of Bangladesh and the United</u> <u>States of America for Relief and Rehabilitation</u> (with amendment) of 1972.